

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 4
DOCKET NO.: 2005-0166-AIR-E TCEQ ID: RN100238682 CASE NO.: 24286
RESPONDENT NAME: SOLUTIA INC.

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input 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

SITE WHERE VIOLATION(S) OCCURRED: Farm-to-Market Road 2917, approximately 11 miles southeast of Alvin and approximately 8 miles south of the intersection of Texas Highway 35 and FM 2917, Brazoria County

TYPE OF OPERATION: organic chemical production plant

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on August 13, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney: Ms. Kathleen C. Decker, Litigation Division, MC 175, (512) 239-6500
 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873
SEP Coordinator: Ms. Sharon Blue, Litigation Division, MC 175 (512) 239-2223
TCEQ Enforcement Coordinator: Ms. Rebecca Johnson, Air Enforcement Section, MC R-12, (713) 422-8931
TCEQ Regional Contact: Ms. Linda Vasse, Houston Regional Office, MC R-12, (713) 767-3637
Respondent: Mr. Paul Cartledge, Plant Manager, Solutia Inc., 350 N. St. Paul, Dallas, Texas 75201; Mr. John Slaughter, President, Solutia Inc., The Empire State Building, 350 Fifth Avenue, Suite 2212, New York, New York, 10118-2299
Respondent's Attorney: Mr. Eric Groten, Vinson & Elkins, LLP, The Terrace 7, 2801 Via Fortuna, Suite 100, Austin, Texas, 78746

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaints Relating to this Case: None</p> <p>Dates of Investigations Relating to this Case: April 22, 2005; July 26, 2005; July 27, 2005; and January 9, 2006</p> <p>Date of NOEs Relating to this Case: August 30, 2005 and April 18, 2006</p> <p>Background Facts: An EDPRP was filed on August 11, 2006. The matter was referred to SOAH and a signed Agreed Order was received on May 29, 2007.</p> <p>On December 17, 2003 the Respondent filed a voluntary petition for relief pursuant to Chapter 11 of the United State Bankruptcy Code. TCEQ's normal custom and practice would be to have the Respondent seek permission from the Bankruptcy Court to enter into this Agreed Order, but the Respondent has affirmatively represented that the approval is not necessary and it is authorized as a debtor in possession to enter into this agreement without court approval. The order was tendered to the Attorney General's bankruptcy division which approved the language to this effect contained in the order.</p> <p>The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report.</p> <p>AIR:</p> <p>1. Failed to comply with permitted emission limits during an emission event on November 17, 2004. Specifically, during the November 17, 2004 emission event, 373.36 lbs. of unauthorized propylene emissions were emitted from emission point 31Z6 over a period of 50 hours and 40 minutes as documented during an investigation conducted from April 22, 2005 through May 2, 2005. Since the emission event was avoidable and not properly reported, Solutia failed to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c); and Air Permit No. 18251, Special Condition No. 4, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$ 95,490</p> <p>Total Deferred: \$0</p> <p>SEP Conditional Offset: \$ 47,745</p> <p>Total Paid to General Revenue: \$ 47,745</p> <p>The Respondent has paid \$47,745 of the administrative penalty. The remaining \$47,745 of the administrative penalty shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project (SEP) described in Attachment "A" to the Agreed Order.</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>Corrective Action(s) Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <ol style="list-style-type: none"> In response to the November 17, 2004 emission event, the Respondent conducted employee training on December 22, 2004 to ensure that emissions events are properly reported. On November 17, 2004, the Respondent installed a steam valve in header 31Z6 in an effort to prevent the recurrence of emission events due to the same cause as the November 17, 2004 event. On November 23, 2004, the Respondent obtained an amendment to Air Permit No. 3046 which: <ol style="list-style-type: none"> provided authorization for the carbon absorption system on wastewater tank 57T5; incorporated a higher operating temperature for 57T34 based on revised application representations; and included all gas streams going to vent condenser 57E22 and revised emission limits for vent condenser 57E22. On November 30, 2004, the Respondent: <ol style="list-style-type: none"> developed and implemented a record keeping system to document quarterly opacity observation of tank 55T12 and scrubber 55K1; and conducted employee training to ensure the volatile organic compound concentration of the exhaust gas associated with 57T5 is properly recorded. On May 17, 2005, the Respondent obtained an amendment to Air Permit No. 2271 which authorized higher: <ol style="list-style-type: none"> short-term ammonia emission limits for scrubber 55k1; and annual HTMA production rates, annual ammonia usage rates, and annual ammonia production rates.

<p>2. Failed to report the November 17, 2004 emission event within 24 hours after its discovery. Specifically, the emission event that was discovered on November 17, 2004, was not reported until December 22, 2004, as documented during an investigation conducted from April 22, 2005 through May 2, 2005 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3. Failed to maintain records documenting quarterly opacity observations of tank 55T12 and scrubber 55K1, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit, as documented during an investigation conducted from July 26, 2005 through August 4, 2005 [30 TEX. ADMIN. CODE § 122.143(4); and Air Permit No. O-01258, Special Terms and Conditions No. 3.A.iii and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>4. Failed to comply with the permitted short-term ammonia emissions limits for scrubber 55K1, and reported in a deviation report for the period of December 1, 2004 through May 31, 2005 for the NTA unit, as documented during an investigation conducted from July 26, 2005 through August 4, 2005 [30 TEX. ADMIN. CODE § 116.115(b); Air Permit No. 2271, General Condition No. 8; and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>5. Failed to comply with permit representations relating to annual HTMA production, annual ammonia usage, and annual ammonia production, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit, as documented during an investigation conducted from July 26, 2005 through August 4, 2005 [30 TEX. ADMIN. CODE §§ 116.115(b) and 116.116(a)(1); Air Permit No. 2271, General Condition No. 1; and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>6. Failed to include the following emission units in the Title V application: 55S101, 55S102, 55S103 and 55S104. Specifically, the referenced emission sources were inadvertently omitted from the original Title V permit application and corresponding permit, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit, as documented during an investigation conducted from July 26, 2005 through August 4, 2005 [30 TEX. ADMIN. CODE § 122.132(e)(2) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>7. Failed to maintain records documenting the VOC concentration of the exhaust gas associated with 57T5 in order to demonstrate proper function of the carbon canister control equipment, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit, as documented in an investigation conducted from July 27, 2005 through August 3, 2005 [30 TEX. ADMIN. CODE § 115.146(2) and</p>		<p>6. On September 14, 2005, the Respondent obtained an amendment to the Title V Permit which included the following emission sources: 55S101, 55S102, 55S103 and 55S104.</p> <p>7. With regard to the emission event on October 9, 2005, the Respondent, immediately upon discovering that check valve 31D4 failed and caused unauthorized emissions, restored check valve 31D4 to service, restored the steam feed, balanced the organic stream and relit the boiler. In addition, the Respondent replaced check valve 31D4 on January 11, 2006, in an effort to prevent the recurrence of emission events due to the same cause as the October 9, 2005, event.</p> <p>Ordering Provision(s):</p> <p>The Respondent shall implement and complete a Supplemental Environmental Project in accordance with TEX. WATER CODE § 7.067 as defined in Attachment "A" of the Order.</p>
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TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to obtain authorization for the carbon absorption system on wastewater tank 57T5 prior to installation, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit, as documented in an investigation conducted from July 27, 2005 through August 3, 2005 [30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

9. Failed to operate residue strip tank 57T34 on June 12 and 28, 2004 and August 16, 2004, within temperature ranges specified in the permit application, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit, as documented in an investigation conducted from July 27, 2005 through August 3, 2005 [30 TEX. ADMIN. CODE § 116.116(a)(1); Air Permit No. 3046, General Condition No. 1; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

10. Failed to include all gas streams going to vent condenser 57E22 in emission estimates and permit application which resulted in emissions from vent condenser 57E22 exceeding rolling annual permitted emission limits, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004, for the DPO unit, as documented in an investigation conducted from July 27, 2005 through August 3, 2005 [30 TEX. ADMIN. CODE § 116.116(b)(1)(C); Air Permit No. 3046, General Condition No. 8; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

11. Failed to prevent unauthorized emissions during an October 9, 2005 emission event. Specifically, during the October 9, 2005 event, the following unauthorized emissions were released from a vent on the AN3 waste heat boiler over a period of 32 minutes: 7,751 pounds of volatile organic compounds (including acetonitrile, acrylonitrile, propane and propylene), 1,364.80 pounds of carbon monoxide, and 924.33 pounds of hydrogen cyanide, as documented during an investigation conducted on January 9, 2006. Since the emission event was avoidable, Solutia failed to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c); Air Permit No. 18251, Special Condition No. 4; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

		Penalty Calculation Worksheet (PCW)		PCW Revision May 19, 2005	
Policy Revision 2 (September 2002)					
DATES	Assigned	29-Aug-2005			
	PCW	21-Feb-2007	Screening	07-Sep-2005	EPA Due 27-May-2006
RESPONDENT/FACILITY INFORMATION					
Respondent		Solutia Inc.			
Reg. Ent. Ref. No.		RN100238682			
Facility/Site Region		12-Houston	Major/Minor Source	Major Source	
CASE INFORMATION					
Enf./Case ID No.		24286	No. of Violations		10
Docket No.		2005-0166-AIR-E	Order Type		1660
Media Program(s)		Air Quality	Enf. Coordinator		Rebecca Johnson
Multi-Media			EC's Team		Enforcement Team 6
Admin. Penalty \$ Limit Minimum		\$0	Maximum	\$10,000	
Penalty Calculation Section					
TOTAL BASE PENALTY (Sum of violation base penalties)				Subtotal 1	\$41,500
ADJUSTMENTS (+/-) TO SUBTOTAL 1					
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.					
Compliance History		116% Enhancement		Subtotals 2, 3, & 7	\$48,140
Notes		Enhancement due to eleven NOVs for same or similar violations, eleven NOVs for unrelated violations, twelve self-reported effluent discharge violations, and one agreed order with a denial of liability. Reduction due to three Notices of Audit and one Disclosure of Violations.			
Culpability		No	0% Enhancement		Subtotal 4
Notes		The respondent does not meet the culpability criteria.			
Good Faith Effort to Comply		10% Reduction		Subtotal 5	-\$4,150
		Before NOV	NOV to EDPRP/Settlement Offer		
Extraordinary					
Ordinary			X		
N/A		(mark with a small x)			
Notes		The respondent returned to compliance on September 14, 2005.			
Economic Benefit		0% Enhancement*		Subtotal 6	\$0
Total EB Amounts		\$278		*Capped at the Total EB \$ Amount	
Approx. Cost of Compliance		\$10,300			
SUM OF SUBTOTALS 1-7				Final Subtotal	\$85,490
OTHER FACTORS AS JUSTICE MAY REQUIRE				Adjustment	\$0
Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)					
Notes					
				Final Penalty Amount	\$85,490
STATUTORY LIMIT ADJUSTMENT				Final Assessed Penalty	\$85,490
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 since this is not an expedited enforcement action.	
PAYABLE PENALTY					\$85,490

