

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-0073-AIR-E TCEQ ID: RN100219526 CASE NO.: 32227
RESPONDENT NAME: Texas Petrochemicals LP

+

ORDER TYPE:

<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> EMERGENCY ORDER	

CASE TYPE:

<input type="checkbox"/> AGRICULTURE	<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE	<input type="checkbox"/> MUNICIPAL SOLID WASTE
<input type="checkbox"/> OCCUPATIONAL CERTIFICATION	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> RADIOACTIVE WASTE
<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL	<input type="checkbox"/> USED OIL
<input type="checkbox"/> USED OIL FILTER	<input type="checkbox"/> WATERQUALITY		

SITE WHERE VIOLATION(S) OCCURRED: Texas Petrochemicals Houston Facility, 8600 Park Place Boulevard, Houston, Harris County

TYPE OF OPERATION: Chemical manufacturing

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is one pending enforcement action, Docket No. 2005-0257-AIR-E, 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 March 26, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Ms. Nadia Hameed, Enforcement Division, Enforcement Section III, MC R-12, (713) 767-3629; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

Respondent: Mr. Chris Hendrix, Senior Environmental Engineer, Texas Petrochemicals LP, 8600 Park Place Boulevard, Houston, Texas 77017
Mr. Christopher A. Artzer, VP & General Counsel, Texas Petrochemicals LP, 8600 Park Place Boulevard, Houston, Texas 77017

Respondent's Attorney: Not represented by counsel

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date of Complaints Relating to this Case: None</p> <p>Date of Investigations Relating to this Case: September 21, 2006, December 6, 2006, December 13, 2006, and December 14, 2006</p> <p>Date of NOEs Relating to this Case: December 5, 2006, December 21, 2006, and January 31, 2007 (NOE)</p> <p>Background Facts: These were routine investigations for compliance with the air program. Five significant program violations were observed.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions on September 14, 2006. Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to submit the initial notification within 24 hours and the final report within two weeks of the end of the September 14, 2006 emissions event [30 TEX. ADMIN. CODE § 101.201(a)(1) and (c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failure to prevent unauthorized emissions on December 1, 2006. Since the emissions event was avoidable and determined to be excessive, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total assessed: \$31,336</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$31,336</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Order Justification: This is a Findings Order because of unauthorized emissions which are excessive emissions events.</p>	<p>Ordering Provisions</p> <p>The Order will require the Respondent to:</p> <p>a) Within 30 days after the effective date of this Agreed Order:</p> <ul style="list-style-type: none"> i. Implement measures designed to ensure timely reporting of emissions events; and ii. Implement measures designed to prevent to the extent practicable the recurrence of emissions due to the same causes as that of the October 11 and 18, 2006 and September 14, 2006 emissions events. <p>b) Within 45 days after the effective date of this Agreed Order, submit written certification as described below under Provision f., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.i. and a.ii.;</p> <p>c) Comply with the TCEQ request dated January 31, 2007, for submittal of a Corrective Action Plan ("CAP") to address the excessive emissions event that occurred December 1, 2006;</p> <p>d) Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP within 15 days after the date of such requests, or by other deadline specified in writing;</p> <p>e) Upon Executive Director approval, implement the CAP in accordance with the approved schedule; and</p> <p>f) Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provisions c. through e.</p>

RESPONDENT'S NAME: Texas Petrochemicals LP
DOCKET NO.: 2007-0073-AIR-E

<p>4) Failure to prevent unauthorized emissions on October 11, 2006. Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>5) Failure to prevent unauthorized emissions on October 18, 2006. Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
---	--	--



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision December 8, 2006

TCEQ

DATES	Assigned	11-Dec-2006	Screening	21-Dec-2006	EPA Due	1-Sep-2007
	PCW	5-Feb-2007				

RESPONDENT/FACILITY INFORMATION			
Respondent	Texas Petrochemicals LP		
Reg. Ent. Ref. No.	RN100219526		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	32227	No. of Violations	5	
Docket No.	2007-0073-AIR-E	Order Type	Findings	
Media Program(s)	Air Quality	Enf. Coordinator	Nadia Hameed	
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 Enhancement **Subtotals 2, 3, & 7**

