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EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-0360-AIR-E **TCEQ ID:** RN100219252 **CASE NO.:** 32884
RESPONDENT NAME: Huntsman Petrochemical Corporation

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Huntsman Port Neches, 6001 Highway 366, Port Neches, Jefferson County</p> <p>TYPE OF OPERATION: Chemical manufacturing</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: A complaint was received on December 6, 2006, alleging a black cloud of smoke was coming from a flare, and smoke was observed from 8:30 a.m. until 10:00 a.m. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0581-MLM-E and 2007-0989-AIR-E.</p> <p>INTERESTED PARTIES: A complaint was received but the complainant has not expressed a desire to protest this action or to speak at Agenda.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on September 3, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Ms. Jessica Rhodes, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2879; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468 Respondent: Mr. Steven Barre, Site Manager, Huntsman Petrochemical Corporation, P.O. Box 847, Port Neches, Texas 77651 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: December 6, 2006</p> <p>Date of Investigation Relating to this Case: December 11, 2006</p> <p>Date of NOV/NOE Relating to this Case: February 8, 2007 (NOE)</p> <p>Background Facts: This was a complaint investigation. One violation was documented.</p> <p>AIR</p> <p>Failed to prevent unauthorized emissions [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit 0-02288, Special Terms and Conditions No. 16, and New Source Review Permit 19823, Special Condition No. 1].</p>	<p>Total Assessed: \$7,925</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$3,962</p> <p>Total Paid to General Revenue: \$3,963</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification: Absence of management practices designed to ensure compliance.</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, design and implement improvements to procedures to address the emissions event that occurred November 28, 2006, and to prevent the reoccurrence of similar incidents; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.</p>

Attachment A
Docket Number: 2007-0360-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Huntsman Petrochemical Corporation
Payable Penalty Amount:	Seven Thousand Nine Hundred Twenty-Five Dollars (\$7,925)
SEP Amount:	Three Thousand Nine Hundred Sixty-Two Dollars (\$3,962)
Type of SEP:	Pre-approved
Third-Party Recipient:	South East Texas Regional Planning Commission-West Port Arthur Home Energy Efficiency Program
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to conduct home energy audits and to assist low income residents in the West Port Arthur area by weatherizing their homes which will improve their homes' energy efficiency. SEP monies will be used to pay for the cost of caulking and insulating homes, replacing heating and cooling systems and major appliances with new, energy efficient equipment.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and nitrogen oxides associated with the combustion of fuel and generation of electricity. Additionally, the improvements will improve homes as shelters for responding to emergency releases.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

South East Texas Regional Planning Commission
Transportation and Environmental Resources
Bob Dickenson, Director
2210 Eastex Freeway
Beaumont, Texas 77703

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision January 9, 2007

TCEQ

DATES	Assigned	12-Feb-2007	Screening	7-Mar-2007	EPA Due	5-Nov-2007
	PCW	20-Mar-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Huntsman Petrochemical Corporation
Reg. Ent. Ref. No.	RN100219252
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	32884	No. of Violations	1
Docket No.	2007-0360-AIR-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Jessica Rhodes
Multi-Media		EC's Team	EnforcementTeam 5
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes
Penalty enhancement due to five NOVs issued for same or similar violations, five NOVs issued for unrelated violations, three agreed orders with denial of liability, five agreed orders without denial of liability. Penalty reduction due to three notices of audit.

Culpability Enhancement **Subtotal 4**

Notes
The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Reduction **Subtotal 5**

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	X	(mark with x)

Notes
The Respondent does not meet the good faith criteria.

Total EB Amounts **0% Enhancement*** **Subtotal 6**
Approx. Cost of Compliance ***Capped at the Total EB \$ Amount**

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes
No deferral is recommended for Findings Orders.

PAYABLE PENALTY

Screening Date 7-Mar-2007

Docket No. 2007-0360-AIR-E

PCW

Respondent Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

Case ID No. 32884

PCW Revision January 9, 2007

Reg. Ent. Reference No. RN100219252

Media [Statute] Air Quality

Enf. Coordinator Jessica Rhodes

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	5	25%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	5	125%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 217%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to five NOVs issued for same or similar violations, five unrelated violations, three agreed orders with denial of liability, five agreed orders without denial of liability. Penalty reduction due to three notices of audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 217%

Screening Date 7-Mar-2007

Docket No. 2007-0360-AIR-E

PCW

Respondent Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

Case ID No. 32884

PCW Revision January 9, 2007

Reg. Ent. Reference No. RN100219252

Media [Statute] Air Quality

Enf. Coordinator Jessica Rhodes

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit 0-02288, Special Terms and Conditions No. 16, and New Source Review Permit 19823, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, on November 28, 2006, over a period of 5 hours, the South Flare (Emission Point Number UER037) located in the A-3 Unit, emitted 340.38 pounds ("lbs") of Volatile Organic Compound ("VOC") and 374.86 lbs of carbon monoxide ("CO"). Permit No. 19823 authorizes 32.87 lbs of VOC per hour and 53.59 lbs of CO per hour. Since this emissions event was avoidable, Huntsman failed to meet the demonstrations for an affirmative defense as described in 30 Tex. Admin. Code § 101.222(b)(2) and (b)(3).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual			X	25%	
Potential					

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

Matrix Notes Human health and the environment have been exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health and the environment.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$241

Violation Final Penalty Total \$7,925

This violation Final Assessed Penalty (adjusted for limits) \$7,925

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 32884
Reg. Ent. Reference No. RN100219252
Media Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$5,000	28-Nov-2006	15-Nov-2007	1.0	\$241	n/a	\$241

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent an emissions event due to the same cause as the emissions event that occurred on November 28, 2006. Date required is based on the day of the emissions event. Final date is based on the projected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$241

Compliance History

Customer/Respondent/Owner-Operator: CN600632848 Huntsman Petrochemical Corporation Classification: AVERAGE Rating: 5.64
 Regulated Entity: RN100219252 HUNTSMAN PORT NECHES Classification: AVERAGE Site Rating: 26.56