PCW #1

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			

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 (<i>number of NOVs meeting criteria</i>)	11	55%
	Other written NOVs	23	46%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	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	0	0%
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 (<i>number of judgements or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	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 (<i>number of audits for which notices were</i>	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
<i>Please Enter Yes or No</i>			
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) 116%

>> 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

Enhancement due to eleven NOVs for same or similar violations, eleven NOVs for unrelated violations, twelve self-reported effluent discharge violations, and one agreed order with a denial of liability. Reduction due to three Notices of Audit and one Disclosure of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 116%

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	1			
Primary Rule Cite(s)	Air Permit No. 18251, Special Condition No. 4			
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c) and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to comply with permitted emission limits during an emissions event on November 17, 2004. Specifically, during the November 17, 2004 emissions event, 373.36 pounds of unauthorized propylene emissions were emitted from emission point 31Z6 over a period of 50 hours and 40 minutes. Since the emissions event was avoidable and not properly reported Solutia, Inc. was unable to meet the demonstrations for an affirmative defense under 30 Tex. Admin. Code § 101.222.			
Base Penalty				\$10,000

>> Environmental, Property and Human Health Matrix				
OR	Harm			
		Major	Moderate	Minor
	Actual			X
	Potential			
				Percent 25%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
				Percent
Matrix Notes	Human health and the environment have been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
Adjustment				-\$7,500

Base Penalty Subtotal	\$2,500
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Violation Events				
Number of Violation Events		1		
mark only one use a small x	<i>daily</i>			
	<i>monthly</i>			
	<i>quarterly</i>			
	<i>semiannual</i>			
	<i>annual</i>			
	<i>single event</i>	X		
One single event is recommended.				Violation Base Penalty \$2,500

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$0	Violation Final Penalty Total	\$5,150
This violation Final Assessed Penalty (adjusted for limits)			\$5,150

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$3,000	17-Nov-2004	17-Nov-2004	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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs Estimated cost to install a stem valve in the header to prevent rupturing and subsequent unauthorized emissions. Date required based on the date of the emissions event. Final date based on the installation date of the stem valve.

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 \$3,000

TOTAL \$0

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	2			
Primary Rule Cite(s)	30 Tex. Admin. Code § 101.201(a)(1)(B)			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to report the November 17, 2004 emissions event within 24 hours of discovery. Specifically, the November 17, 2004 emissions event was discovered on November 17, 2004 and was not reported until December 22, 2004.			
Base Penalty				\$10,000

>> **Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				
Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
			X	1%

Matrix Notes: At least 30% of the reporting requirements were met.

Adjustment -\$9,900

Base Penalty Subtotal \$100

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$206"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$206"/>	

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	\$100	18-Nov-2004	22-Dec-2004	0.1	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to conduct employee training to ensure emissions events are properly reported. Date required based on the date the emissions event was due to be reported and was not. Final date based on the compliance date.

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 \$100

TOTAL \$0

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	3			
Primary Rule Cite(s)	Air Permit No. O-01258, Special Terms and Conditions No. 3.A.iii.			
Secondary Rule Cite(s)	30 Tex. Admin. Code § 122.143(4) and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to maintain records documenting quarterly opacity observations of tank 55T12 and scrubber 55K1, as reported in a deviation report for the period of June 1, 2004 to November 30, 2004 for the NTA unit.			
Base Penalty				\$10,000

>> **Environmental, Property and Human Health Matrix**

		Harm			
Release		Major	Moderate	Minor	
Actual					Percent <input type="text"/>
Potential					

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
			x		Percent <input type="text" value="10%"/>
Matrix Notes	Approximately 50% of the permit requirement was not met.				

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	x

Violation Base Penalty

Two single events are recommended based on the two units for which opacity records were not being maintained.

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	<input type="text" value="\$2"/>	Violation Final Penalty Total	<input type="text" value="\$4,120"/>
This violation Final Assessed Penalty (adjusted for limits)		<input type="text" value="\$4,120"/>	

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	\$100	01-Jun-2004	30-Nov-2004	0.5	\$2	n/a	\$2
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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs Estimated cost to develop a record keeping system to document quarterly opacity observations made in the NTA unit. Date required based on the earliest documentation of the deviation. Final date based on the compliance date.

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

TOTAL

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	4			
Primary Rule Cite(s)	Air Permit No. 2271, General Condition No. 8			
Secondary Rule Cite(s)	30 Tex Admin. Code § 116.115(b) and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to comply with the permitted short-term ammonia emissions limits for scrubber 55K1, as reported in a deviation report for the period of December 1, 2004 to May 31, 2005 for the NTA Unit.			
Base Penalty				\$10,000

>> **Environmental, Property and Human Health Matrix**

		Harm			Percent
Release		Major	Moderate	Minor	
OR	Actual			X	
	Potential				

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	Percent
Matrix Notes						

Human health and the environment have been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment -\$7,500

Base Penalty Subtotal \$2,500

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	
	monthly	
	quarterly	X
	semiannual	
	annual	

single event

Violation Base Penalty \$10,000

Four quarterly events are recommended based on the earliest documentation of the deviation on June 1, 2004 to the May 17, 2005 compliance date.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$67"/>	Violation Final Penalty Total <input type="text" value="\$20,600"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$20,600"/>	

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$1,000	01-Jun-2004	17-May-2005	1.0	\$3	\$64	\$67
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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to amend the permit to obtain higher ammonia limits for scrubber 55K1. Date required based on the earliest documentation of the deviation. Final date based on the compliance date.

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 \$1,000

TOTAL \$67

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	<input type="text" value="5"/>			
Primary Rule Cite(s)	Air Permit No. 2271, General Condition No. 1 and 30 Tex. Admin. Code 116.116(a)(1)			
Secondary Rule Cite(s)	30 Tex. Admin Code § 116.115(b) and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to comply with permit representations relating to annual HTMA production, annual ammonia usage, and annual ammonia production, as reported in a deviation report for the period of June 1, 2004 to November 30, 2004 for the NTA Unit.			
Base Penalty				<input type="text" value="\$10,000"/>

>> **Environmental, Property and Human Health Matrix**

OR	Harm				
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent <input type="text"/>
Matrix Notes	Human health and the environment could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health and environmental receptors as a result of the violation.				

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="checkbox"/>

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="-2"/>	Violation Final Penalty Total <input type="text" value="\$2,060"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$2,060"/>	

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	\$1,000	01-Jun-2005	17-May-2005	-0.0	-\$2	n/a	-\$2
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs Estimated cost to amend the permit to represent higher production rates for annual HTMA production, annual ammonia usage, and annual ammonia production. Date required based on the earliest documentation of the deviation. Final date based on the compliance date.

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 \$1,000

TOTAL -\$2

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			

Violation Number	6
Primary Rule Cite(s)	30 Tex. Admin. Code § 122.132(e)(2)
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failure to include the following emission units in the Title V application: 55S101, 55S102, 55S103, and 55S104. Specifically, the referenced emissions sources were inadvertently omitted from the original Title V permit application and corresponding permit, as reported in a deviation report for the period of June 1, 2004 to November 30, 2004 for the NTA Unit.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

		Major	Moderate	Minor	
	Falsification	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	Percent <input type="text" value="1%"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="checkbox"/>

Violation Base Penalty

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

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	\$2,000	01-Jun-2004	14-Sep-2005	1.3	\$129	n/a	\$129
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to amend the Title V permit to include the previously omitted emission sources. Date required based on the earliest documentation of the deviation. Final date based on the compliance date.

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 \$2,000

TOTAL \$129

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.		<i>Policy Revision 2 (September 2002)</i>	
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	7			
Primary Rule Cite(s)	30 Tex. Admin Code § 115.146(2)			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to maintain records documenting the VOC concentration of the exhaust gas associated with 57T5 in order to demonstrate proper function of the carbon canister control equipment, as reported in a deviation report for the period of June 1, 2004 to November 30, 2004 for the DPO Unit.			
Base Penalty				\$10,000

>> **Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				
Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
	x			25%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment -\$7,500

Base Penalty Subtotal \$2,500

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
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 <input type="text" value="\$2"/>	Violation Final Penalty Total <input type="text" value="\$5,150"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$5,150"/>	

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

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	\$100	24-Jun-2004	30-Nov-2004	0.4	\$2	n/a	\$2
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost to conduct employee training to ensure the VOC concentration of the exhaust gas is recorded. Date required based on the earliest documentation of the deviation. Final date based on the compliance date.

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 \$100

TOTAL \$2

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.		Policy Revision 2 (September 2002)	
Case ID No.	24286		PCW Revision May 19, 2005	
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	8			
Primary Rule Cite(s)	30 Tex. Admin. Code § 116.110(a)			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to obtain authorization for the carbon adsorption system on wastewater tank 57T5 prior to installation, as reported in a deviation report for the period of June 1, 2004 to November 30, 2004 for the DPO unit.			
Base Penalty	\$10,000			

>> **Environmental, Property and Human Health Matrix**

OR	Harm				Percent <input type="text"/>
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent <input type="text"/>
	<input type="text"/>	X	<input type="text"/>	<input type="text"/>	

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	X
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Six monthly events are recommended based on the earliest documentation of the deviation on June 1, 2004 to the November 23, 2004 compliance date.

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount	<input type="text" value="\$24"/>	Violation Final Penalty Total	<input type="text" value="\$30,900"/>
This violation Final Assessed Penalty (adjusted for limits)		<input type="text" value="\$30,900"/>	

Economic Benefit Worksheet

Respondent: Solutia Inc.
Case ID No.: 24286
Reg. Ent. Reference No.: RN100238682
Media [Statute]: Air Quality
Violation No.: 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

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	\$1,000	01-Jun-2004	23-Nov-2004	0.5	\$24	n/a	\$24
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to obtain a permit amendment which authorizes the carbon absorption system. Date required based on the earliest documentation of the deviation. Final date based on the compliance date.

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 \$1,000

TOTAL \$24

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	<input type="text" value="9"/>			
Primary Rule Cite(s)	Air Permit No. 3046, General Condition No. 1 and 30 Tex. Admin. Code § 116.116(a)(1)			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to operate the residue strip tank 57T34, on June 12, 2004, June 28, 2004, and August 16, 2004 within the temperature ranges specified in the permit application, as reported in a deviation report for the period of June 1, 2004 to November 30, 2004 for the DPO unit.			
Base Penalty				<input type="text" value="\$10,000"/>

>> **Environmental, Property and Human Health Matrix**

Harm				
Release	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	

>> **Programmatic Matrix**

Falsification				
	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
Matrix Notes	Human health and the environment could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health and environmental receptors as a result of the violation.			

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="checkbox"/>

Violation Base Penalty

Three single events are recommended based on documentation of the deviation on June 12, 2004, June 28, 2004, and August 16, 2004.

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount	<input type="text" value="\$31"/>	Violation Final Penalty Total	<input type="text" value="\$6,180"/>
This violation Final Assessed Penalty (adjusted for limits)		<input type="text" value="\$6,180"/>	

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs							
Equipment	\$1,000	12-Jun-2004	23-Nov-2004	0.4	\$1	\$30	\$31
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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost to obtain a permit amendment which incorporates a higher operating temperature for 57T34. Date required based on the earliest documentation of the deviation. Date required based on the compliance date.