Notes:

Culpability Enhancement **Subtotal 4**

Notes:

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

Before NOV NOV to EDRP/Settlement Offer

Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/> X	(mark with x)

Notes:

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

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

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

Notes:

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes:

PAYABLE PENALTY

Screening Date 21-Dec-2006

Docket No. 2007-0073-AIR-E

PCW

Respondent Texas Petrochemicals LP

Policy Revision 2 (September 2002)

Case ID No. 32227

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100219526

Media [Statute] Air Quality

Enf. Coordinator Nadia Hameed

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	10	50%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	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 (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	1	35%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 118%

>> 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 ten NOVs issued for same or similar violations, seven NOVs issued for non-similar violations, one agreed order with a denial of liability, and one consent decree/court order without denial of liability. Penalty reduction due to submittal of one Notice of Audit letter.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 118%

Screening Date 21-Dec-2006

Docket No. 2007-0073-AIR-E

PCW

Respondent Texas Petrochemicals LP

Policy Revision 2 (September 2002)

Case ID No. 32227

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100219526

Media [Statute] Air Quality

Enf. Coordinator Nadia Hameed

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions of 327.5 pounds (lbs) of 1,3-butadiene from Tank 851 that was being cleaned, resulting in an emissions event which began on September 14, 2006, and lasted for fourteen hours and thirty minutes and caused or contributed to high 1,3-butadiene concentration readings at the CAM-169 Milby Park Station. Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$5,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$135

Violation Final Penalty Total \$10,900

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 32227
Reg. Ent. Reference No. RN100219526
Media Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
6.0	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				0.0	\$0	n/a	\$0
Other (as needed)	\$3,000	14-Sep-2006	8-Aug-2007	0.9	\$135	n/a	\$135

Notes for DELAYED costs
 Estimated cost to implement measures designed to prevent the recurrence of an emissions event from the same cause as the September 14, 2005 emissions event. Required date based on the date of the emissions event.
 Final date based on the expected date that all corrective actions will be complete.

Item Description	Yrs	Interest Saved	Onetime Costs	EB Amount
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 **\$135**

Screening Date 21-Dec-2006

Docket No. 2007-0073-AIR-E

PCW

Respondent Texas Petrochemicals LP

Policy Revision 2 (September 2002)

Case ID No. 32227

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100219526

Media [Statute] Air Quality

Enf. Coordinator Nadia Hameed

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a)(1) and (c), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit the initial notification within 24 hours and the final report within two weeks of the end of the emissions event. Specifically, the emissions event occurred on September 14, 2006, and the initial notification was submitted on October 4, 2006 and the final notification was submitted on October 17, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

The respondent failed to meet less than 30 percent of the rule requirement.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 2

33 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$200

Two single events are recommended for the two late reports.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$13

Violation Final Penalty Total \$436

This violation Final Assessed Penalty (adjusted for limits) \$436

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 32227
Reg. Ent. Reference No. RN100219526
Media Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Item Description: No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$300	14-Sep-2006	8-Aug-2007	0.9	\$13	n/a	\$13

Notes for DELAYED costs: Estimated cost to implement measures designed to ensure that emissions events are reported within the required time frames. Required date based on the date of the emissions event. Final date based on the expected date when all corrective actions will be complete.

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 \$300

TOTAL \$13

Screening Date 21-Dec-2006

Docket No. 2007-0073-AIR-E

PCW

Respondent Texas Petrochemicals LP

Policy Revision 2 (September 2002)

Case ID No. 32227

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100219526

Media [Statute] Air Quality

Enf. Coordinator Nadia Hameed

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions of 104 lbs of butane, 9,066 lbs of butene, 6 lbs of butylene isomers, 1,560 lbs of isobutene, 910 lbs of isobutylene, 45 lbs of propane, 87 lbs of propylene from the 4D-4A-OH Line over a period of 3 hours and 22 minutes during an emissions event that occurred on December 1, 2006. Since the emissions event was avoidable and determined to be excessive, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants, including 10,069 lbs of HRVOCs butene, propylene, isobutylene and butylene isomers, which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$10,000