ID Number(s):	DESCRIPTION	ACCOUNT NUMBER	ID NUMBER
	AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0052V
	AIR OPERATING PERMITS	PERMIT	1320
	AIR OPERATING PERMITS	PERMIT	2286
	AIR OPERATING PERMITS	PERMIT	2287
	AIR OPERATING PERMITS	PERMIT	2288
	AIR OPERATING PERMITS	PERMIT	1322
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008076846
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30029
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	35486
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	40711
	AIR NEW SOURCE PERMITS	PERMIT	29516
	AIR NEW SOURCE PERMITS	PERMIT	51736
	AIR NEW SOURCE PERMITS	REGISTRATION	71975
	AIR NEW SOURCE PERMITS	REGISTRATION	71986
	AIR NEW SOURCE PERMITS	PERMIT	52715
	AIR NEW SOURCE PERMITS	PERMIT	53515
	AIR NEW SOURCE PERMITS	PERMIT	53792
	AIR NEW SOURCE PERMITS	PERMIT	54565
	AIR NEW SOURCE PERMITS	PERMIT	54551
	AIR NEW SOURCE PERMITS	PERMIT	54550
	AIR NEW SOURCE PERMITS	PERMIT	55050
	AIR NEW SOURCE PERMITS	PERMIT	55077
	AIR NEW SOURCE PERMITS	REGISTRATION	55261
	AIR NEW SOURCE PERMITS	REGISTRATION	55552
	AIR NEW SOURCE PERMITS	PERMIT	53808
	AIR NEW SOURCE PERMITS	REGISTRATION	75754
	AIR NEW SOURCE PERMITS	REGISTRATION	75597
	AIR NEW SOURCE PERMITS	REGISTRATION	76018
	AIR NEW SOURCE PERMITS	REGISTRATION	75748
	AIR NEW SOURCE PERMITS	REGISTRATION	76383
	AIR NEW SOURCE PERMITS	PERMIT	54906
	AIR NEW SOURCE PERMITS	PERMIT	54935
	AIR NEW SOURCE PERMITS	PERMIT	54933
	AIR NEW SOURCE PERMITS	REGISTRATION	55753
	AIR NEW SOURCE PERMITS	REGISTRATION	56738
	AIR NEW SOURCE PERMITS	REGISTRATION	56737
	AIR NEW SOURCE PERMITS	REGISTRATION	70023
	AIR NEW SOURCE PERMITS	REGISTRATION	70024
	AIR NEW SOURCE PERMITS	PERMIT	56390
	AIR NEW SOURCE PERMITS	REGISTRATION	56243
	AIR NEW SOURCE PERMITS	REGISTRATION	70571
	AIR NEW SOURCE PERMITS	REGISTRATION	70726
	AIR NEW SOURCE PERMITS	REGISTRATION	70781
	AIR NEW SOURCE PERMITS	REGISTRATION	70858
	AIR NEW SOURCE PERMITS	REGISTRATION	71038
	AIR NEW SOURCE PERMITS	REGISTRATION	71126
	AIR NEW SOURCE PERMITS	REGISTRATION	71130
	AIR NEW SOURCE PERMITS	REGISTRATION	71506
	AIR NEW SOURCE PERMITS	REGISTRATION	71751
	AIR NEW SOURCE PERMITS	REGISTRATION	72265
	AIR NEW SOURCE PERMITS	PERMIT	70011
	AIR NEW SOURCE PERMITS	PERMIT	52583
	AIR NEW SOURCE PERMITS	PERMIT	50360
	AIR NEW SOURCE PERMITS	PERMIT	54219
	AIR NEW SOURCE PERMITS	PERMIT	53979
	AIR NEW SOURCE PERMITS	PERMIT	54231
	AIR NEW SOURCE PERMITS	PERMIT	54570
	AIR NEW SOURCE PERMITS	PERMIT	54017

AIR NEW SOURCE PERMITS	PERMIT	54234
AIR NEW SOURCE PERMITS	PERMIT	52318
AIR NEW SOURCE PERMITS	PERMIT	56077
AIR NEW SOURCE PERMITS	PERMIT	56073
AIR NEW SOURCE PERMITS	PERMIT	53005
AIR NEW SOURCE PERMITS	PERMIT	53551
AIR NEW SOURCE PERMITS	PERMIT	54057
AIR NEW SOURCE PERMITS	PERMIT	54328
AIR NEW SOURCE PERMITS	PERMIT	52531
AIR NEW SOURCE PERMITS	PERMIT	52077
AIR NEW SOURCE PERMITS	PERMIT	54881
AIR NEW SOURCE PERMITS	PERMIT	54182
AIR NEW SOURCE PERMITS	REGISTRATION	72310
AIR NEW SOURCE PERMITS	REGISTRATION	72332
AIR NEW SOURCE PERMITS	REGISTRATION	72329
AIR NEW SOURCE PERMITS	REGISTRATION	72325
AIR NEW SOURCE PERMITS	REGISTRATION	72336
AIR NEW SOURCE PERMITS	REGISTRATION	72802
AIR NEW SOURCE PERMITS	REGISTRATION	73102
AIR NEW SOURCE PERMITS	REGISTRATION	73601
AIR NEW SOURCE PERMITS	REGISTRATION	73665
AIR NEW SOURCE PERMITS	REGISTRATION	73663
AIR NEW SOURCE PERMITS	PERMIT	72907
AIR NEW SOURCE PERMITS	REGISTRATION	73927
AIR NEW SOURCE PERMITS	REGISTRATION	73956
AIR NEW SOURCE PERMITS	PERMIT	74236
AIR NEW SOURCE PERMITS	REGISTRATION	74296
AIR NEW SOURCE PERMITS	REGISTRATION	74362
AIR NEW SOURCE PERMITS	REGISTRATION	74511
AIR NEW SOURCE PERMITS	REGISTRATION	74838
AIR NEW SOURCE PERMITS	REGISTRATION	74849
AIR NEW SOURCE PERMITS	REGISTRATION	74851
AIR NEW SOURCE PERMITS	REGISTRATION	74096
AIR NEW SOURCE PERMITS	REGISTRATION	75064
AIR NEW SOURCE PERMITS	REGISTRATION	75203
AIR NEW SOURCE PERMITS	REGISTRATION	75183
AIR NEW SOURCE PERMITS	REGISTRATION	75202
AIR NEW SOURCE PERMITS	REGISTRATION	76510
AIR NEW SOURCE PERMITS	REGISTRATION	76627
AIR NEW SOURCE PERMITS	REGISTRATION	76677
AIR NEW SOURCE PERMITS	REGISTRATION	76732
AIR NEW SOURCE PERMITS	REGISTRATION	76932
AIR NEW SOURCE PERMITS	REGISTRATION	76950
AIR NEW SOURCE PERMITS	REGISTRATION	77129
AIR NEW SOURCE PERMITS	REGISTRATION	77217
AIR NEW SOURCE PERMITS	REGISTRATION	77327
AIR NEW SOURCE PERMITS	REGISTRATION	78199
AIR NEW SOURCE PERMITS	REGISTRATION	78974
AIR NEW SOURCE PERMITS	REGISTRATION	79036
AIR NEW SOURCE PERMITS	PERMIT	647B
AIR NEW SOURCE PERMITS	PERMIT	4508A
AIR NEW SOURCE PERMITS	PERMIT	5807A
AIR NEW SOURCE PERMITS	PERMIT	5952A
AIR NEW SOURCE PERMITS	PERMIT	5972A
AIR NEW SOURCE PERMITS	PERMIT	7761
AIR NEW SOURCE PERMITS	PERMIT	11824
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AIR NEW SOURCE PERMITS	PERMIT	12951
AIR NEW SOURCE PERMITS	PERMIT	13091
AIR NEW SOURCE PERMITS	PERMIT	16909
AIR NEW SOURCE PERMITS	PERMIT	19823
AIR NEW SOURCE PERMITS	PERMIT	20134
AIR NEW SOURCE PERMITS	PERMIT	20160
AIR NEW SOURCE PERMITS	PERMIT	20201
AIR NEW SOURCE PERMITS	PERMIT	20485
AIR NEW SOURCE PERMITS	PERMIT	23568