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 \$1,000

TOTAL \$31

Screening Date	07-Sep-2005	Docket No.	2005-0166-AIR-E	PCW
Respondent	Solutia Inc.	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	24286	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN100238682			
Media [Statute]	Air Quality			
Enf. Coordinator	Rebecca Johnson			
Violation Number	10			
Primary Rule Cite(s)	Air Permit 3046, General Condition 8 and 30 Tex. Admin. Code § 116.116(b)(1)(C)			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to include all gas streams going to vent condenser 57E22 in the emission estimates and permit application which resulted in emissions from vent condenser 57E22 exceeding rolling annual permitted emission limits, as reported in a deviation report for the period of June 1, 2004 to November 30, 2004 for the DPO unit.			
Base Penalty				\$10,000

>> **Environmental, Property and Human Health Matrix**

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

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent

Matrix Notes: Human health and the environment have been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment -\$7,500

Base Penalty Subtotal \$2,500

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	<i>daily</i>	<input type="text"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	X
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

Violation Base Penalty \$5,000

Two quarterly events are recommended based on the earliest documentation of the deviation on June 1, 2004 to the November 23, 2004 compliance date.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$24"/>	Violation Final Penalty Total <input type="text" value="\$10,300"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$10,300"/>	

Economic Benefit Worksheet

Respondent: Solutia Inc.
Case ID No.: 24286
Reg. Ent. Reference No.: RN100238682
Media [Statute]: Air Quality
Violation No.: 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

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	\$1,000	01-Jun-2004	23-Nov-2004	0.5	\$24	n/a	\$24
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to submit a permit amendment application to include all gas streams going to vent condenser 57E22 and revise emissions estimates. Date required based on the earliest documentation of the deviation. Final date based on the compliance date.

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 \$1,000

TOTAL \$24

Compliance History

CH #1

Customer/Respondent/Owner-Operator:	CN600132856 Solutia, Inc.	Classification: AVERAGE	Rating: 2.330
Regulated Entity: ID Number(s):	RN100238682 CHOCOLATE BAYOU PLANT	Classification: AVERAGE	Site Rating: 1.66
AIR OPERATING PERMITS	PERMIT		2325
AIR OPERATING PERMITS	PERMIT		2324
AIR OPERATING PERMITS	PERMIT		2323
AIR OPERATING PERMITS	PERMIT		2322
AIR OPERATING PERMITS	PERMIT		2321
AIR OPERATING PERMITS	PERMIT		2320
AIR OPERATING PERMITS	PERMIT		2319
AIR OPERATING PERMITS	PERMIT		2318
AIR OPERATING PERMITS	PERMIT		2317
AIR OPERATING PERMITS	PERMIT		1258
AIR OPERATING PERMITS	ACCOUNT NUMBER		BL0038U
UNDERGROUND INJECTION CONTROL	PERMIT		WDW001
UNDERGROUND INJECTION CONTROL	PERMIT		WDW002
UNDERGROUND INJECTION CONTROL	PERMIT		WDW359
UNDERGROUND INJECTION CONTROL	PERMIT		WDW326
UNDERGROUND INJECTION CONTROL	PERMIT		WDW318
UNDERGROUND INJECTION CONTROL	PERMIT		WDW224
UNDERGROUND INJECTION CONTROL	PERMIT		WDW013
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID		TXD001700806
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)		30138
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)		30138
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT		50189
AIR NEW SOURCE PERMITS	EPA ID		PSDTPX910
AIR NEW SOURCE PERMITS	AFS NUM		0009
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		BL0038U
AIR NEW SOURCE PERMITS	PERMIT		48895
AIR NEW SOURCE PERMITS	PERMIT		39379
AIR NEW SOURCE PERMITS	PERMIT		39643
AIR NEW SOURCE PERMITS	PERMIT		39171
AIR NEW SOURCE PERMITS	PERMIT		38998
AIR NEW SOURCE PERMITS	PERMIT		38336
AIR NEW SOURCE PERMITS	PERMIT		35294
AIR NEW SOURCE PERMITS	PERMIT		34029
AIR NEW SOURCE PERMITS	PERMIT		32151
AIR NEW SOURCE PERMITS	PERMIT		28694
AIR NEW SOURCE PERMITS	PERMIT		28738
AIR NEW SOURCE PERMITS	PERMIT		18251
AIR NEW SOURCE PERMITS	PERMIT		18130
AIR NEW SOURCE PERMITS	PERMIT		14488
AIR NEW SOURCE PERMITS	PERMIT		8372
AIR NEW SOURCE PERMITS	PERMIT		6534
AIR NEW SOURCE PERMITS	PERMIT		5336
AIR NEW SOURCE PERMITS	PERMIT		5084
AIR NEW SOURCE PERMITS	PERMIT		5065
AIR NEW SOURCE PERMITS	PERMIT		3046
AIR NEW SOURCE PERMITS	PERMIT		2271
RADIOACTIVE WASTE	LICENSE		RW0219
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT		50189
WASTEWATER	PERMIT		TPDES0003875
WASTEWATER	PERMIT		WQ0000001000
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID		TXD001700806
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT		50189
STORMWATER	PERMIT		TXR05O891
WATER LICENSING	LICENSE		0200049
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		0200049
AIR NEW SOURCE PERMITS	REGISTRATION		77079
AIR NEW SOURCE PERMITS	REGISTRATION		77064
AIR NEW SOURCE PERMITS	REGISTRATION		75318
AIR NEW SOURCE PERMITS	REGISTRATION		74788
AIR NEW SOURCE PERMITS	REGISTRATION		74040
AIR NEW SOURCE PERMITS	REGISTRATION		73857
AIR NEW SOURCE PERMITS	REGISTRATION		73707

AIR NEW SOURCE PERMITS	REGISTRATION	73138
AIR NEW SOURCE PERMITS	REGISTRATION	73096
AIR NEW SOURCE PERMITS	REGISTRATION	72891
AIR NEW SOURCE PERMITS	REGISTRATION	72689
AIR NEW SOURCE PERMITS	REGISTRATION	72545
AIR NEW SOURCE PERMITS	EPA ID	PSDTX307A
AIR NEW SOURCE PERMITS	REGISTRATION	71232
AIR NEW SOURCE PERMITS	REGISTRATION	71063
AIR NEW SOURCE PERMITS	REGISTRATION	76211
AIR NEW SOURCE PERMITS	REGISTRATION	75639
AIR NEW SOURCE PERMITS	PERMIT	18251
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189

Location: FM 2917 APPROX 8 MI S OF INXTN HWY 35 & FM 2917 Rating Date: 9/1/05 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: October 31, 2005

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: October 31, 2000 to October 31, 2005

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
 Name: Rebecca Johnson Phone: (713) 422-8931

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: 10/10/03 ADMINORDER 2002-0174-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Citation: SC 2 PERMIT
 Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.
 Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Part 63, Subpart G 63.120(b)(9)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Citation: SC 2 PERMIT
 Description: Failure to notify the TCEQ in writing 30 days in advance of seal gap measurements taken in affiliation with the 1999, 2000, and 2001 annual external floating roof tank inspection of tanks 332T1-1 and 332T1-2.
 Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Part 63, Subpart G 63.133(d)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Citation: SC 2 PERMIT
 Description: Failure to adequately conduct the 2001 seal gap measurements and generate raw data and calculations relating to external floating roof tank 332T1-1.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)
 Citation: SC5C PERMIT
 Description: Failure to conduct stack testing of incinerator 55H2 within 60 days of start-up of the facilities.
 Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 40 CFR Part 63, Subpart G 63.152(c)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to submit a complete periodic report. Specifically, the periodic report submitted on April 25, 2000 for the October 1999 to March 2000 reporting period did not reference or include data pertaining to incinerator EPN 55H2.
 Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 40 CFR Part 63, Subpart G 63.118(f)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to submit complete periodic reports.
 Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
 40 CFR Part 63, Subpart G 63.120(d)(2)(i)
 40 CFR Part 63, Subpart G 63.122(b)
 Citation: SC2 PERMIT
 Description: Failure to have an adequate monitoring plan for absorbers 320S322-1 and 320S322-2, that ensures the absorbers are being properly operated and maintained.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)[G]
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Citation: Not specified PERMIT
 Description: Failure to comply with the Maximum Allowable Emission Rates Table (MAERT) contained in TCEQ Air Permit No. 38336 for waste heat boiler EPN 70Z401 by emitting VOCs at 9.52 pounds per hour (lbs./hr) when the permitted limit is 8.89 lbs./hr.

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	08/21/2001	(157056)
2	02/26/2003	(26108)
3	03/12/2003	(27234)
4	02/26/2003	(25864)
5	07/22/2003	(157054)
6	07/18/2002	(157053)
7	07/17/2001	(157052)
8	06/20/2003	(157050)
9	08/25/2003	(150697)
10	12/16/2004	(336194)
11	12/20/2004	(338296)
12	12/30/2004	(343622)
13	06/24/2002	(157049)
14	01/12/2004	(258960)
15	12/18/2003	(257385)
16	02/26/2003	(26050)
17	02/27/2004	(262913)
18	06/20/2001	(157048)
19	12/10/2004	(263071)
20	10/08/2002	(13170)
21	05/20/2003	(37989)
22	05/21/2003	(157046)
23	02/26/2003	(25856)
24	08/30/2005	(401906)
25	05/31/2005	(379386)
26	11/25/2003	(255837)
27	05/22/2002	(157045)
28	08/25/2005	(401920)
29	02/28/2005	(347701)
30	02/27/2004	(262943)
31	04/04/2005	(349690)

32 02/27/2004 (263910)
33 04/06/2005 (376386)
34 12/02/2003 (255621)
35 03/04/2003 (23648)
36 05/16/2001 (157044)
37 04/08/2005 (376952)
38 09/01/2004 (271988)
39 04/12/2004 (253529)
40 06/20/2002 (2667)
41 06/12/2002 (1455)
42 02/27/2004 (262933)
43 11/16/2004 (334879)
44 07/21/2005 (398102)
45 04/21/2003 (157042)
46 08/24/2005 (377022)
47 02/27/2003 (24374)
48 02/23/2004 (294912)
49 05/31/2005 (374702)
50 04/22/2002 (157041)
51 04/23/2001 (157040)
52 12/10/2004 (260541)
53 08/01/2002 (2568)
54 03/22/2004 (294915)
55 08/21/2003 (151361)
56 11/12/2003 (253266)
57 04/20/2004 (294916)
58 02/21/2005 (349363)
59 12/03/2002 (9849)
60 11/03/2004 (333514)
61 10/29/2003 (253450)
62 03/21/2003 (157037)
63 05/25/2004 (294918)
64 12/30/2004 (345394)
65 03/18/2002 (157036)
66 06/21/2004 (294920)
67 03/30/2004 (332762)
68 11/19/2002 (13812)
69 03/15/2001 (157035)
70 01/03/2005 (343620)
71 11/12/2003 (252275)
72 07/23/2004 (351912)
73 02/21/2003 (157034)
74 04/06/2005 (376392)
75 08/31/2004 (271365)
76 08/25/2003 (294923)
77 02/22/2002 (157033)
78 01/16/2004 (255951)
79 02/15/2001 (157032)
80 09/11/2003 (248057)
81 09/01/2005 (401916)
82 12/11/2002 (15178)
83 09/23/2003 (294925)
84 08/19/2004 (351913)
85 05/21/2002 (1411)
86 06/29/2005 (394959)
87 02/27/2004 (262947)
88 11/16/2004 (340676)
89 10/21/2003 (294927)
90 09/23/2004 (334052)
91 11/21/2003 (294928)
92 11/05/2004 (338995)
93 10/13/2004 (337045)
94 09/20/2004 (351914)
95 01/31/2003 (22887)
96 08/23/2002 (1525)
97 08/14/2003 (148336)
98 09/11/2003 (248048)
99 12/09/2004 (343333)
100 12/23/2003 (294929)
101 11/16/2004 (340661)
102 02/26/2003 (26041)
103 02/26/2003 (25983)
104 01/03/2005 (343624)
105 02/27/2004 (262922)