One daily event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$171

Violation Final Penalty Total \$21,800

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 32227
Reg. Ent. Reference No. RN100219526
Media 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
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$5,000	1-Dec-2006	8-Aug-2007	0.7	\$171	n/a	\$171

Notes for DELAYED costs Estimated cost to implement measures designed to prevent the recurrence of an emissions event from the same cause as the December 1, 2006 emissions event. Required date based on the date of the emissions event. Final date based on the expected date that all corrective actions will be complete.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$5,000**
TOTAL **\$171**

Screening Date 21-Dec-2006

Docket No. 2007-0073-AIR-E

PCW

Respondent Texas Petrochemicals LP

Policy Revision 2 (September 2002)

Case ID No. 32227

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100219526

Media [Statute] Air Quality

Enf. Coordinator Nadia Hameed

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions of 134.33 lbs of isobutylene and 298.67 lbs of isobutane from a 1" bleeder valve on the 2D-9 feed line from Tank 3 in 2 plant-2D-9 Column Feed Line Unit during an emissions event that occurred on October 11, 2006 and lasted 41 minutes. Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$21

Violation Final Penalty Total \$5,450

This violation Final Assessed Penalty (adjusted for limits) \$5,450

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 32227
Reg. Ent. Reference No. RN100219526
Media 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
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	\$500	11-Oct-2006	8-Aug-2007	0.8	\$21	n/a	\$21
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 implement measures designed to prevent the recurrence of an emissions event from the same cause as the October 11, 2006 emissions event. Required date based on the date of the emissions event. Final date based on the expected date that all corrective actions will be complete.

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
 (This section is currently blank)

Approx. Cost of Compliance **\$500**
TOTAL **\$21**

Screening Date 21-Dec-2006

Docket No. 2007-0073-AIR-E

PCW

Respondent Texas Petrochemicals LP

Policy Revision 2 (September 2002)

Case ID No. 32227

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100219526

Media [Statute] Air Quality

Enf. Coordinator Nadia Hameed

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions of 0.1 lbs of butadiene, 10.38 lbs of 1,3-butadiene, 30.47 lbs of butane, 44.05 lbs of butene, 0.01 lbs of ethylene, 0.09 lbs of methyl acetylene, 0.07 lbs of pentane, 1.32 lbs of propane, and 0.42 lbs of propylene from a rupture in 4D-70 OH line in the Vinyl Acetylene Unit ("VAU") during an emissions event that occurred on October 18, 2006 and lasted 15 minutes. Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

Number of violation days 1

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$40

Violation Final Penalty Total \$5,450

This violation Final Assessed Penalty (adjusted for limits) \$5,450

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 32227
Reg. Ent. Reference No. RN100219526
Media 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
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	18-Oct-2006	8-Aug-2007	0.8	\$40	n/a	\$40

Notes for DELAYED costs
 Estimated cost to implement measures designed to prevent the recurrence of an emissions event from the same cause as the October 18, 2006 emissions event. Required date based on the date of the emissions event. Final date based on the expected date that all corrective actions will be complete.

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
 (This section is currently blank in the provided image.)

Approx. Cost of Compliance \$1,000 **TOTAL** \$40

Compliance History

Customer/Respondent/Owner-Operator:	CN600130322	Texas Petrochemicals LP	Classification: AVERAGE	Rating: 7.69
Regulated Entity:	RN100219526	TEXAS PETROCHEMICALS HOUSTON FACILITY	Classification: AVERAGE	Site Rating: 3.17