AIR NEW SOURCE PERMITS	PERMIT	29516
AIR NEW SOURCE PERMITS	PERMIT	31443
AIR NEW SOURCE PERMITS	PERMIT	36646
AIR NEW SOURCE PERMITS	PERMIT	36453
AIR NEW SOURCE PERMITS	PERMIT	38747
AIR NEW SOURCE PERMITS	PERMIT	39725
AIR NEW SOURCE PERMITS	PERMIT	40375
AIR NEW SOURCE PERMITS	PERMIT	40374
AIR NEW SOURCE PERMITS	PERMIT	40527
AIR NEW SOURCE PERMITS	PERMIT	40804
AIR NEW SOURCE PERMITS	PERMIT	41444
AIR NEW SOURCE PERMITS	PERMIT	41301
AIR NEW SOURCE PERMITS	PERMIT	41757
AIR NEW SOURCE PERMITS	PERMIT	42103
AIR NEW SOURCE PERMITS	PERMIT	42153
AIR NEW SOURCE PERMITS	PERMIT	42348
AIR NEW SOURCE PERMITS	PERMIT	42526
AIR NEW SOURCE PERMITS	PERMIT	42154
AIR NEW SOURCE PERMITS	PERMIT	42458
AIR NEW SOURCE PERMITS	PERMIT	42720
AIR NEW SOURCE PERMITS	PERMIT	43143
AIR NEW SOURCE PERMITS	PERMIT	43912
AIR NEW SOURCE PERMITS	PERMIT	44055
AIR NEW SOURCE PERMITS	PERMIT	44123
AIR NEW SOURCE PERMITS	PERMIT	44124
AIR NEW SOURCE PERMITS	PERMIT	44125
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AIR NEW SOURCE PERMITS	PERMIT	44034
AIR NEW SOURCE PERMITS	PERMIT	44295
AIR NEW SOURCE PERMITS	PERMIT	44434
AIR NEW SOURCE PERMITS	PERMIT	44555
AIR NEW SOURCE PERMITS	PERMIT	44556
AIR NEW SOURCE PERMITS	PERMIT	44561
AIR NEW SOURCE PERMITS	PERMIT	44694
AIR NEW SOURCE PERMITS	PERMIT	45089
AIR NEW SOURCE PERMITS	PERMIT	45090
AIR NEW SOURCE PERMITS	PERMIT	45094
AIR NEW SOURCE PERMITS	PERMIT	45198
AIR NEW SOURCE PERMITS	PERMIT	45277
AIR NEW SOURCE PERMITS	PERMIT	45644
AIR NEW SOURCE PERMITS	PERMIT	45569
AIR NEW SOURCE PERMITS	PERMIT	45664
AIR NEW SOURCE PERMITS	PERMIT	45663
AIR NEW SOURCE PERMITS	PERMIT	46088
AIR NEW SOURCE PERMITS	PERMIT	46791
AIR NEW SOURCE PERMITS	PERMIT	47011
AIR NEW SOURCE PERMITS	PERMIT	47039
AIR NEW SOURCE PERMITS	PERMIT	47065
AIR NEW SOURCE PERMITS	PERMIT	47066
AIR NEW SOURCE PERMITS	PERMIT	47422
AIR NEW SOURCE PERMITS	PERMIT	47555
AIR NEW SOURCE PERMITS	PERMIT	47577
AIR NEW SOURCE PERMITS	PERMIT	47887
AIR NEW SOURCE PERMITS	PERMIT	48001
AIR NEW SOURCE PERMITS	PERMIT	48178
AIR NEW SOURCE PERMITS	PERMIT	48176
AIR NEW SOURCE PERMITS	PERMIT	48202
AIR NEW SOURCE PERMITS	PERMIT	49192
AIR NEW SOURCE PERMITS	PERMIT	49247
AIR NEW SOURCE PERMITS	PERMIT	49493
AIR NEW SOURCE PERMITS	PERMIT	49615
AIR NEW SOURCE PERMITS	PERMIT	50109
AIR NEW SOURCE PERMITS	PERMIT	50328
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0052V
AIR NEW SOURCE PERMITS	AFS NUM	4824500006
AIR NEW SOURCE PERMITS	REGISTRATION	79198
AIR NEW SOURCE PERMITS	REGISTRATION	79296

AIR NEW SOURCE PERMITS	REGISTRATION	79529
AIR NEW SOURCE PERMITS	REGISTRATION	79800
AIR NEW SOURCE PERMITS	REGISTRATION	79939
AIR NEW SOURCE PERMITS	REGISTRATION	80149
AIR NEW SOURCE PERMITS	REGISTRATION	80171
AIR NEW SOURCE PERMITS	REGISTRATION	80169
AIR NEW SOURCE PERMITS	REGISTRATION	80328
AIR NEW SOURCE PERMITS	REGISTRATION	80391
AIR NEW SOURCE PERMITS	REGISTRATION	80389
AIR NEW SOURCE PERMITS	REGISTRATION	80390
AIR NEW SOURCE PERMITS	REGISTRATION	80702
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50055
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30029

Location: 6001 HIGHWAY 366, PORT NECHES, TX, 77651 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: March 07, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 07, 2002 to March 07, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Jessica Rhodes Phone: 512-239-2879

Site Compliance History Components

- 1. Has the site been in existence and/or operation for the full five year compliance period? Yes
- 2. Has there been a (known) change in ownership of the site during the compliance period? No
- 3. If Yes, who is the current owner? N/A
- 4. If Yes, who was/were the prior owner(s)? N/A
- 5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 03/07/2003

ADMINORDER 2002-0511-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: GC8 PERMIT
SC1 PERMIT

Description: Failure to maintain volatile organic compounds below the MAERT limit.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

Description: Failure to properly repair leaking components by the end of the next process unit shutdown.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly repair leaking components by the end of the next process unit shutdown.

Effective Date: 04/25/2003

ADMINORDER 2002-1026-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC11 PERMIT

Description: Failure to perform daily monitoring of the Volatile Organic Compound concentration.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC11 PERMIT

Description: Failure to sample the outlet cooling tower water stream from the exchangers in butadiene service within 24 hours after a VOC concentration of greater than 0.5 ppmw is detected between the inlet and outlet streams.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085[G]

Rqmt Prov: SC24 PERMIT

Description: Failure to collect grab samples within 24 hours from each suspect condenser and cooler after detecting a VOC concentration in exceedance of 0.5 ppmw, indicated by gas chromatography.