106 01/23/2004 (294931)
107 11/16/2000 (40049)
108 10/22/2004 (351915)
109 07/30/2004 (284372)
110 08/19/2003 (149876)
111 12/23/2004 (336768)
112 08/14/2003 (148343)
113 12/15/2004 (351916)
114 05/31/2005 (379380)
115 12/20/2004 (335252)
116 09/01/2004 (270694)
117 10/04/2005 (379884)
118 11/16/2004 (339730)
119 02/26/2003 (25859)
120 08/06/2002 (6823)
121 11/22/2004 (340787)
122 03/29/2004 (267307)
123 08/24/2005 (405509)
124 11/04/2004 (351917)
125 09/01/2004 (272089)
126 12/10/2004 (263070)
127 10/29/2003 (253464)
128 09/23/2004 (334055)
129 01/23/2003 (157075)
130 02/07/2003 (9887)
131 07/01/2003 (36597)
132 01/23/2002 (157074)
133 12/10/2002 (16608)
134 08/27/2002 (9789)
135 10/22/2004 (351918)
136 02/18/2003 (24434)
137 08/19/2005 (404318)
138 01/22/2001 (157073)
139 11/29/2000 (142081)
140 05/16/2005 (380841)
141 01/12/2004 (258944)
142 12/28/2000 (142082)
143 04/25/2005 (377968)
144 08/22/2002 (8627)
145 01/09/2001 (142083)
146 05/21/2002 (1403)
147 11/25/2003 (255830)
148 12/09/2004 (343311)
149 01/19/2001 (142084)
150 11/25/2003 (250820)
151 12/27/2002 (157071)
152 03/24/2005 (419586)
153 01/19/2001 (142085)
154 11/23/2004 (341009)
155 06/17/2004 (273007)
156 01/25/2001 (142086)
157 04/18/2005 (419587)
158 02/26/2003 (26112)
159 12/14/2004 (343317)
160 02/16/2001 (142087)
161 11/03/2004 (333511)
162 05/23/2005 (419588)
163 02/16/2001 (142088)
164 03/28/2003 (28455)
165 10/11/2005 (399217)
166 12/14/2004 (343284)
167 03/22/2001 (142089)
168 12/20/2001 (157070)
169 06/23/2005 (419589)
170 03/29/2001 (142090)
171 12/11/2000 (157069)
172 04/04/2001 (142091)
173 06/08/2005 (348652)
174 04/16/2004 (267638)
175 11/17/2004 (340850)
176 04/23/2001 (142092)
177 08/24/2005 (349399)
178 12/18/2003 (257514)
179 04/24/2001 (142093)

180 02/24/2005 (349397)
181 04/30/2001 (142094)
182 10/01/2001 (246510)
183 05/07/2001 (142095)
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193 11/16/2004 (340570)
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196 11/29/2001 (142100)
197 08/24/2005 (405513)
198 01/14/2005 (345345)
199 12/04/2001 (142101)
200 02/26/2004 (255896)
201 08/21/2002 (3430)
202 01/04/2002 (142102)
203 08/19/2002 (8402)
204 12/05/2000 (157065)
205 11/05/2004 (337520)
206 04/06/2005 (376398)
207 01/16/2002 (142103)
208 04/06/2005 (376425)
209 01/18/2002 (142104)
210 10/27/2003 (281097)
211 02/26/2003 (25988)
212 08/27/2002 (9763)
213 10/21/2002 (157063)
214 11/25/2003 (255834)
215 12/13/2004 (262649)
216 06/13/2005 (345346)
217 02/14/2005 (349294)
218 11/01/2001 (157062)
219 04/06/2005 (376432)
220 02/23/2001 (246508)
221 01/22/2002 (142105)
222 12/20/2004 (338265)
223 01/29/2002 (142106)
224 09/20/2002 (157060)
225 02/12/2003 (24271)
226 02/14/2005 (348976)
227 02/14/2002 (142107)
228 08/13/2002 (5940)
229 09/04/2002 (10679)
230 02/22/2005 (381755)
231 09/21/2001 (157059)
232 08/15/2002 (2306)
233 12/22/2004 (381756)
236 08/21/2003 (151374)
235 08/13/2002 (5915)
236 08/03/2004 (283906)
237 02/22/2002 (142108)
238 11/25/2003 (255835)
239 02/26/2003 (25854)
240 04/06/2005 (376403)
241 02/26/2003 (26078)
242 09/01/2004 (289574)
243 12/17/2004 (344033)
244 03/04/2002 (142109)
245 08/29/2005 (401919)
246 03/28/2002 (142110)
247 08/23/2002 (157057)
248 06/07/2002 (142111)
249 08/05/2002 (2552)
250 04/19/2005 (376908)
251 05/11/2005 (348724)

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

Date: 06/13/2002 (142111)
Self Report? NO Classification: Moderate
Rqmt Prov: OP IA
Description: EXCEEDS MAERT VALUES

Date: 04/04/2005 (349690)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: The regulated entity failed to prevent a shutdown of the AN2 waste heat boiler due to the malfunction of the valve positioner.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Solutia, Inc., - Chocolate Bayou Plant failed to identify on the emissions event report the permit number authorization.

Date: 11/17/2004 (340850)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Failure to prevent the leaks from the valves 30HIC4-A/B and caused the release of air contaminants from the emission point which is not listed in the MAERT.

Date: 12/20/2004 (335252)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA IA
Description: Solutia, Inc. failed to prevent external corrosion on a pipeline.

Date: 07/21/2005 (398102)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Solutia failed to include the facility's authorization limit and number on the final report.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Solutia failed to include the facility's authorization limit and number on the final report.

Date: 11/16/2004 (339730)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Failure to operate the flare within MAERT limits

Date: 08/24/2005 (377022)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Solutia failed to properly tighten a valve.

Date: 01/31/2003 (157034)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 05/31/2004 (294920)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 03/30/2004 (332762)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 07/31/2003 (294923)

Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/13/2004 (262649)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA IA
Description: Solutia failed to prevent moisture from entering the igniter unit on the flare.

Date: 10/31/2003 (294928)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/24/2005 (349399)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA IA
Description: The regulated entity failed to prevent a leak in a propylene pump.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: failed to identify the permit number representing the propylene pump in the emissions event report.

Date: 02/14/2005 (348976)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Solutia failed to prevent a fire suppression discharge which resulted in a release of 145 pounds (lbs) of Halon 1301 (bromotrifluoromethane).

Date: 12/31/2000 (157073)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/2001 (157070)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 10/01/2001 (246510)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 11/22/2004 (340787)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
Description: Failure to to submit the initial notification of the emissions event within 24 hours after the start of incident.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Failure to limit the emissions from the scrubber within the MAERT limits.

Date: 12/31/2004 (351918)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 01/03/2005 (343620)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA IA
Description: Solutia inadvertently sent steam through the drain line to the process sewer increasing the pressure in the process sewer tank.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: Failure to report an emissions event (Incident #45511) that occurred at the AN7 Unit in a timely manner.

Date: 11/18/2004 (341009)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT IA
 Description: Failure to prevent tripping of the boiler (30H5) and relit the burners in a timely manner and caused the release of air pollutants from the emission point that was not listed in the MAERT.

Date: 12/03/2002 (9849)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: failed to conduct audio, olfactory, and visual checks for Hydrogen Fluoride (HF) leaks within the operating area for both the shifts (day and night) on September 29, 2002 and the day shift on July 22, 2002 as required by their TCEQ Air Permit No. 6534, Special Condition (SC) 13 A.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: failed to record pH values of caustic scrubber liquor effluent on 8/28/00, 9/4/00, 10/31/00, 11/11/00, 11/13/00, 11/14/00, 12/28/00, 2/20/01, 3/6/01, 4/18/01, 6/17/01, 6/18/01, 7/27/01, 7/28/01, 8/01/01, and 10/4/01 as required by their TCEQ Air Permit No. 6534, Special Condition (SC) 4.

Date: 01/07/2002 (142102)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 Description: NESHAP STANDARDS

Date: 09/30/2002 (157063)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 12/27/2001 (142104)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCM I VNTS VESSEL WW.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: FAILURE TO SUBMIT RPTS

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCM I VNTS, VESSEL WW

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCM I-VNTS.VESSL.,WW

Date: 09/30/2001 (157062)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 02/23/2001 (246508)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 12/27/2002 (142104)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCM I-VNTS. VESSL.,WW

Date: 08/31/2001 (157059)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 02/15/2002 (142107)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
Description: SOCMI VNTS VESSL WW
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
Description: SOCMI-VENTS VESSL WW

Date: 07/31/2002 (157057)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 02/27/2002 (142108)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
Description: SOCMI-VNTS, VESSL, WW
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
Description: GENERAL CONDITIONS

Date: 07/31/2001 (157056)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

Notice of Intent Date: 01/02/2002
No DOV Associated

Notice of Intent Date: 05/15/2002
No DOV Associated

Notice of Intent Date: 09/23/2004
Disclosure Date: 11/18/2004

Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter A 101.1(83)
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: exceeded the RQ for propylene
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: failed to report two upset events of HCN - January 2, 2004 and October 19, 2004
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report upset event on April 5, 2004 (propylene)
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report maintenance activities where reportable quantities of propylene were released
Citation: Viol. Classification: Moderate
30 TAC Chapter 115, SubChapter C 115.212(a)(2)
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: failed to represent rail car steaming and degassing operations in permit 6534
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter A 101.20(2)
Description: Tank No. 51T1, in the LAB Unit, missed its 10-year inspection
Citation: Viol. Classification: Moderate
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[G]
Description: railcars are heated in advance of unloading, with the railcars open to atmosphere
Citation: Viol. Classification: Minor
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 115, SubChapter H 115.780[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: fugitive emission components not currently identified and included in one or more LDAR programs
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.211[G]
30 TAC Chapter 101, SubChapter F 101.222(c)[G]