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0562P
	AIR OPERATING PERMITS	PERMIT	1598
	AIR OPERATING PERMITS	PERMIT	2884
	AIR NEW SOURCE PERMITS	PERMIT	1341A
	AIR NEW SOURCE PERMITS	PERMIT	1766
	AIR NEW SOURCE PERMITS	PERMIT	4136
	AIR NEW SOURCE PERMITS	PERMIT	4238A
	AIR NEW SOURCE PERMITS	PERMIT	10296
	AIR NEW SOURCE PERMITS	PERMIT	10323A
	AIR NEW SOURCE PERMITS	PERMIT	10352A
	AIR NEW SOURCE PERMITS	PERMIT	10675A
	AIR NEW SOURCE PERMITS	PERMIT	10840A
	AIR NEW SOURCE PERMITS	PERMIT	11427A
	AIR NEW SOURCE PERMITS	PERMIT	11801
	AIR NEW SOURCE PERMITS	PERMIT	11801A
	AIR NEW SOURCE PERMITS	PERMIT	13805A
	AIR NEW SOURCE PERMITS	PERMIT	13806A
	AIR NEW SOURCE PERMITS	PERMIT	15606
	AIR NEW SOURCE PERMITS	PERMIT	16351
	AIR NEW SOURCE PERMITS	PERMIT	19806
	AIR NEW SOURCE PERMITS	PERMIT	22052
	AIR NEW SOURCE PERMITS	PERMIT	24187
	AIR NEW SOURCE PERMITS	PERMIT	28410
	AIR NEW SOURCE PERMITS	PERMIT	32431
	AIR NEW SOURCE PERMITS	PERMIT	37317
	AIR NEW SOURCE PERMITS	PERMIT	40807
	AIR NEW SOURCE PERMITS	PERMIT	43252
	AIR NEW SOURCE PERMITS	PERMIT	43536
	AIR NEW SOURCE PERMITS	PERMIT	44268
	AIR NEW SOURCE PERMITS	PERMIT	44488
	AIR NEW SOURCE PERMITS	PERMIT	44686
	AIR NEW SOURCE PERMITS	PERMIT	44927
	AIR NEW SOURCE PERMITS	PERMIT	46307
	AIR NEW SOURCE PERMITS	PERMIT	46426
	AIR NEW SOURCE PERMITS	PERMIT	46456
	AIR NEW SOURCE PERMITS	PERMIT	47147
	AIR NEW SOURCE PERMITS	PERMIT	47393
	AIR NEW SOURCE PERMITS	PERMIT	48550
	AIR NEW SOURCE PERMITS	PERMIT	49829
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0562P
	AIR NEW SOURCE PERMITS	AFS NUM	0031
	AIR NEW SOURCE PERMITS	PERMIT	PSDTX999
	AIR NEW SOURCE PERMITS	REGISTRATION	70703
	AIR NEW SOURCE PERMITS	REGISTRATION	71443
	AIR NEW SOURCE PERMITS	REGISTRATION	71687
	AIR NEW SOURCE PERMITS	PERMIT	P999
	AIR NEW SOURCE PERMITS	PERMIT	50761
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX999
	AIR NEW SOURCE PERMITS	REGISTRATION	77348
	AIR NEW SOURCE PERMITS	REGISTRATION	77347
	AIR NEW SOURCE PERMITS	REGISTRATION	77346
	AIR NEW SOURCE PERMITS	REGISTRATION	77345
	AIR NEW SOURCE PERMITS	REGISTRATION	77344
	AIR NEW SOURCE PERMITS	REGISTRATION	77343
	AIR NEW SOURCE PERMITS	REGISTRATION	78118
	AIR NEW SOURCE PERMITS	PERMIT	2884
	AIR NEW SOURCE PERMITS	REGISTRATION	79799
	AIR NEW SOURCE PERMITS	REGISTRATION	79933
	AIR NEW SOURCE PERMITS	REGISTRATION	79947
	AIR NEW SOURCE PERMITS	REGISTRATION	80019
	AIR NEW SOURCE PERMITS	REGISTRATION	80271
	AIR NEW SOURCE PERMITS	REGISTRATION	80340

INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008072134
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30417
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30417

Location: 8600 PARK PLACE BLVD, HOUSTON, TX, 77017 Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: December 21, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 20, 2001 to December 21, 2006

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

Name: NHameed Phone: 713-767-3629

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.

N/A Effective Date: 05/24/2004 ADMINORDER 2002-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)

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

Rqmt Prov: SC10 PERMIT

Description: Failure to properly cap or plug open ended lines as documented during an investigation conducted on October 17, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)

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

Description: Failure to monitor 23 valves during the monitoring period ending March 31, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)

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

Description: Failure to monitor 2 repaired valves within 15 days.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

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

Rqmt Prov: SC10 PERMIT

Description: Failure to adhere to LDAR monitoring schedule for pumps.