Effective Date: 06/12/2003

ADMINORDER 1998-1481-MLM-E

Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: OR 1 PERMIT

Description: Failed to ensure that the stormwater system and all its systems of collection, treatment and disposal were properly operated and maintained by allowing oil to collect in and near the banks of the unlined PV-9 Pond near the G-6 and F-6 Units.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(a)
30 TAC Chapter 335, SubChapter A 335.6(b)

Description: Failed to notify or appropriately change the Notice of Registration for three waste streams.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.62
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]

Description: Failed to make accurate hazardous waste determinations and classify any nonhazardous waste of the waste stored in and on the banks of the PV-9 Pond.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)
30 TAC Chapter 335, SubChapter C 335.69(a)(3)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)

Description: Failed to have the hazardous waste label visible for a 40 cubic yard roll-off box, which was covered by a tarp, failed to label a different 40 cubic yard roll-off box containing sludge with the words "hazardous waste" or the date of accumulation.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete upset reports on September 9, 10, 11, 18, 20, 23, 25 and 28, 1997.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.100[G]
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(e)(3)(i)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to produce a copy of the startup, shutdown, and malfunction plan upon request.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)[G]

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair leaking components in the C-4, PO/MTBE and F-6 Units within fifteen calendar days after each leak was detected.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Failed to repair leaking components in the A-3 Unit within fifteen calendar days after leaks were detected.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)[G]
30 TAC Chapter 116, SubChapter B 116.115(a)

5C THC Chapter 382, SubChapter A 382.085[G]

Rqmt Prov: SC1 PERMIT

Description: Failed to repair a leaking component at the C-4 Unit within 15 calendar days after leaks were detected.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(1)(i)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor components in the C-4, F-2, F-4, F-6 Units for leaks on a monthly basis.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor components in the F-2, F4 and F-6 Units monthly to detect leaks, and where a leak was detected, failed to monitor the components monthly until a leak was not detected for two successive months.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor components in the C-4 Unit on a quarterly basis.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Held material containing butadiene from two solvent recovery towers in an open sump, which was not capable of maintaining working pressure sufficient at all times to prevent any vapor or gas loss to the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(a)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-5(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SP 2 PERMIT

Description: Failed to equip the sample station for Tank 43 in the Receiving and Shipping areas with a closed-purge or closed vent system.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262[G]
30 TAC Chapter 116, SubChapter B 116.115(b)[G]

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to timely notify the TCEQ within ten days following installation or modification of Huntsman's switching tanks 45 and 46 in the C-4 Unit to oil-water separator service.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: sc12 PERMIT

Description: Failed to include the duration or expected duration and corrective actions taken or being taken in the upset report submitted on November 7, 1998.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to cap or plug a temporary aromatic distillate unloading line near the west end of the bullet tanks in the Shipping and Receiving Area and failed to equip Tanks 43, 87 and 88 in benzene service, with closed-purge or closed vent systems.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 10 PERMIT
SC 11I PERMIT

SC 2A PERMIT

Description: Failure to route vapors from the degassing and/or cleaning of VOCs from transport vessels at the tank-car cleaning rack to a control device until a turnover or at least four vapor volumes.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 11I PERMIT

Description: Failed to repair leaking components in the Receiving and Shipping Area within 15 calendar days after leaks were detected.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 11I PERMIT

Description: Failed to repair a leaking component in the C-4 Unit within fifteen calendar days after leaks were detected.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor one pump in the F2 Unit for leaks on a monthly basis from February 3, 1997 to October 31, 1998.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor components in the F2 and F6 units monthly to detect leaks and where a leak was detected, failed to monitor components monthly until a leak was not detected for two successive months.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 6 PERMIT

Description: Exceeding the filling rate of ethylene oxide to Tank Nos. 9, 10, 30 and 180 in the Receiving and Shipping Area on May 9, May 16, May 26, 1998.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)
30 TAC Chapter 335, SubChapter C 335.69(a)(3)

30 TAC Chapter 335, SubChapter C 335.69(d)(2)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(a)

Description: Failed to properly label hazardous waste containers.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(f)(2)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)

Description: Failed to complete weekly hazardous waste inspections of a 90-day container storage area for the weeks of 01/02/98, 02/27/98, 7/2/98, 8/7/98, 8/14/98 and 8/28/98.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(d)(1)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)(i)

Description: Failed to close a hazardous waste container in the MTBE lab satellite waste accumulation area.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130

30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Part 60, Subpart VV 60.482-6[G]
5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failed to equip an open-ended line containing VOCs with a second valve, blind flange, plug or cap.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC6C PERMIT

Description: Failed to limit visible emissions from the high pressure flare at the A-3 Unit to five minutes in a two-hour period on January 10, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: GC7 PERMIT

Description: Failed to supply records sufficient to demonstrate compliance with the permit's maximum allowable emission rate.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
5C THC Chapter 382, SubChapter A 382.0518(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to obtain permit authorization for modifications to the North Flare and the South Flare.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SP 2(A) PERMIT

Description: Failed to ensure that valve numbers 10422 and 15538 at the C-4 Unit were equipped with a second valve, blind flange, plug or cap.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
5C THC Chapter 382, SubChapter A 382.0518(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to obtain permit authorization or to satisfy the conditions of a permit by rule prior to expanding and operating the Joint Waste Water Treatment Plant.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.7(a)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.11(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 2A PERMIT

Description: Failed to maintain pollution emission capture equipment in good working order. Allowed Compressors 2CIA, 2CIB, and 2CIC to operate improperly.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 16 PERMIT

Description: Failed to have a weatherproof and readily visible identification marked with the equipment identification number attached to leaking component 29106 at the F-6 Unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 12 PERMIT

Description: Failed to maintain the stack temperature at or above 1000 degrees Fahrenheit at the Ethylene Oxide incinerator at the F6 Unit on 8/21/99.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter F 115.546(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to record the chemical name and estimated liquid quantity of VOC's contained in each

vessel prior to degassing and/or cleaning.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset. Failed to report an upset at the C-4 Unit that occurred January 7-8, 2000 until January 13, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Allowed the release of 1,3-butadiene emissions to the atmosphere without authorization on January 7-8, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset that occurred at the E-4 Unit on March 12, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Allowed the release of ammonia emissions to the atmosphere without authorization on March 12, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset at the C-4 Unit that began on 1/10/00.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Allowed the release of 1,3-butadiene and VOC emissions to the atmosphere without authorization on January 10-11, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.7(b)(1)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report the duration of a maintenance event which occurred when the A-3 Unit was shut down on January 17, 2000. The shut down report submitted January 13, 2000 failed to include the estimated duration of the event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Allowed the release of 1,3-butadiene and VOC emissions to the atmosphere from the A-3 Unit without authorization on January 17, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: OR 1 PERMIT

Description: Failed to ensure that the stormwater and all its systems of collection, treatment, and disposal were properly operated and maintained by allowing oil to collect in and near the banks of the unlined PV-9 Pond near the G-6 and F-6 Units.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(b)

Description: Failed to notify the TCEQ of the locations of approximately 20 storage points for containers of nonhazardous waste oil throughout the Plant.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
30 TAC Chapter 335, SubChapter E 335.112(a)(8)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174

Description: Failed to perform weekly inspections on a railcar containing Polyblend.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Released approximately 1382 pounds of unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

SC6c PERMIT

Description: Failed to limit visible emissions from a process gas flare to five minutes in any two-hour period from Flare 1 and Flare 2 at the Cracked Gas Compressor Unit on April 21, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Exceeded the maximum allowable emission rate of 1.98 pounds per hour.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit to the TCEQ initial and final upset reports that included the duration or estimated duration of the upset for a reportable upset at the MTBE section of the Propylene Oxide/MTBE F5 Unit Ground Flare that began on 11/6/00.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