30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: start-up and shutdown emissions from AN7 Unit may exceed applicable reportable quantities for various organics, including acrolein; these emissions were not accounted for in the NSR permit representations for Permit No. 38336; and the emission events have not been reported

Citation: Viol. Classification: Moderate

30 TAC Chapter 115, SubChapter H 115.786(c)[G]
Description: failed to submit semiannual report of all HRVOC LDAR components awaiting shutdown repair; failed to follow some of the appropriate protocols for placing leaking components on the shutdown list

Disclosure Date: 01/07/2005

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.1(83)
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: exceeded the RQ for propylene

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter F 101.201[G]
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: failed to report two upset events of HCN - January 2, 2004 and October 19, 2004

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report upset event on April 5, 2004 (propylene)

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report maintenance activities where reportable quantities of propylene were released

Citation: Viol. Classification: Moderate

30 TAC Chapter 115, SubChapter C 115.212(a)(2)
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: failed to represent rail car steaming and degassing operations in permit 6534

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.20(2)
Description: Tank No. 51T1, in the LAB Unit, missed its 10-year inspection

Citation: Viol. Classification: Moderate

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[G]
Description: railcars are heated in advance of unloading, with the railcars open to atmosphere

Citation: Viol. Classification: Minor

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 115, SubChapter H 115.780[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: fugitive emission components not currently identified and included in one or more LDAR programs

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter F 101.211[G]
30 TAC Chapter 101, SubChapter F 101.222(c)[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: start-up and shutdown emissions from AN7 Unit may exceed applicable reportable quantities for various organics, including acrolein; these emissions were not accounted for in the NSR permit representations for Permit No. 38336; and the emission events have not been reported

Citation: Viol. Classification: Moderate

30 TAC Chapter 115, SubChapter H 115.786(c)[G]
Description: failed to submit semiannual report of all HRVOC LDAR components awaiting shutdown repair; failed to follow some of the appropriate protocols for placing leaking components on the shutdown list

Disclosure Date: 01/21/2005

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.1(83)
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: exceeded the RQ for propylene

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter F 101.201[G]
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: failed to report two upset events of HCN - January 2, 2004 and October 19, 2004

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report upset event on April 5, 2004 (propylene)

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report maintenance activities where reportable quantities of propylene were released

Citation: Viol. Classification: Moderate

30 TAC Chapter 115, SubChapter C 115.212(a)(2)
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: failed to represent rail car steaming and degassing operations in permit 6534

Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.20(2)

Description: Tank No. 51T1, in the LAB Unit, missed its 10-year inspection
Citation: Viol. Classification: Moderate
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[G]
Description: railcars are heated in advance of unloading, with the railcars open to atmosphere
Citation: Viol. Classification: Minor
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 115, SubChapter H 115.780[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: fugitive emission components not currently identified and included in one or more LDAR programs
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.211[G]
30 TAC Chapter 101, SubChapter F 101.222(c)[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: start-up and shutdown emissions from AN7 Unit may exceed applicable reportable quantities for various organics, including acrolein; these emissions were not accounted for in the NSR permit representations for Permit No. 38336; and the emission events have not been reported
Citation: Viol. Classification: Moderate
30 TAC Chapter 115, SubChapter H 115.786(c)[G]
Description: failed to submit semiannual report of all HRVOC LDAR components awaiting shutdown repair; failed to follow some of the appropriate protocols for placing leaking components on the shutdown list

Disclosure Date: 01/28/2005

Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter A 101.1(83)
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: exceeded the RQ for propylene
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: failed to report two upset events of HCN - January 2, 2004 and October 19, 2004
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report upset event on April 5, 2004 (propylene)
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report maintenance activities where reportable quantities of propylene were released
Citation: Viol. Classification: Moderate
30 TAC Chapter 115, SubChapter C 115.212(a)(2)
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: failed to represent rail car steaming and degassing operations in permit 6534
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter A 101.20(2)
Description: Tank No. 51T1, in the LAB Unit, missed its 10-year inspection
Citation: Viol. Classification: Moderate
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[G]
Description: railcars are heated in advance of unloading, with the railcars open to atmosphere
Citation: Viol. Classification: Minor
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 115, SubChapter H 115.780[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: fugitive emission components not currently identified and included in one or more LDAR programs
Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.211[G]
30 TAC Chapter 101, SubChapter F 101.222(c)[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: start-up and shutdown emissions from AN7 Unit may exceed applicable reportable quantities for various organics, including acrolein; these emissions were not accounted for in the NSR permit representations for Permit No. 38336; and the emission events have not been reported
Citation: Viol. Classification: Moderate
30 TAC Chapter 115, SubChapter H 115.786(c)[G]
Description: failed to submit semiannual report of all HRVOC LDAR components awaiting shutdown repair; failed to follow some of the appropriate protocols for placing leaking components on the shutdown list

Disclosure Date: 06/30/2005

Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter A 101.1(83)
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: exceeded the RQ for propylene

- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: failed to report two upset events of HCN - January 2, 2004 and October 19, 2004
- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report upset event on April 5, 2004 (propylene)
- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report maintenance activities where reportable quantities of propylene were released
- Citation: Viol. Classification: Moderate
30 TAC Chapter 115, SubChapter C 115.212(a)(2)
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: failed to represent rail car steaming and degassing operations in permit 6534
- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter A 101.20(2)
Description: Tank No. 51T1, in the LAB Unit, missed its 10-year inspection
- Citation: Viol. Classification: Moderate
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[G]
Description: railcars are heated in advance of unloading, with the railcars open to atmosphere
- Citation: Viol. Classification: Minor
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 115, SubChapter H 115.780[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: fugitive emission components not currently identified and included in one or more LDAR programs
- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.211[G]
30 TAC Chapter 101, SubChapter F 101.222(c)[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: start-up and shutdown emissions from AN7 Unit may exceed applicable reportable quantities for various organics, including acrolein; these emissions were not accounted for in the NSR permit representations for Permit No. 38336; and the emission events have not been reported
- Citation: Viol. Classification: Moderate
30 TAC Chapter 115, SubChapter H 115.786(c)[G]
Description: failed to submit semiannual report of all HRVOC LDAR components awaiting shutdown repair; failed to follow some of the appropriate protocols for placing leaking components on the shutdown list

Disclosure Date: 07/28/2005

- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter A 101.1(83)
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: exceeded the RQ for propylene
- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
30 TAC Chapter 116, SubChapter B 116.115[G]
Description: failed to report two upset events of HCN - January 2, 2004 and October 19, 2004
- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report upset event on April 5, 2004 (propylene)
- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter F 101.201[G]
Description: failed to report maintenance activities where reportable quantities of propylene were released
- Citation: Viol. Classification: Moderate
30 TAC Chapter 115, SubChapter C 115.212(a)(2)
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: failed to represent rail car steaming and degassing operations in permit 6534
- Citation: Viol. Classification: Moderate
30 TAC Chapter 101, SubChapter A 101.20(2)
Description: Tank No. 51T1, in the LAB Unit, missed its 10-year inspection
- Citation: Viol. Classification: Moderate
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[G]
Description: railcars are heated in advance of unloading, with the railcars open to atmosphere
- Citation: Viol. Classification: Minor
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352[G]
30 TAC Chapter 115, SubChapter H 115.780[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: fugitive emission components not currently identified and included in one or more LDAR programs
- Citation: Viol. Classification: Moderate

30 TAC Chapter 101, SubChapter F 101.211[G]
30 TAC Chapter 101, SubChapter F 101.222(c)[G]
30 TAC Chapter 116, SubChapter B 116.116(b)[G]
Description: start-up and shutdown emissions from AN7 Unit may exceed applicable reportable quantities for various organics, including acrolein; these emissions were not accounted for in the NSR permit representations for Permit No. 38336; and the emission events have not been reported

Citation: Viol. Classification: Moderate

30 TAC Chapter 115, SubChapter H 115.786(c)[G]
Description: failed to submit semiannual report of all HRVOC LDAR components awaiting shutdown repair; failed to follow some of the appropriate protocols for placing leaking components on the shutdown list

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



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision April 25, 2006

DATES	Assigned	24-Apr-2006	Screening	01-May-2006	EPA Due	14-Jan-2007
	PCW	21-Feb-2007				

RESPONDENT/FACILITY INFORMATION						
Respondent	Solutia, Inc.					
Reg. Ent. Ref. No.	RN100238682					
Facility/Site Region	12-Houston	Major/Minor Source	Major Source			
CASE INFORMATION						
Enf./Case ID No.	24286	No. of Violations	1			
Docket No.	2005-0166-AIR-E	Order Type	1660			
Media Program(s)	Air Quality	Enf. Coordinator	Rebecca Johnson			
Multi-Media		EC's Team	Enforcement Team 6			
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 126% Enhancement Subtotals 2, 3, & 7

Notes: Penalty enhancement due to seven same or similar NOV's, seventeen unrelated NOV's, eleven self-reported effluent violations, and two agreed orders containing a denial of liability. Penalty reduction due to five Notices of Audits submitted.

Culpability No Subtotal 4

Notes: The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 25% Reduction Subtotal 5

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with a small x)

Notes: The respondent returned to compliance on January 11, 2006.

Economic Benefit 0% Enhancement* Subtotal 6

Total EB Amounts	<input type="text" value="\$36"/>	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	<input type="text" value="\$2,000"/>	

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 0% 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 since this is not an expedited enforcement action.

PAYABLE PENALTY

PCW #2

Screening Date 01-May-2006
Respondent Solutia, Inc.
Case ID No. 24286
Reg. Ent. Reference No. RN100238682
Media [Statute] Air Quality
Enf. Coordinator Rebecca Johnson

Docket No. 2005-0166-AIR-E**PCW**

Policy Revision 2 (September 2002)

PCW Revision April 25, 2006

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 (<i>number of NOVs meeting criteria</i>)	7	35%
	Other written NOVs	28	56%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	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	0	0%
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 (<i>number of judgements or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	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 (<i>number of audits for which notices were</i>	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
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) 126%>> **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 seven same or similar NOVs, seventeen unrelated NOVs, eleven self-reported effluent violations, and two agreed orders containing a denial of liability. Penalty reduction due to five Notices of Audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 126%

Screening Date 01-May-2006	Docket No. 2005-0166-AIR-E	PCW
Respondent Solutia, Inc.		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 24286		<i>PCW Revision April 25, 2006</i>
Reg. Ent. Reference No. RN100238682		
Media [Statute] Air Quality		
Enf. Coordinator Rebecca Johnson		
Violation Number <input type="text" value="1"/>		
Primary Rule Cite(s)	Air Permit No. 18251, Special Condition No. 4	
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c) and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failure to prevent unauthorized emissions during an October 9, 2005 emissions event. Specifically, during the October 9, 2005 emissions event the following unauthorized emissions were released from a vent on the AN3 waste heat boiler over a period of thirty-two minutes: 7,751 pounds (lbs) of volatile organic compounds (including acetronitrile, acrylonitrile, propane, and propylene), 1,364.80 lbs of carbon monoxide, and 924.33 lbs of hydrogen cyanide. Since the emissions event was avoidable Solutia, Inc. failed to meet the demonstration criteria for an affirmative defense under 30 Tex. Admin. Code § 101.222.	
	Base Penalty	<input type="text" value="\$10,000"/>

>> **Environmental, Property and Human Health Matrix**

Harm			
Release	Major	Moderate	Minor
Actual	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Percent <input type="text" value="50%"/>		

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

Matrix Notes

Human health or the environment has been exposed to over 6,800 pounds of hazardous air pollutants (acetronitrile, acrylonitrile, and hydrogen cyanide) which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment
Base Penalty Subtotal

Violation Events

Number of Violation Events Number of violation days

mark only one use a small x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="text" value="X"/>

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Solutia, Inc.
 Case ID No. 24286
 Reg. Ent. Reference No. RN100238682
 Media [Statute] 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
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$2,000	09-Oct-2005	11-Jan-2006	0.3	\$2	\$34	\$36
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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to replace the failed check valve on 31D4 to prevent the recurrence of emissions event due to the same cause as the October 9, 2005 event. Date required based on the date of the emissions event. Final date based on the compliance date.