See addendum for information regarding federal actions.

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. (CEEDS Inv. Track. No.)

1	04/21/2003	(27289)
N/A		
2	03/13/2003	(25806)
3	07/09/2002	(1448)
4	07/21/2003	(114195)
5	05/30/2006	(480219)
6	01/09/2003	(17886)
7	08/28/2006	(488585)
8	01/28/2004	(256991)
9	08/29/2005	(404046)
10	02/28/2006	(457074)
11	08/08/2003	(40801)
12	07/07/2005	(394060)
13	05/31/2006	(480637)
14	05/30/2006	(480237)
15	05/31/2006	(480638)
16	05/30/2006	(480292)
17	05/31/2006	(480639)
18	01/21/2005	(342214)
19	05/30/2006	(480297)
20	05/31/2006	(480640)
21	05/30/2006	(480287)
22	11/11/2004	(289544)
23	05/31/2006	(480641)
24	06/10/2004	(270492)
25	05/30/2006	(480133)
26	05/31/2006	(480642)
27	05/10/2005	(380624)
28	05/31/2006	(480643)
29	10/17/2003	(249451)
30	08/31/2005	(418954)
31	05/31/2006	(480644)
32	05/31/2006	(480645)
33	02/19/2003	(21171)
34	05/31/2006	(480646)
35	05/31/2006	(480530)
36	05/31/2006	(480647)
37	05/31/2006	(480648)
38	05/31/2006	(480649)
39	02/25/2006	(456997)
40	05/30/2006	(471013)
41	04/20/2004	(255875)
42	08/30/2004	(282027)
43	05/31/2006	(480651)
44	05/30/2006	(480300)
45	05/31/2006	(480653)
46	10/18/2004	(336459)
47	04/07/2005	(347336)
48	05/31/2006	(480468)
49	07/09/2003	(98190)
50	08/11/2004	(288425)
51	08/31/2005	(402446)
52	02/10/2004	(255227)
53	05/31/2005	(376325)
54	05/30/2006	(480289)
55	01/05/2005	(345579)
56	05/31/2006	(480654)
57	05/31/2006	(480610)
58	05/31/2006	(480655)
59	04/28/2006	(458466)
60	07/03/2002	(4090)

61 06/06/2005 (378762)
62 08/28/2003 (152866)
63 04/04/2006 (458283)
64 05/31/2006 (480226)
65 05/31/2006 (480656)
66 02/03/2005 (349418)
67 02/23/2006 (455880)
68 03/13/2006 (450068)
69 08/31/2004 (291888)
70 05/31/2006 (480244)
71 05/30/2006 (459802)
72 05/05/2005 (373870)
73 07/26/2004 (277574)

74 04/12/2004 (260974)
75 12/16/2004 (293258)
76 05/31/2006 (480569)
77 03/13/2006 (450024)
78 04/04/2006 (458271)
79 05/30/2006 (480277)
80 07/21/2006 (481873)
81 07/21/2006 (481904)
82 08/28/2006 (488528)
83 07/29/2004 (279114)
84 05/30/2006 (480141)
85 05/31/2006 (480631)
86 01/08/2004 (258394)
87 06/15/2004 (270507)
88 05/30/2006 (480099)
89 08/18/2004 (276597)
90 08/31/2004 (285908)
91 05/31/2006 (480197)
92 05/31/2006 (480263)
93 05/30/2006 (480302)
94 07/03/2002 (2393)
95 06/18/2003 (36257)
96 05/30/2006 (480303)
97 02/10/2004 (256355)
98 05/31/2006 (480425)
99 05/30/2006 (480304)
100 05/31/2006 (480445)
101 05/31/2006 (480455)
102 04/19/2005 (377616)
103 05/30/2006 (480245)
104 08/23/2005 (404475)
105 05/30/2006 (480305)
106 08/26/2003 (149809)
107 08/08/2005 (394042)
108 02/18/2005 (345797)
109 01/17/2003 (17931)
110 05/30/2006 (480306)
111 05/30/2006 (480308)
112 08/28/2006 (488643)
113 04/18/2005 (374447)
114 05/30/2006 (480311)
115 06/27/2002 (1692)
116 08/23/2005 (402060)
117 10/30/2006 (487750)
118 05/30/2006 (480313)
119 02/27/2006 (457159)
120 05/30/2006 (480314)
121 05/30/2006 (480315)
122 08/11/2005 (374658)
123 03/13/2006 (450051)
124 11/11/2004 (292795)