Description: Failed to limit emissions from the Propylene Oxide/MTBE F5 Unit Ground Flare to five minutes in a two-hour period on 11/7/00.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notification to the TCEQ within 24 hours of discovery of a reportable upset on November 15, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 10 PERMIT

Description: Failed to limit visible emissions from the Propylene Oxide/MTBE F5 Unit Ground Flare to five minutes in a two-hour period on 11/14/00.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notification to the TCEQ within 24 hrs of discovery of a reportable upset caused by a 1,3-butadiene leak from the S4E53 Exchanger at Cooling Tower 3 at the C4 Unit that began on 11/5/00.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failed to prevent unauthorized emissions of 1,3-butadiene from leaking from the S4E53 Exchanger at Cooling Tower 3 at the C4 Unit during an upset that began on 11/5/00.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report to the TCEQ the start time of a reportable upset concerning an ammonia leak at the E4 Unit in the Oxides and Olefins Plant which began on 11/13/00.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Exceeded the maximum allowable emission rate for ammonia.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notification to the TCEQ within 24 hrs of discovery of a reportable upset that began on 11/15/00 at a pump in the E7 Unit at the Oxides and Olefins Plant.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Exceed the maximum allowable emission rate for Permit No. 647B by allowing 1860 pounds of ammonia from a ruptured pump gasket to release to the atmosphere during an upset that began on 11/15/00..

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include the estimated duration of a reportable upset in an upset notification concerning a benzene leak from Cooling Tower No. 4 at the A3 Unit in the Oxides and Olefins Plant that began on 11/6/00.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Exceeded the maximum allowable emission rate of 1.58 pounds per hour of benzene emissions from Cooling Tower No. 4 at the A3 Unit in the Oxides and Olefins Plant w/o authorization.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notification to the TCEQ within twenty-four hours of discovery of a reportable upset at the F-4 incinerator at the F4 Unit in the Oxides and the Olefins Plant that began on November 13, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Exceeded the maximum allowable emission rate of 2.15 pounds per hour for VOC emissions in Permit No. 5927A during an upset that began on 11/13/00.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include in the upset notification to the TCEQ the estimated duration of reportable upsets at the A3 Olefins Unit, Propylene Oxide/MTBE Plant, and the F2 Unit that began on 12/16/00.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Exceeded permitted limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notification to the TCEQ within 24 hrs of discovery of a reportable upset at the C-A3-1/Flares at the A3 Unit in the Oxides and Olefins Plant which began on January 7, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Exceeded the maximum allowable emission rates for VOC and NOx emission in TCEQ Permit No. 19823.

Effective Date: 06/12/2003

ADMINORDER 2001-0349-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Caused or contributed to elevated off-site concentrations of 1,3-butadiene, methyl tertiary butyl ether, styrene, and other volatile organic compounds on August 26, thru Aug 30, 2000.

Effective Date: 06/13/2004

ADMINORDER 2003-0650-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent the emission of an air contaminant that will contribute to air pollution.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 Special Conditions No. 5 PERMIT

Description: Failure to maintain an emission rate below an allowable emission limit at the Butadiene Unit.

Effective Date: 08/20/2006

ADMINORDER 2006-0107-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 5952A SC 1 PA

Description: Failure to maintain an emission rate below the allowable emissions limit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the Beaumont Region Office of a reportable emissions event for Incident 69694.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823, SPECIAL CONDITION 1 PERMIT

Description: Failure to prevent ethylene emissions during Incident 69694.

Effective Date: 09/21/2006

ADMINORDER 2006-0399-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 16909 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 PERMIT
O-01327 OP

Description: Failure to meet the minimum net heating value requirement during the compliance test conducted on June 8, 2005, which should be greater than 11.2MJ/scm. Results of the compliance test show a minimum net heating value of 10.23MJ/scm.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 5952A, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report an emissions event within 24 hours after discovery.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 16909/ Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 12/02/2006

ADMINORDER 2005-0926-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 PERMIT

Description: Failure to maintain VOC limit less than 2.0 ppmw in C4 Cooling Tower.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 PERMIT

Description: Failure to maintain an emission rate below the allowable limit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 647B/MAERT PERMIT

Description: Failure to prevent unauthorized ammonia emissions from the E7 Cooling Tower. A8c2Aii

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.730

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct HON sampling and analysis following an approved method.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20160 PERMIT

Description: Failure to repair leaking exchanger in the PO/MTBE cooling water system during unit shutdown.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 1:00 p.m. on September 16, 2003 at the MTBE Drying Column Overhead Line.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20160/General Condition 8 PERMIT

Description: Failed to prevent unauthorized emissions of 479.5 lbs of Dimethyl Ether, 8631.6 lbs of Isobutylene and 479.5 lbs of Methyl Formate from the MTBE Drying Column Overhead Line on September 16, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/SC17 OP

20160/GC 8 PERMIT

Description: Failed to prevent unauthorized emissions of 15 lbs of Ethylene Glycol, 699 lbs of Tert Butanol and 854 lbs of Tert Butyl Hydroperoxide from the Tertiary Butyl Alcohol (TBHP) Feed Header on January 11, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20160, GC8 PERMIT

O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions of 745 lbs of Tert Butanol from Tank 007, the TBA Day Tank (EPN POTK007) on February 23, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/SC 17 OP
5972A/SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 67 lbs of ethylene oxide from the F-P-137 Ethylene Oxide Rundown on August 25, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of VOCs of 303 lbs on December 10, 2003, 98 lbs December 13, 2003, 432 lbs January 1, 2004, 394 lbs January 15, 2004, 547 lbs February 17, 2004, and 167 lbs on February 28, 2004 from the F-F-6 Regenerator Vent.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 5952/ SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 595 lbs of Ethylene and 44 lbs of Ethylene Glycol from the Regenerator Flash Drum Vent on November 22, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event on August 23, 2003 at the F-4 Regenerator (EPN F4FF135).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823, SC1 PERMIT
20160, GC8 PERMIT

5972A, SC1 PERMIT
O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions on August 23, 2003 of 1) 5304 lbs of VOC from the PO/MTBE Unit, and 2073 lbs of CO and 251 lbs of NOx from the F5 Unit of the PO/MTBE Plant to the PO/MTBE Flare (EPN POFLARE), and 2) 221 lbs of Ethylene from the Regen/Reabsorb Vent at the F4 Regenerator (EPN F4FF135).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a final record to the TCEQ within two weeks after the end of a reportable emissions event on September 6, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 106 lbs of Ethylene from the F-6 Regenerator Vent (EPN F6FF6104) on September 6, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 8:15 p.m. on October 5, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 146 lbs VOCs (Ethylene and Ethylene Glycol) from the F-6 Regenerator Vent (EPN F6FF6104) on October 5, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 12:15 p.m. on October 25, 2003 at the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the Olefins and Oxides (O&O) Plant.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/ SC 15 OP
5897A/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 2514 lbs of Ammonia from the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the O&O Plant on October 25, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485, SC1 PERMIT
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions on January 15, 2004 of 12 lbs of VOCs and 18 lbs of 1,3-Butadiene from the North Unit of the C4/MTBE/Butadiene Units, and 3 lbs of NOx and 19 lbs of CO from the Butadiene Unit of the C4 Plant to the North/South Flare (EPN UWNR1, UW6R1).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1327/ SC15 OP
20485/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 163.46 lbs of VOCs on August 20, 2003 and 302.658 lbs of VOCs on February 20, 2004 from the tank hatch of Tank 77.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485, SC1 PERMIT
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions to the North/South Flare (EPN UWN6R1/UWS6R1) of 2) 48 lbs of VOC and 17 lbs of 1,3 Butadiene from the MTBE Unit, on July 22, 2003, and 3) 173 lbs of VOC, 79 lbs of 1,3 Butadiene, 131 lbs of CO and 13 lbs of NOx from the C4 Plant on February 7, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5807A SC 1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 29516 General Conditions PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 56390 SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 Special Condition 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3.
A8c1G

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare, South. B14

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)

30 TAC Chapter 116, SubChapter B 116.116(b)(1)(G)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485, Special Condition 1 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit..