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

TOTAL

CH #2

Compliance History

Customer/Respondent/Owner-Operator:	CN6001328	Solutia, Inc.	Classification: AVERAGE	Rating: 2.33
Regulated Entity:	RN100238682	CHOCOLATE BAYOU PLANT	Classification: AVERAGE	Site Rating: 1.65
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER		BL0038U
	AIR OPERATING PERMITS	PERMIT		1258
	AIR OPERATING PERMITS	PERMIT		2317
	AIR OPERATING PERMITS	PERMIT		2318
	AIR OPERATING PERMITS	PERMIT		2319
	AIR OPERATING PERMITS	PERMIT		2320
	AIR OPERATING PERMITS	PERMIT		2321
	AIR OPERATING PERMITS	PERMIT		2322
	AIR OPERATING PERMITS	PERMIT		2323
	AIR OPERATING PERMITS	PERMIT		2324
	AIR OPERATING PERMITS	PERMIT		2325
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		0200049
	WASTEWATER	PERMIT		WQ0000001000
	WASTEWATER	PERMIT		TPDES0003875
	AIR NEW SOURCE PERMITS	PERMIT		2271
	AIR NEW SOURCE PERMITS	PERMIT		3046
	AIR NEW SOURCE PERMITS	PERMIT		5065
	AIR NEW SOURCE PERMITS	PERMIT		5084
	AIR NEW SOURCE PERMITS	PERMIT		5336
	AIR NEW SOURCE PERMITS	PERMIT		6534
	AIR NEW SOURCE PERMITS	PERMIT		8372
	AIR NEW SOURCE PERMITS	PERMIT		14488
	AIR NEW SOURCE PERMITS	PERMIT		18130
	AIR NEW SOURCE PERMITS	PERMIT		18251
	AIR NEW SOURCE PERMITS	PERMIT		28738
	AIR NEW SOURCE PERMITS	PERMIT		28694
	AIR NEW SOURCE PERMITS	PERMIT		32151
	AIR NEW SOURCE PERMITS	PERMIT		34029
	AIR NEW SOURCE PERMITS	PERMIT		38336
	AIR NEW SOURCE PERMITS	PERMIT		38998
	AIR NEW SOURCE PERMITS	PERMIT		39171
	AIR NEW SOURCE PERMITS	PERMIT		39643
	AIR NEW SOURCE PERMITS	PERMIT		48895
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		BL0038U
	AIR NEW SOURCE PERMITS	AFS NUM		0009
	AIR NEW SOURCE PERMITS	EPA ID		PSDTP910
	AIR NEW SOURCE PERMITS	PERMIT		18251
	AIR NEW SOURCE PERMITS	REGISTRATION		75639
	AIR NEW SOURCE PERMITS	REGISTRATION		76211
	AIR NEW SOURCE PERMITS	REGISTRATION		71063
	AIR NEW SOURCE PERMITS	REGISTRATION		71232
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX307A
	AIR NEW SOURCE PERMITS	REGISTRATION		72545
	AIR NEW SOURCE PERMITS	REGISTRATION		72689
	AIR NEW SOURCE PERMITS	REGISTRATION		73707
	AIR NEW SOURCE PERMITS	REGISTRATION		73857
	AIR NEW SOURCE PERMITS	REGISTRATION		74040
	AIR NEW SOURCE PERMITS	REGISTRATION		74788
	AIR NEW SOURCE PERMITS	REGISTRATION		75318
	AIR NEW SOURCE PERMITS	REGISTRATION		77064
	AIR NEW SOURCE PERMITS	REGISTRATION		77079
	AIR NEW SOURCE PERMITS	REGISTRATION		78148
	AIR NEW SOURCE PERMITS	REGISTRATION		78728
	RADIOACTIVE WASTE	LICENSE		RW0219
	UNDERGROUND INJECTION CONTROL	PERMIT		WDW013
	UNDERGROUND INJECTION CONTROL	PERMIT		WDW224
	UNDERGROUND INJECTION CONTROL	PERMIT		WDW318
	UNDERGROUND INJECTION CONTROL	PERMIT		WDW326
	UNDERGROUND INJECTION CONTROL	PERMIT		WDW359
	UNDERGROUND INJECTION CONTROL	PERMIT		WDW002
	UNDERGROUND INJECTION CONTROL	PERMIT		WDW001
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)		30138
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID		TXD001700806

INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD001700806
STORMWATER	PERMIT	TXR050891
WATER LICENSING	LICENSE	0200049
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50189

Location: APPROX 11 MI SE FROM THE CITY OF ALVIN ON FM 2917 Rating Date: 9/1/2005 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: April 26, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 24, 2001 to April 24, 2006

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

Name: Rebecca Johnson Phone: (713) 422-8931

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: 02/20/2006 ADMINORDER 2005-0555-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: TCEQ Air Permit #39171, SC#4 PA
Description: Equistar failed to close the automatic inlet valve to the incinerator.

Effective Date: 10/10/2003 ADMINORDER 2002-0174-AIR-E
Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT
Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.

Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.120(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to notify the TCEQ in writing 30 days in advance of seal gap measurements taken in affiliation with the 1999, 2000, and 2001 annual external floating roof tank inspection of tanks 332T1-1 and 332T1-2.

Classification: Moderate

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

40 CFR Part 63, Subpart G 63.133(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to adequately conduct the 2001 seal gap measurements and generate raw data and calculations relating to external floating roof tank 332T1-1.

Classification: Moderate

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

Rqmt Prov: SC5C PERMIT

Description: Failure to conduct stack testing of incinerator 55H2 within 60 days of start-up of the facilities.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.152(c)(2)

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

Description: Failed to submit a complete periodic report. Specifically, the periodic report submitted on April 25, 2000 for the October 1999 to March 2000 reporting period did not reference or include data pertaining to incinerator EPN 55H2.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.118(f)(3)

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

Description: Failed to submit complete periodic reports.

Classification: Moderate

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
40 CFR Part 63, Subpart G 63.120(d)(2)(i)
40 CFR Part 63, Subpart G 63.122(b)

Rqmt Prov: SC2 PERMIT

Description: Failure to have an adequate monitoring plan for absorbers 320S322-1 and 320S322-2, that ensures the absorbers are being properly operated and maintained.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)[G]
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

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

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rates Table (MAERT) contained in TCEQ Air Permit No. 38336 for waste heat boiler EPN 70Z401 by emitting VOCs at 9.52 pounds per hour (lbs./hr) when the permitted limit is 8.89 lbs./hr.

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	08/21/2001	(157056)
2	02/26/2003	(26108)
3	03/12/2003	(27234)
4	02/26/2003	(25864)
5	07/22/2003	(157054)

6	07/18/2002	(157053)
7	07/17/2001	(157052)
8	06/20/2003	(157050)
9	08/25/2003	(150697)
10	12/16/2004	(336194)
11	12/20/2004	(338296)
12	12/30/2004	(343622)
13	12/20/2005	(435369)
14	06/24/2002	(157049)
15	01/12/2004	(258960)
16	12/18/2003	(257385)
17	02/26/2003	(26050)
18	02/27/2004	(262913)
19	01/09/2006	(439878)
20	06/20/2001	(157048)
21	12/10/2004	(263071)
22	01/24/2006	(440227)
23	10/08/2002	(13170)
24	05/20/2003	(37989)
25	05/21/2003	(157046)
26	02/26/2003	(25856)
27	08/30/2005	(401906)
28	05/31/2005	(379386)
29	11/25/2003	(255837)
30	05/22/2002	(157045)
31	08/25/2005	(401920)
32	02/28/2005	(347701)
33	02/27/2004	(262943)
34	04/04/2005	(349690)
35	02/27/2004	(263910)
36	04/06/2005	(376386)
37	12/02/2003	(255621)
38	03/04/2003	(23648)
39	05/16/2001	(157044)
40	04/08/2005	(376952)
41	09/01/2004	(271988)
42	04/12/2004	(253529)
43	06/20/2002	(2667)
44	06/12/2002	(1455)
45	02/27/2004	(262933)
46	11/16/2004	(334879)
47	07/21/2005	(398102)
48	04/21/2003	(157042)
49	08/24/2005	(377022)
50	02/27/2003	(24374)
51	02/23/2004	(294912)
52	05/31/2005	(374702)
53	04/22/2002	(157041)
54	02/14/2006	(453399)
55	10/21/2005	(433182)
56	12/10/2004	(260541)
57	08/01/2002	(2568)
58	04/19/2006	(451614)

59	03/22/2004	(294915)
60	08/21/2003	(151361)
61	11/12/2003	(253266)
62	04/20/2004	(294916)
63	02/21/2005	(349363)
64	02/14/2006	(453392)
65	12/03/2002	(9849)
66	02/16/2006	(405519)
67	11/03/2004	(333514)
68	10/29/2003	(253450)
69	03/21/2003	(157037)
70	05/25/2004	(294918)
71	12/30/2004	(345394)
72	03/18/2002	(157036)
73	06/21/2004	(294920)
74	03/30/2004	(332762)
75	11/19/2002	(13812)
76	01/03/2005	(343620)
77	11/12/2003	(252275)
78	07/23/2004	(351912)
79	02/21/2003	(157034)
80	04/06/2005	(376392)
81	08/31/2004	(271365)
82	08/25/2003	(294923)
83	02/22/2002	(157033)
84	01/16/2004	(255951)
85	09/11/2003	(248057)
86	09/01/2005	(401916)
87	12/11/2002	(15178)
88	09/23/2003	(294925)
89	08/19/2004	(351913)
90	05/21/2002	(1411)
91	10/21/2005	(433183)
92	06/29/2005	(394959)
93	02/27/2004	(262947)
94	11/16/2004	(340676)
95	10/21/2003	(294927)
96	09/23/2004	(334052)
97	11/21/2003	(294928)
98	11/05/2004	(338995)
99	10/13/2004	(337045)
100	12/20/2005	(439435)
101	09/20/2004	(351914)
102	01/31/2003	(22887)
103	08/23/2002	(1525)
104	08/14/2003	(148336)
105	09/11/2003	(248048)
106	12/09/2004	(343333)
107	12/23/2003	(294929)
108	11/16/2004	(340661)
109	02/26/2003	(26041)
110	02/26/2003	(25983)
111	01/03/2005	(343624)