125 10/26/2004 (291758)
126 01/10/2002 (103763)
127 11/22/2004 (339425)
128 08/29/2005 (405738)
129 05/30/2006 (480233)
130 01/15/2004 (255521)
131 02/11/2002 (103764)
132 07/09/2004 (270285)
133 02/19/2002 (103765)
134 10/30/2003 (152888)
135 05/30/2006 (480265)
136 03/07/2002 (103766)
137 05/31/2006 (480246)
138 11/17/2006 (518574)
139 05/31/2006 (480623)
140 05/31/2006 (480242)
141 12/13/2004 (339426)

142 01/02/2004 (254540)
143 05/30/2006 (478963)
144 07/21/2006 (481780)
145 08/26/2005 (401337)
146 03/13/2003 (26455)
147 03/14/2002 (103767)
148 05/31/2006 (480502)
149 03/14/2002 (103768)
150 08/31/2006 (488584)
151 04/17/2002 (103769)
152 08/11/2003 (130767)
153 04/18/2002 (103770)
154 11/18/2003 (249532)
155 04/24/2002 (103771)
156 01/23/2004 (258353)
157 05/06/2002 (103772)
158 05/15/2002 (103773)
159 05/13/2005 (373465)
160 08/24/2005 (402041)
161 05/15/2002 (103774)
162 05/31/2006 (480634)
163 05/22/2002 (103775)
164 11/02/2004 (339528)
165 05/28/2002 (103776)
166 05/30/2006 (480222)
167 06/05/2002 (103777)
168 04/07/2005 (347331)
169 06/06/2002 (103778)
170 08/24/2005 (333418)
171 06/10/2002 (103779)
172 06/12/2002 (103780)
173 06/12/2002 (103781)
174 05/31/2006 (480214)
175 04/04/2006 (461031)
176 05/31/2006 (480635)
177 12/05/2006 (532642)
178 07/15/2003 (114135)
179 05/30/2006 (480200)
180 10/18/2004 (336854)
181 08/11/2004 (288800)
182 07/13/2004 (268259)
183 05/20/2003 (29901)
184 07/30/2004 (278578)
185 01/28/2004 (257009)
186 10/08/2004 (335087)
187 05/31/2006 (480254)
188 05/26/2004 (262402)

189 05/30/2006 (480206)
 190 05/31/2006 (480866)
 191 09/27/2005 (405860)
 192 05/30/2006 (480282)
 193 10/19/2004 (335878)
 194 07/27/2006 (459885)
 195 05/30/2006 (477634)
 196 05/31/2006 (480479)
 197 10/11/2004 (333747)
 198 05/30/2006 (480186)
 199 08/08/2006 (462831)

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

N/A

Date: 03/13/2006 (450024)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the NOx and O2 CEMS.

Date: 02/10/2004 (255227)

Self Report? NO

Classification: Moderate

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

Description: Failure to maintain opacity of emissions within the allowable limit of 20% for a period of six minutes at Boiler Nos. 4 and 8.

Self Report? NO

Classification: Moderate

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

Rqmt Prov: PA IA

Description: Failure to comply with special provision No. 3 of TCEQ Air permit #1341A.

Date: 08/29/2006 (466376)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

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

Description: Found to be in violation of 30 TAC Chapter 101.4 and 5C THC Chapter 382.085(b) for failure to control emissions.

Date: 05/26/2004 (262402)

Self Report? NO

Classification: Major

Citation: 30 TAC Chapter 106, SubChapter X 106.532(1)(O)[G]

30 TAC Chapter 115, SubChapter B 115.137(a)(2)

Rqmt Prov: PA IA

Description: Failure to adhere to permit conditions, such that the psia of 2.0 for the fuel oil in the wastewater treatment system exceeded the permitted and regulated limits.