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 Special Condition 1 PERMIT

O-02288 Special Condition 16 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(c)

30 TAC Chapter 101, SubChapter F 101.211(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit a timely reports of an emissions events on October 20 and 25, 2004, and

March 16,2005.

Classification: Major

Citation: 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 5807A SC 1 PERMIT

Description: Failure to prevent unauthorized emissions that occurred at the anhydrous ammonia loading area of the E4 Unit; E4 Unit covered by Permit 5807A. Incident 48357.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP O-01327, SC 15 OP
Permit 20486, SC 1 PERMIT

Description: Failure to comply with the MAERT limits of permit 20485; failure to comply with the conditions of FOP O-01327.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP O-01327, SC 15 OP
Permit 20485, SC 1 PERMIT

Description: Failure to comply with the emissions limits as specified in Special Condition 1, which references the Maximum Allowable Emissions Rate Table, of TCEQ Permit 20485, and Special Condition 15 of Federal Operating Permit O-01327.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly report emissions events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit an initial notification of an emissions event with 24 hours.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Huntsman failed to properly identify the correct Emission Point Common Name in 57946 final notification.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823/ SC 1 PERMIT

Description: Failure to comply with the Maximum Allowable Emissions Rate Table (MAERT) of TCEQ Permit 19823.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 07/25/2002 (4155)

2	07/25/2002	(3876)
3	07/26/2002	(4350)
4	07/26/2002	(4345)
5	07/26/2002	(4372)
6	07/26/2002	(4375)
7	07/26/2002	(4383)
8	07/26/2002	(2982)
9	07/26/2002	(4386)
10	07/26/2002	(4366)
11	07/29/2002	(6011)
12	07/31/2002	(4635)
13	08/01/2002	(4022)
14	08/01/2002	(4158)
15	08/01/2002	(4044)
16	08/01/2002	(4091)
17	08/06/2002	(3832)
18	08/20/2002	(7047)
19	08/20/2002	(6857)
20	08/20/2002	(7227)
21	08/26/2002	(9046)
22	08/26/2002	(9499)
23	09/25/2002	(12184)
24	10/08/2002	(13061)
25	10/11/2002	(8025)
26	10/15/2002	(13466)
27	10/15/2002	(13326)
28	11/26/2002	(16960)
29	11/26/2002	(16488)
30	11/26/2002	(16469)
31	11/26/2002	(16872)
32	11/26/2002	(16989)
33	11/26/2002	(16833)
34	11/26/2002	(16629)
35	11/26/2002	(16869)
36	11/26/2002	(16494)
37	11/26/2002	(16603)
38	11/26/2002	(16606)
39	11/26/2002	(16524)
40	12/04/2002	(16984)
41	12/12/2002	(16651)
42	12/12/2002	(16873)
43	12/13/2002	(16639)
44	12/18/2002	(16658)
45	02/26/2003	(25453)
46	02/26/2003	(25418)
47	02/27/2003	(25223)
48	02/28/2003	(26623)
49	02/28/2003	(26561)
50	03/31/2003	(26570)
51	04/03/2003	(27484)
52	04/03/2003	(26237)
53	04/14/2003	(25395)
54	05/09/2003	(31845)
55	05/12/2003	(29308)
56	06/09/2003	(33422)
57	07/01/2003	(118989)
58	07/08/2003	(24015)
59	07/08/2003	(25046)
60	08/27/2003	(139288)
61	08/29/2003	(119121)
62	10/03/2003	(249924)
63	12/12/2003	(256877)
64	03/30/2004	(262961)

65	03/30/2004	(263046)
66	04/01/2004	(262946)
67	04/01/2004	(262873)
68	04/01/2004	(262956)
69	04/01/2004	(263014)
70	04/01/2004	(263010)
71	04/01/2004	(263588)
72	04/01/2004	(263043)
73	04/01/2004	(262968)
74	04/01/2004	(262879)
75	04/01/2004	(263022)
76	04/01/2004	(263607)
77	04/02/2004	(264437)
78	04/02/2004	(264455)
79	04/02/2004	(263644)
80	04/08/2004	(264474)
81	04/08/2004	(263600)
82	04/08/2004	(263004)
83	04/21/2004	(264467)
84	04/21/2004	(264098)
85	04/21/2004	(264471)
86	04/21/2004	(264092)
87	06/23/2004	(273321)
88	07/16/2004	(270119)
89	08/26/2004	(273402)
90	08/31/2004	(263533)
91	08/31/2004	(285082)
92	09/08/2004	(288721)
93	10/18/2004	(333854)
94	01/11/2005	(343813)
95	01/28/2005	(343967)
96	02/16/2005	(344499)
97	02/16/2005	(344565)
98	02/16/2005	(351061)
99	02/23/2005	(346660)
100	03/08/2005	(346632)
101	03/08/2005	(347207)
102	03/10/2005	(341723)
103	03/31/2005	(373656)
104	04/04/2005	(349319)
105	04/04/2005	(349315)
106	04/05/2005	(349320)
107	04/05/2005	(349133)
108	04/05/2005	(374774)
109	04/15/2005	(375442)
110	04/15/2005	(375452)
111	04/15/2005	(375457)
112	04/21/2005	(373550)
113	04/26/2005	(374614)
114	05/12/2005	(378265)
115	05/12/2005	(378267)
116	05/12/2005	(377634)
117	05/12/2005	(377613)
118	05/12/2005	(377543)
119	05/12/2005	(378487)
120	05/12/2005	(378225)
121	05/18/2005	(377798)
122	05/20/2005	(376583)
123	05/20/2005	(377225)
124	06/14/2005	(379665)
125	06/15/2005	(379607)
126	06/15/2005	(394963)
127	06/17/2005	(380357)