112	02/27/2004	(262922)
113	01/23/2004	(294931)
114	01/24/2006	(440219)
115	10/22/2004	(351915)
116	07/30/2004	(284372)
117	08/19/2003	(149876)
118	12/23/2004	(336768)
119	08/14/2003	(148343)
120	12/15/2004	(351916)
121	05/31/2005	(379380)
122	12/20/2004	(335252)
123	09/01/2004	(270694)
124	10/04/2005	(379884)
125	11/16/2004	(339730)
126	03/03/2006	(457603)
127	02/26/2003	(25859)
128	08/06/2002	(6823)
129	11/22/2004	(340787)
130	03/29/2004	(267307)
131	08/24/2005	(405509)
132	11/04/2004	(351917)
133	09/01/2004	(272089)
134	12/10/2004	(263070)
135	10/29/2003	(253464)
136	09/23/2004	(334055)
137	01/23/2003	(157075)
138	02/07/2003	(9887)
139	07/01/2003	(36597)
140	01/23/2002	(157074)
141	12/10/2002	(16608)
142	08/27/2002	(9789)
143	10/22/2004	(351918)
144	02/18/2003	(24434)
145	08/19/2005	(404318)
146	05/16/2005	(380841)
147	01/12/2004	(258944)
148	04/25/2005	(377968)
149	08/22/2002	(8627)
150	05/21/2002	(1403)
151	11/25/2003	(255830)
152	12/09/2004	(343311)
153	11/25/2003	(250820)
154	12/27/2002	(157071)
155	03/24/2005	(419586)
156	11/23/2004	(341009)
157	06/17/2004	(273007)
158	04/18/2005	(419587)
159	02/26/2003	(26112)
160	12/14/2004	(343317)
161	11/03/2004	(333511)
162	05/23/2005	(419588)
163	03/28/2003	(28455)
164	10/11/2005	(399217)

165	12/14/2004	(343284)
166	12/20/2001	(157070)
167	06/23/2005	(419589)
168	06/08/2005	(348652)
169	04/16/2004	(267638)
170	11/17/2004	(340850)
171	08/24/2005	(349399)
172	12/18/2003	(257514)
173	02/24/2005	(349397)
174	04/30/2001	(142094)
175	10/01/2001	(246510)
176	05/07/2001	(142095)
177	01/30/2006	(438969)
178	04/13/2004	(265167)
179	06/05/2001	(142096)
180	11/22/2002	(157067)
181	07/25/2001	(142097)
182	08/22/2002	(2308)
183	02/26/2003	(25851)
184	11/07/2001	(142098)
185	11/26/2001	(157066)
186	12/28/2004	(344974)
187	11/16/2004	(340570)
188	11/07/2001	(142099)
189	10/13/2004	(337038)
190	11/29/2001	(142100)
191	08/24/2005	(405513)
192	01/14/2005	(345345)
193	12/04/2001	(142101)
194	04/17/2006	(460779)
195	02/26/2004	(255896)
196	08/21/2002	(3430)
197	01/04/2002	(142102)
198	08/19/2002	(8402)
199	11/05/2004	(337520)
200	04/06/2005	(376398)
201	01/16/2002	(142103)
202	04/06/2005	(376425)
203	01/18/2002	(142104)
204	10/27/2003	(281097)
205	02/21/2006	(438633)
206	02/26/2003	(25988)
207	08/27/2002	(9763)
208	10/21/2002	(157063)
209	11/25/2003	(255834)
210	12/13/2004	(262649)
211	06/13/2005	(345346)
212	02/14/2005	(349294)
213	11/01/2001	(157062)
214	04/06/2005	(376432)
215	07/19/2005	(440731)
216	08/16/2005	(440732)
217	01/22/2002	(142105)

218 12/20/2004 (338265)
 219 09/19/2005 (440733)
 220 01/29/2002 (142106)
 221 09/20/2002 (157060)
 222 02/12/2003 (24271)
 223 02/14/2005 (348976)
 224 02/14/2002 (142107)
 225 12/30/2005 (434386)
 226 08/13/2002 (5940)
 227 09/04/2002 (10679)
 228 02/22/2005 (381755)
 229 09/21/2001 (157059)
 230 08/15/2002 (2306)
 231 12/22/2004 (381756)
 232 08/21/2003 (151374)
 233 08/13/2002 (5915)
 234 08/03/2004 (283906)
 235 02/22/2002 (142108)
 236 11/25/2003 (255835)
 237 02/26/2003 (25854)
 238 04/06/2005 (376403)
 239 02/26/2003 (26078)
 240 09/01/2004 (289574)
 241 12/17/2004 (344033)
 242 03/04/2002 (142109)
 243 08/29/2005 (401919)
 244 03/28/2002 (142110)
 245 08/23/2002 (157057)
 246 06/07/2002 (142111)
 247 08/05/2002 (2552)
 248 04/19/2005 (376908)
 249 05/11/2005 (348724)

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

Date: 06/13/2002 (142111)

Self Report? NO

Classification: Moderate

Rqmt Prov: OP IA

Description: EXCEEDS MAERT VALUES

Date: 04/04/2005 (349690)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)

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

Description: The regulated entity failed to prevent a shutdown of the AN2 waste heat boiler due to the malfunction of the valve positioner.

Self Report? NO

Classification: Minor

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

Description: Solutia, Inc., - Chocolate Bayou Plant failed to identify on the emissions event report the permit number authorization.

Date: 11/17/2004 (340850)

Self Report? NO

Classification: Moderate

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

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

Rqmt Prov: PERMIT IA

Description: Failure to prevent the leaks from the valves 30HIC4-A/B and caused the release of air contaminants from the emission point which is not listed in the MAERT.

Date: 12/20/2004 (335252)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA IA
Description: Sterling Chemicals failed to prevent external corrosion on a pipeline.

Date: 07/21/2005 (398102)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Solutia failed to include the facility's authorization limit and number on the final report.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Solutia failed to include the facility's authorization limit and number on the final report.

Date: 02/17/2006 (405519)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
Rqmt Prov: PERMIT IA
Description: Failure to comply with the requirements of 30 TEX. ADMIN. CODE Chapter 106.472(9).

Date: 11/16/2004 (339730)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Failure to operate the flare within MAERT limits

Date: 08/24/2005 (377022)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Solutia failed to properly tighten a valve.

Date: 01/31/2003 (157034)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 05/31/2004 (294920)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 03/30/2004 (332762)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 07/31/2003 (294923)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 02/16/2006 (405519)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Description: Failure to record quarterly opacity observation on Unit ID: 350H1-1

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.142(1)(E)

Description: Solutia, Inc., failed to equipt Unit IDs:P-10 and P-13, with a Close-Vent system.

Date: 12/13/2004 (262649)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA IA

Description: Solutia failed to prevent moisture from entering the igniter unit on the flare.

Date: 10/31/2003 (294928)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 08/24/2005 (349399)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA IA

Description: The regulated entity failed to prevent a leak in a propylene pump.

Self Report? NO Classification: Minor

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

Description: failed to identify the permit number representing the propylene pump in the emissions event report.

Date: 02/14/2005 (348976)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Solutia failed to prevent a fire suppression discharge which resulted in a release of 145 pounds (lbs) of Halon 1301 (bromotrifluoromethane).

Date: 03/02/2006 (457603)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT IA

Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.

Self Report? NO Classification: Major

Citation: 2A TWC Chapter 7, SubChapter A 7.101

Rqmt Prov: ORDER IA

Description: Failure to comply with ordering provisions of the Commission Order Docket No. 2002-0174-AIR-E.

Date: 11/30/2001 (157070)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter
 Date: 10/01/2001 (246510)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 11/22/2004 (340787)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
 Description: Failure to to submit the initial notification of the emissions event within 24 hours after the start of incident.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT IA
 Description: Failure to limit the emissions from the scrubber within the MAERT limits.

Date: 12/31/2004 (351918)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 01/03/2005 (343620)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA IA
 Description: Solutia inadvertently sent steam through the drain line to the process sewer increasing the pressure in the process sewer tank.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: Failure to report an emissions event (Incident #45511) that occurred at the AN7 Unit in a timely manner.

Date: 11/18/2004 (341009)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT IA
 Description: Failure to prevent tripping of the boiler (30H5) and relit the burners in a timely manner and caused the release of air pollutants from the emission point that was not listed in the MAERT.

Date: 12/03/2002 (9849)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: failed to conduct audio, olfactory, and visual checks for Hydrogen Fluoride (HF) leaks within the operating area for both the shifts (day and night) on September 29, 2002 and the day shift on July 22, 2002 as required by their TCEQ Air Permit No. 6534, Special Condition (SC) 13 A.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: failed to record pH values of caustic scrubber liquor effluent on 8/28/00, 9/4/00, 10/31/00, 11/11/00, 11/13/00, 11/14/00, 12/28/00, 2/20/01, 3/6/01, 4/18/01, 6/17/01, 6/18/01, 7/27/01, 7/28/01, 8/01/01, and 10/4/01 as required by their TCEQ Air Permit No. 6534, Special Condition (SC) 4.