Date: 05/05/2005 (373870)

Self Report? NO

Classification: Moderate

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

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

Rqmt Prov: PERMIT IA

Description: Failure to control smoke from a flare resulting in an exceedance of the 5 minute time period in any two hours.

Self Report? NO

Classification: Minor

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

Rqmt Prov: PERMIT IA

Description: Failure to maintain information required to demonstrate compliance with the general condition number 7 of TCEQ Air Permit No. 46307.

Self Report? NO

Classification: Moderate

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

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

Rqmt Prov: PERMIT IA

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failure to submit the final record for an emissions event
Date: 03/13/2006 (450051)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)
Description: Failed to monitor CO when the RATA was conducted for the NOx and O2 CEMS.
Date: 03/13/2006 (450068)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)
Description: Failed to monitor CO emissions when the RATA was conducted for the Nox and O2 analyzers.
Date: 08/30/2004 (282027)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(12)
Description: The company failed to submit additional information necessary to evaluate an emissions event when requested by the director or any air pollution control agency
with jurisdiction, within the time frames established in the request as specified in 30 TAC 101.201(b)(12) and 30 TAC Chapter 101.201(a)(4).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
Description: The regulated entity is in violation of 30 TAC Chapter 115.112(a)(1) which states no person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times.
Date: 08/26/2005 (401337)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)
Rqmt Prov: PERMIT IA
Description: Failed to meet the requirements specified under TCEQ Source Sampling Procedure Manual Appendix P, 5.1.1.3, which requires samples should be drawn from either the vertical section near the base of the riser pipe or the top of a horizontal section prior to the riser pipe at a location where the pipe will be full.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter H 116.814(a)
Rqmt Prov: PERMIT IA
Description: Failed to document "Zero Air Check", "Stabilization Time" and "Water Blank Check" as required by Manual Appendix P.
Date: 08/08/2005 (394042)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
Description: Failure to submit information by the due date.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to obtain a permit amendment for emissions from the D-100 Tower.
Date: 07/31/2006 (459885)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(I)
Description: RE failed to submit stack test reports on time.
Date: 11/17/2006 (518574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(4)(A)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(B)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(C)

30 TAC Chapter 335, SubChapter C 335.69(a)(4)[G]
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(4)
 Description: The facility was unable to document any refusal of state or local agencies to enter into arrangements to provide emergency response.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.8(b)(1)
 Description: NOR Unit 009-Tank: This unit has been removed. No notification regarding the removal of this tank, has been provided.
 Unit 019 Tank: This unit has been converted from hazardous waste use to product use. The unit should go through the closure process.
 Date: 06/30/2003 (60730)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.4
 Description: Failure to control emissions of heavy oils (12 Carbons- 20 Carbons).
 Date: 03/14/2002 (103766)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 Description: Failure to Comply
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 Description: Failure to Comply
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 Rqmt Prov: OP IA
 Description: Failure to Comply
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 Description: Failure to Comply
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 Description: Failure to Comply
 Date: 08/08/2003 (40801)
 Self Report? NO Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
 Description: Failure to not cause, suffer, allow, or permit air contaminants in violation of commission rules.
 Self Report? NO Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to be authorized by a commission rule and permitted air contaminants in violation of commission rules
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
 Description: Failure to meet the record keeping requirements that TPC submit the proper compound descriptive type of all individually listed compounds or mixtures of air contaminants.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 Description: Failure to meet the record keeping requirements that TPC submit the proper authorized emissions limits for the facility involved in the final record.
 Date: 08/31/2006 (488584)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP IA
 Description: Failure to plug open ended lines.
 Self Report? NO Classification: Minor

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

Rqmt Prov: OP IA
Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA
Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA
Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA
Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA
Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA

Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.206(l)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to comply with 30 TAC 1170206(l) by operating pump between the hours of
6:00 AM to noon.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP IA
Description: Failure to document presence and frequency of drips and to the sensor that indicates
failure of the seal system for the 23 pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(e)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP IA
Description: Failure to conduct daily inspection on the Number 5 compressor seal system sensor,
which did not have an alarm system.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP IA

Description: Failure repair leaking connector within 15 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP IA
Description: Failure to monitor 18 pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA
Description: Failure to provide 30-day refilling notice to the IFR tank T-73.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA
Description: Failure to repair a leaking fugitive valve that is HRVOC service within 7 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP IA
Description: Failure to conduct first attempt repair on a leaking valve in HRVOC service within one
day.
Date: 06/06/2005 (378762)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to maintain opacity of emissions less than 20% at the Boiler #9 Stack.