128	07/05/2005	(395675)
129	07/05/2005	(395572)
130	07/06/2005	(397867)
131	07/15/2005	(392774)
132	07/15/2005	(392639)
133	08/02/2005	(401638)
134	08/25/2005	(403293)
135	08/29/2005	(399102)
136	08/31/2005	(381075)
137	09/09/2005	(404606)
138	11/03/2005	(419194)
139	11/16/2005	(434314)
140	12/05/2005	(398736)
141	12/05/2005	(431206)
142	12/06/2005	(437343)
143	12/06/2005	(437334)
144	12/06/2005	(437338)
145	12/16/2005	(437133)
146	01/27/2006	(437989)
147	01/27/2006	(450224)
148	01/27/2006	(451827)
149	01/30/2006	(438965)
150	02/22/2006	(456022)
151	02/22/2006	(456036)
152	02/22/2006	(455947)
153	02/22/2006	(455838)
154	02/22/2006	(456099)
155	02/27/2006	(454550)
156	02/28/2006	(457553)
157	02/28/2006	(457561)
158	02/28/2006	(457516)
159	03/30/2006	(456815)
160	03/30/2006	(458616)
161	03/30/2006	(453754)
162	03/30/2006	(458485)
163	03/30/2006	(458020)
164	03/31/2006	(458673)
165	04/07/2006	(455375)
166	04/07/2006	(454572)
167	04/07/2006	(458321)
168	04/07/2006	(459162)
169	04/26/2006	(461473)
170	05/01/2006	(463769)
171	05/04/2006	(464589)
172	05/26/2006	(465414)
173	06/22/2006	(465864)
174	07/31/2006	(487611)
175	08/17/2006	(481936)
176	08/23/2006	(485023)
177	08/31/2006	(449989)
178	08/31/2006	(486891)
179	08/31/2006	(454082)
180	08/31/2006	(487767)
181	09/11/2006	(488579)
182	09/19/2006	(513278)
183	09/20/2006	(511947)
184	09/20/2006	(511204)
185	09/25/2006	(509094)
186	09/25/2006	(497536)
187	09/25/2006	(488474)
188	10/10/2006	(513527)
189	10/25/2006	(515506)
190	10/25/2006	(515822)

191	10/25/2006	(515478)
192	10/30/2006	(511240)
193	11/08/2006	(515666)
194	11/13/2006	(517041)
195	11/13/2006	(517036)
196	11/15/2006	(517191)
197	11/15/2006	(514399)
198	11/16/2006	(515790)
199	11/27/2006	(518436)
200	11/28/2006	(517675)
201	11/28/2006	(516609)
202	11/30/2006	(516090)
203	12/04/2006	(533060)
204	12/12/2006	(533440)
205	12/15/2006	(531666)
206	12/28/2006	(488675)
207	12/29/2006	(456006)
208	01/17/2007	(531872)
209	02/08/2007	(535487)
210	02/20/2007	(535145)
211	02/21/2007	(537271)
212	02/23/2007	(540396)
213	02/23/2007	(534486)
214	02/23/2007	(537684)
215	02/26/2007	(540551)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	05/09/2003	(31845)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
Rqmt Prov:	PERMIT 20485			
Description:	Failure to maintain the Maximum Allowable Emission Rate Table (MAERT) limit of 170 pounds per hour (lb/hr) for Boilers 1 and 2 (EPN UW6BB1&2) for Carbon Monoxide (CO).			
Date:	10/03/2003	(249924)		
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(9) 5C THC Chapter 382, SubChapter A 382.085(b)			
Description:	Failure to provide the basis used for determining the quantity of air contaminants emitted during an emissions event.			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G) 5C THC Chapter 382, SubChapter A 382.085(b)			
Description:	Failure to maintain an emission rate below an allowable emission limit.			
Date:	06/23/2004	(273321)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G] 30 TAC Chapter 113, SubChapter C 113.100[G] 30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 20485, SC 2D PERMIT 20485, SC 3			
Description:	Failure to properly operate the South Flare on May 3, 2004.			
Date:	01/12/2005	(343813)		
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 63, Subpart H 63.167[G] 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	OP Permit O-02286, SC 1D			
Description:	Failure to maintain all VOC lines equipped with a capped end, blind flange, or double blocked valve at the T-E3-147 Tank and the Pump Out Line 56.			

Date: 04/01/2005 (373656)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent visible emissions.

Date: 08/23/2006 (485023)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 5807A
OP O-02287

Description: Failure to maintain the daily production limit for the E4 Unit as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(F)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287

Description: Failure to continuously collect and maintain pilot monitoring data, as required by 30 TAC 122.144(1) and 40 CFR 60.7(f), and reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287

Description: Failure to analyze quarterly cooling water samples using Method 624 as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19823
PERMIT 5807A
OP O-02287
OP O-02288

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Units: O-02287 - 5 components (Component Numbers 03968, 05771, 06097, 07502 and 07824) in E4FUG; O-02288 - 1 component (Component Number 0228) in A3FUG.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 647B
OP O-02287

Description: Failure to maintain the hourly production limit for Morpholine as reported in the Deviation Report for FOP O-02287 covering July 21, 2004 to January 19, 2005.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287

Description: Failure to submit a notification within ten days following installation of the replacement facility as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
 PERMIT 647B
 OP O-02287

Description: Failure to operate the E7 flare with a flame present at all times as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 29516
 OP O-02288

Description: Failure to maintain the minimum scrubber flow rate of 4,800 gallons per hour and the maximum Ethylene Oxide (EO) vapor flow to the scrubber of 1562.4 lbs/hr. as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.703(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(d)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to conduct and maintain records of monthly inspections of by-pass seals applicable to 40 CFR Part 60, Subparts NNN/RRR/FF as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to maintain the tank opening in a closed position during normal operations on Tanks T087 and T088, as reported in the Deviation Reports for FOP O-02288 covering February 14, 2005 to August 14, 2005 and August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to submit a Form PI-7 within 10 days following the addition of fugitive components as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 29516
 OP O-02288

Description: Failure to maintain records of the scrubber water flow rate and temperature, and vapor flow rate in lbs/hr at the inlet of the scrubber for Unit RSEF085 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19823
 OP O-02288

Description: Failure to maintain records of the Waste Heat Boiler CEMS daily calibrations for Unit A3HA35 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(6)
 5C THC Chapter 382, SubChapter D 382.085(b)
 OP O-02288
 Rqmt Prov:
 Description: Failure to submit one 40 CFR Part 61, Subpart FF quarterly report for Unit PROA3WW and one 40 CFR Part 60, Subparts NNN/RRR semiannual report for applicable facilities within 30 days after the end of the applicable reporting period of December 31, 2005 as reported in the Deviation Report for FOP O-02288.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 16909
 PERMIT 19823
 OP O-02288
 Description: Failure to submit the semiannual reports within 30 days after the end of the applicable reporting period of December 31, 2005 for Units UEHK11, CG1/CG2, and A3HA35, as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Date: 11/13/2006 (517041)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(2)
 Rqmt Prov: PERMIT P.P. II.C.1.I
 PERMIT P.P. II.C.2.a
 Description: Failure to maintain safety and emergency equipment inspection records.