Date: 01/07/2002 (142102)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 Description: NESHAP STANDARDS

Date: 09/30/2002 (157063)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 12/27/2001 (142104)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCMI VNTS VESSEL WW.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: FAILURE TO SUBMIT RPTS
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCMI VNTS, VESSEL WW
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCMI-VNTS.VESSL.,WW

Date: 09/30/2001 (157062)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 12/27/2002 (142104)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCMI-VNTS. VESSL.,WW

Date: 08/31/2001 (157059)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 02/15/2002 (142107)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: OP IA
 Description: PERMIT SPECIAL CONDITI
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCMI VNTS VESSL WW
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCMI-VENTS VESSL WW

Date: 07/31/2002 (157057)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 02/27/2002 (142108)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCMI-VNTS,VESSL,WW

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)

Description: GENERAL CONDITIONS

Date: 07/31/2001 (157056)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

Notice of Intent Date: 01/02/2002 (32895)

No DOV Associated

Notice of Intent Date: 05/15/2002 (32970)

No DOV Associated

Notice of Intent Date: 09/23/2004 (347742)

No DOV Associated

Notice of Intent Date: 01/03/2006 (453378)

No DOV Associated

Notice of Intent Date: 04/07/2006 (462917)

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
AGAINST
SOLUTIA INC.
RN100238682**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2005-0166-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Solutia Inc. ("Solutia") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Solutia, represented by Mr. Eric Groten of the law firm of Vinson & Elkins, LLP, appear before the Commission and together stipulate that:

1. Solutia owns and operates an organic chemical production plant located at Farm-to-Market Road 2917, approximately 11 miles southeast of Alvin and approximately 8 miles south of the intersection of Texas Highway 35 and FM 2917, in Brazoria County, Texas (the "Plant"). The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and TCEQ rules.
3. The Commission and Solutia agree that the Commission has jurisdiction to enter this Agreed Order, and that Solutia is subject to the Commission's jurisdiction.
4. Solutia received notice of the violations alleged in Section II ("Allegations") on or about June 13, 2005, September 3, 2005, October 9, 2005 and April 23, 2006.
5. The occurrence of the violations are in dispute and the entry of this Agreed Order shall not constitute an admission by Solutia of the violations alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of ninety-five thousand four hundred ninety dollars (\$95,490.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Solutia has paid forty-seven thousand seven hundred forty-five dollars (\$47,745.00) of the administrative penalty. Forty-seven thousand seven hundred forty-five dollars (\$47,745.00) shall be conditionally offset by Solutia's completion of a Supplemental Environmental Project as defined in Attachment A and incorporated herein by reference. Solutia'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.
7. On December 17, 2003, Solutia filed a voluntary petition for relief pursuant to Chapter 11 of the United States Bankruptcy Code. The Automatic Stay imposed by the Bankruptcy Code (specifically, 11 USC § 362(a)) applies to actions or proceedings that could have been commenced prior to the filing of such petition. Solutia acknowledges that all of the violations contained herein arose after its filing of the petition. TCEQ's normal custom and practice would be to have Solutia seek permission from the Bankruptcy Court to enter into this Agreed Order, Docket No. 2005-0166-AIR-E; however, Solutia has affirmatively represented that Bankruptcy Court approval is not needed for Solutia to enter into this Agreed Order and by signature below affirmatively represents that Solutia is authorized without Bankruptcy Court approval to enter into this Agreed Order. In material reliance on that express representation that Bankruptcy Court approval is not needed, TCEQ enters into this Agreed Order.
8. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
9. The Executive Director of the TCEQ and Solutia have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
10. The Executive Director recognizes that Solutia has implemented the following corrective measures at the Plant:
 - a. In response to the November 17, 2004 emission event, Solutia conducted employee training on December 22, 2004 to ensure that emissions events are properly reported.
 - b. On November 17, 2004, Solutia installed a steam valve in header 31Z6 in an effort to prevent the recurrence of emission events due to the same cause as the November 17, 2004 event.
 - c. On November 23, 2004, Solutia obtained an amendment to Air Permit No. 3046 which:

- i. provided authorization for the carbon absorption system on wastewater tank 57T5;
 - ii. incorporated a higher operating temperature for 57T34 based on revised application representations; and
 - iii. included all gas streams going to vent condenser 57E22 and revised emission limits for vent condenser 57E22.
 - d. On November 30, 2004, Solutia:
 - i. developed and implemented a record keeping system to document quarterly opacity observation of tank 55T12 and scrubber 55K1; and
 - ii. conducted employee training to ensure the volatile organic compound concentration of the exhaust gas associated with 57T5 is properly recorded.
 - e. On May 17, 2005, Solutia obtained an amendment to Air Permit No. 2271 which authorized higher:
 - i. short-term ammonia emission limits for scrubber 55K1; and
 - ii. annual HTMA production rates, annual ammonia usage rates, and annual ammonia production rates.
 - f. On September 14, 2005, Solutia obtained an amendment to the Title V Permit which included the following emission sources: 55S101, 55S102, 55S103 and 55S104.
 - g. With regard to the emission event on October 9, 2005, Solutia, immediately upon discovering that check valve 31D4 failed and caused unauthorized emissions, restored check valve 31D4 to service, restored the steam feed, balanced the organic stream, and relit the boiler. In addition, Solutia replaced check valve 31D4 on January 11, 2006, in an effort to prevent the recurrence of emission events due to the same cause as the October 9, 2005, event.
- 11. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Solutia has not complied with one or more of the terms or conditions in this Agreed Order.

12. 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.
13. 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.

II. ALLEGATIONS

Solutia is alleged to have violated:

1. 30 TEX. ADMIN. CODE § 116.115(c); and Air Permit No. 18251, Special Condition No. 4, and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to comply with permitted emission limits during an emission event on November 17, 2004. Specifically, during the November 17, 2004 emission event, 373.36 lbs. of unauthorized propylene emissions were emitted from emission point 31Z6 over a period of 50 hours and 40 minutes as documented during an investigation conducted from April 22, 2005 through May 2, 2005. Since the emission event was avoidable and not properly reported, Solutia failed to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
2. 30 TEX. ADMIN. CODE § 101.201(a)(1)(B), and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to report the November 17, 2004, emission event within 24 hours after its discovery. Specifically, the emission event that was discovered on November 17, 2004 was not reported until December 22, 2004 as documented during an investigation conducted from April 22, 2005 through May 2, 2005.
3. 30 TEX. ADMIN. CODE § 122.143(4); and Air Permit No. O-01258, Special Terms and Conditions No. 3.A.iii, and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to maintain records documenting quarterly opacity observations of tank 55T12 and scrubber 55K1, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit, as documented during an investigation conducted from July 26, 2005 through August 4, 2005.
4. 30 TEX. ADMIN. CODE § 116.115(b); Air Permit No. 2271, General Condition No. 8; and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to comply with the permitted short-term ammonia emissions limits for scrubber 55K1, and reported in a deviation report for the period of December 1, 2004 through May 31, 2005 for the NTA unit, as documented during an investigation conducted from July 26, 2005 through August 4, 2005.
5. 30 TEX. ADMIN. CODE §§ 116.115(b) and 116.116(a)(1); Air Permit No. 2271, General Condition No. 1; and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to comply with

permit representations relating to annual HTMA production, annual ammonia usage, and annual ammonia production, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit, as documented during an investigation conducted from July 26, 2005 through August 4, 2005.

6. 30 TEX. ADMIN. CODE § 122.132(e)(2) and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to include the following emission units in the Title V application: 55S101, 55S102, 55S103 and 55S104. Specifically, the referenced emission sources were inadvertently omitted from the original Title V permit application and corresponding permit, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit, as documented during an investigation conducted from July 26, 2005 through August 4, 2005.
7. 30 TEX. ADMIN. CODE § 115.146(2) and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to maintain records documenting the VOC concentration of the exhaust gas associated with 57T5 in order to demonstrate proper function of the carbon canister control equipment, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit, as documented in an investigation conducted from July 27, 2005 through August 3, 2005.
8. 30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to obtain authorization for the carbon absorption system on wastewater tank 57T5 prior to installation, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit, as documented in an investigation conducted from July 27, 2005 through August 3, 2005.
9. 30 TEX. ADMIN. CODE § 116.116(a)(1); Air Permit No. 3046, General Condition No. 1; and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to operate residue strip tank 57T34 on June 12 and 28, 2004 and August 16, 2004 within temperature ranges specified in the permit application, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit, as documented in an investigation conducted from July 27, 2005 through August 3, 2005.
10. 30 TEX. ADMIN. CODE § 116.116(b)(1)(C); Air Permit No. 3046, General Condition No. 8; and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to include all gas streams going to vent condenser 57E22 in the emission estimates and permit application which resulted in emissions from vent condenser 57E22 exceeding rolling annual permitted emission limits, and reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit, as documented in an investigation conducted from July 27, 2005 through August 3, 2005.

11. 30 TEX. ADMIN. CODE § 116.115(c); Air Permit No. 18251, Special Condition No. 4; and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to prevent unauthorized emissions during an October 9, 2005, emission event. Specifically, during the October 9, 2005 event, the following unauthorized emissions were released from a vent on the AN3 waste heat boiler over a period of 32 minutes: 7,751 pounds of volatile organic compounds (including acetronitrile, acrylonitrile, propane and propylene), 1,364.80 pounds of carbon monoxide, and 924.33 pounds of hydrogen cyanide, as documented during an investigation conducted on January 9, 2006. Since the emission event was avoidable, Solutia failed to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

Solutia generally denies the allegations contained in Section II ("Allegations").

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Solutia is assessed an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Solutia's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Solutia Inc., Docket No. 2005-0166-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

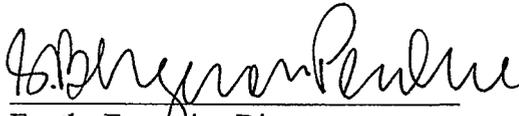
2. Solutia shall implement and complete a Supplemental Environmental Project in accordance with TEX. WATER CODE § 7.067. Forty-seven thousand seven hundred forty-five dollars (\$47,745.00) of the assessed penalty shall be offset with the condition that Solutia implement the SEP defined in Attachment A. Solutia'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. The provisions of this Agreed Order shall apply to and be binding upon Solutia. Solutia is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If Solutia 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, Solutia's failure to comply is not a violation of this Agreed Order. Solutia has the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Solutia shall notify the Executive Director within seven days after Solutia becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. 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 Solutia shall be made in writing to the Executive Director. Extensions are not effective until Solutia receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Solutia 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.
7. 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.
8. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Solutia, or three days after the date on which the Commission mails notice of the Order to Solutia, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

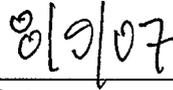
SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director



Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

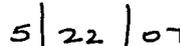
I also understand that Solutia's failure to comply with the Ordering Provisions, if any, in this order and/or Solutia's failure to timely pay the penalty amount, may result in:

- A negative impact on Solutia's compliance history;
- Greater scrutiny of any permit applications submitted by Solutia;
- 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 Solutia;
- Automatic referral to the Attorney General's Office of any future enforcement actions against Solutia; and
- TCEQ seeking other relief as authorized by law.

Signature



Date



PAUL CARTLEDGE
Name (Printed or typed)
Authorized representative of
Solutia Inc.

PLANT MANAGER
Title

Attachment A
Docket Number: 2005-0166-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Solutia Inc.

Penalty Amount: Ninety-Five Thousand Four Hundred Ninety Dollars
(\$95,490)

SEP Amount: Forty-Seven Thousand Seven Hundred Forty-Five Dollars
(\$47,745)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston Area Emission Reduction Credit
Organization (AERCO)

Location of SEP: Brazoria County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for 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

Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the **Houston-Galveston Area Emission Reduction Credit Organization (AERCO)** Clean Cities/Clean Vehicles Program will perform a SEP in Brazoria County pursuant to the agreement between AERCO and the TCEQ. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older "high emission" buses will be permanently retired and sold only for scrap. AERCO will send a verification form to TCEQ in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and

other emissions control technologies that are developed and approved by EPA or the California Air Resources Board.

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 retiring high-emission buses from service, purchasing newer, clean fuel technology buses, and replacing newer buses with fuel treatment technology that reduces particulate emissions and hydrocarbons.

C. Minimum Expenditure

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, Respondent must contribute the SEP Amount to the Third-Party Recipient. Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, TX 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Amount, 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. Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If 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.

In the event of incomplete performance, the check for any amount due shall include the notation "SEP Refund" and the docket number of the case, be made out to "Texas Commission on Environmental Quality", and be mailed to:

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

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 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

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, 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 Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.