Date: 11/13/2006 (517036)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
 Description: Failure to maintain the liner in the secondary containment.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)
 Rqmt Prov: PERMIT P.P. II.C.1.I
 PERMIT P.P. II.C.2.a
 Description: Failure to input the date on the daily inspection logs.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)
 Rqmt Prov: PERMIT P.P. II.C.1.I
 PERMIT P.P. II.C.2.a
 Description: Failure to input the signature of the inspector on the daily inspection logs.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(a)
 Rqmt Prov: PERMIT P.P. II.C.1.I
 PERMIT P.P. II.C.2.a
 Description: Failure to conduct required daily inspection of the BIF and hazardous waste tanks for malfunctions, deteriorations, operator errors, and discharges.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)
 Rqmt Prov: PERMIT P.P. II.C.1.p
 PERMIT P.P. II.C.2.i
 Description: Failure to test for all associated alarms and parameters during the automatic waste feed cut-off monthly test as required by the permit.

Date: 01/18/2007 (531872)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20160 SC 15E
 PERMIT 20160 SC 2C
 PERMIT 20160 SC 3
 OP O-01322 SC 17

Description: Failure to have cap and plugs installed on open-ended lines.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 General Terms and Conditions
 OP O-01322 SC 20

Description: Failure to submit the annual compliance certification for FOP O-01322 in a timely manner.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.144(1)(G)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 SC 10A
 OP O-01322 SC IA

Description: Failure to maintain records of daily calibration of continuous monitors and failure to continuously monitor due to failed calibrations.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 SC 12G
 OP O-01322 SC 1A

Description: Failure to submit a required semiannual report.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.354(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(b)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of weekly pump and flange check.

Date: 02/26/2007 (534486)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 26F
 PERMIT 20485 Special Condition 2A
 PERMIT 20485 Special Condition 3
 OP O-01327 Special Condition 15

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service at the C4 Plant.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 115, SubChapter B 115.136(a)(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)
 5C THC Chapter 382, SubChapter D 382.085(b)
 PERMIT 20485 Special Condition 12
 PERMIT 20485 Special Condition 3
 OP O-01327 Special Condition 1A
 OP O-1327 Special Condition 15

Description: Failure to continuously collect and maintain operational parameters of any control device required to be installed to meet applicable control requirements required by 30 TAC 115.136(a)(2).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 3
 OP O-01327 Special Condition 15

Description: Failure to make the first attempt at repair within five calendar days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 35(B)
 PERMIT 20485 Special Condition 8(B)
 PERMIT 20485 Special Condition 8(C)
 OP O-01327 Special Condition 15

Description: Failure to maintain emission rates below permitted limits.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.144(1)(A)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 3
 PERMIT 20485 Special Condition 2A
 OP O-01327 Special Condition 15

Description: Failure to maintain records of flare monitors at the South Flare

F. Environmental audits.

Notice of Intent Date: 07/12/2002 (32986)

No DOV Associated

Notice of Intent Date: 06/28/2004 (347983)

No DOV Associated

Notice of Intent Date: 07/22/2004 (334174)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
HUNTSMAN PETROCHEMICAL
CORPORATION
RN100219252

§
§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

**AGREED ORDER
DOCKET NO. 2007-0360-AIR-E**

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Huntsman Petrochemical Corporation ("Huntsman") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Huntsman presented this agreement to the Commission.

Huntsman understands that they have certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Huntsman agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Huntsman.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. Huntsman owns and operates a chemical manufacturing at 6001 Highway 366 in Port Neches, Jefferson County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review on December 11, 2006, TCEQ staff documented that Huntsman failed to prevent unauthorized emissions. Specifically, on November 28, 2006, over a period of 5 hours, the South Flare (Emission Point Number UER037) located in the A-3 Unit, emitted 340.38 pounds ("lbs") of Volatile Organic Compound ("VOC") and 374.86 lbs of carbon monoxide ("CO"). Permit No. 19823 authorizes 32.87 lbs of VOC per hour and 53.59 lbs of CO per hour. Since this emissions event was avoidable, Huntsman failed to meet the demonstrations for an affirmative defense as described in 30 TEX. ADMIN. CODE § 101.222(b)(2) and (b)(3).
4. Huntsman received notice of the violations on February 12, 2007.

II. CONCLUSIONS OF LAW

1. Huntsman is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, Huntsman failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit 0-02288, Special Terms and Conditions No. 16, and New Source Review Permit 19823, Special Condition No. 1.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Huntsman for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Seven Thousand Nine Hundred Twenty-Five Dollars (\$7,925) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Huntsman has paid Three Thousand Nine Hundred Sixty-Three Dollars (\$3,963) of the administrative penalty and Three Thousand Nine Hundred Sixty-Two Dollars (\$3,962) shall be conditionally offset by Huntsman's completion of a Supplemental Environmental Project.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Huntsman is assessed an administrative penalty in the amount of Seven Thousand Nine Hundred Twenty-Five Dollars (\$7,925) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Huntsman's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not

be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Huntsman Petrochemical Corporation, Docket No. 2007-0360-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Huntsman shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 4, Conclusions of Law section above, Three Thousand Nine Hundred Sixty-Two Dollars (\$3,962) of the assessed administrative penalty shall be offset with the condition that implement the SEP defined in Attachment A, incorporated herein by reference. Huntsman's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that Huntsman shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, design and implement improvements to procedures to address the emissions event that occurred November 28, 2006, and to prevent the reoccurrence of similar incidents; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section, Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. The provisions of this Agreed Order shall apply to and be binding upon Huntsman. Huntsman is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If Huntsman fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Huntsman's failure to comply is not a violation of this Agreed Order. Huntsman shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Huntsman shall notify the Executive Director within seven days after Huntsman becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Huntsman shall be made in writing to the Executive Director. Extensions are not effective until Huntsman receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Huntsman if the Executive Director determines that Huntsman has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against Huntsman in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

Huntsman Petrochemical Corporation
DOCKET NO. 2007-0360-AIR-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

[Signature]
For the Executive Director

8/29/07
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Huntsman Petrochemical Corporation. I am authorized to agree to the attached Agreed Order on behalf of Huntsman Petrochemical Corporation, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Huntsman Petrochemical Corporation waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me;
- and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

[Signature]
Signature

6/13/07
Date

STEVEN BARRE
Name (Printed or typed)
Authorized Representative of
Huntsman Petrochemical Corporation

SITE MANAGER
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2007-0360-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Huntsman Petrochemical Corporation
Payable Penalty Amount: Seven Thousand Nine Hundred Twenty-Five Dollars (\$7,925)
SEP Amount: Three Thousand Nine Hundred Sixty-Two Dollars (\$3,962)
Type of SEP: Pre-approved
Third-Party Recipient: South East Texas Regional Planning Commission-West Port
Arthur Home Energy Efficiency Program
Location of SEP: Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to conduct home energy audits and to assist low income residents in the West Port Arthur area by weatherizing their homes which will improve their homes' energy efficiency. SEP monies will be used to pay for the cost of caulking and insulating homes, replacing heating and cooling systems and major appliances with new, energy efficient equipment.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and nitrogen oxides associated with the combustion of fuel and generation of electricity. Additionally, the improvements will improve homes as shelters for responding to emergency releases.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

Huntsman Petrochemical Corporation
Agreed Order – Attachment A

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

South East Texas Regional Planning Commission
Transportation and Environmental Resources
Bob Dickenson, Director
2210 Eastex Freeway
Beaumont, Texas 77703

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