F. Environmental audits.

Notice of Intent Date: 05/11/2006 (467603)
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.

J. Early compliance.

N/A

Sites Outside of Texas

N/A



**Addendum to Compliance History
Federal Enforcement Actions**

CUSTOMER (Defendant): **TEXAS PETROCHEMICALS CORPORATION**
REGULATED ENTITY: **TEXAS PETROCHEMICALS HOUSTON FACILITY**
REG. ENTITY ADDRESS: **8600 PARK PL. BLVD.**
REG. ENTITY CITY: **HOUSTON**

CUSTOMER NO.: **CN600130322**
REG. ENTITY NO.: **RN100219526**

Violations

EPA CASE NO.: **06-1999-0166** CLASSIFICATION: **MODERATE**
ORDER ISSUED DATE (YYYYMMDD): **20020418** STATUTE: **CAA** SECT. OF STATUTE: **111**
ENFORCEMENT ACTION TYPE: **Consent Decree/Court Order** CITATION: **40CFR** CITE PART: **60** CITE SECT.: **49B(A)**
CASE RESULT: **Final Order With Penalty** PROGRAM: **New Source Performance Standards**
VIOLATION TYPE: **New Source Performance Standard**

EPA CASE NO.: **06-1999-0166** CLASSIFICATION: **MODERATE**
ORDER ISSUED DATE (YYYYMMDD): **20020418** STATUTE: **CAA** SECT. OF STATUTE: **112**
ENFORCEMENT ACTION TYPE: **Consent Decree/Court Order** CITATION: **40CFR** CITE PART: **60** CITE SECT.: **7(A)(3)**
CASE RESULT: **Final Order With Penalty** PROGRAM: **State Implementation Plan (SIP)**
VIOLATION TYPE: **Nat. Emis. Standard - Haz. Air Pollutant**

EPA CASE NO.: **06-1999-0166** CLASSIFICATION: **MODERATE**
ORDER ISSUED DATE (YYYYMMDD): **20020418** STATUTE: **CAA** SECT. OF STATUTE: **110**
ENFORCEMENT ACTION TYPE: **Consent Decree/Court Order** CITATION: **40CFR** CITE PART: **61** CITE SECT.: **145(C)(3)**
CASE RESULT: **Final Order With Penalty** PROGRAM: **NESHAPs**
VIOLATION TYPE: **Viol. of a SIP/not otherwise specified**

EPA CASE NO.: **06-1999-0166** CLASSIFICATION: **MODERATE**
ORDER ISSUED DATE (YYYYMMDD): **20020418** STATUTE: SECT. OF STATUTE:
ENFORCEMENT ACTION TYPE: **Consent Decree/Court Order** CITATION: **40CFR** CITE PART: **61** CITE SECT.: **145(C)(4)(IV)**
CASE RESULT: **Final Order With Penalty** PROGRAM:
VIOLATION TYPE: **Failure to Notify**

EPA CASE NO.: **06-1999-0166** CLASSIFICATION: **MODERATE**
ORDER ISSUED DATE (YYYYMMDD): **20020418** STATUTE: SECT. OF STATUTE:
ENFORCEMENT ACTION TYPE: **Consent Decree/Court Order** CITATION: **40CFR** CITE PART: **61** CITE SECT.: **150(A)(1)(V)**
CASE RESULT: **Final Order With Penalty** PROGRAM:
VIOLATION TYPE: **Asbestos Requirement Violation**

EPA CASE NO.: CLASSIFICATION:
ORDER ISSUED DATE (YYYYMMDD): STATUTE: SECT. OF STATUTE:
ENFORCEMENT ACTION TYPE: CITATION: CITE PART: CITE SECT.:
CASE RESULT: PROGRAM:
VIOLATION TYPE:

EPA CASE NO.: CLASSIFICATION:
ORDER ISSUED DATE (YYYYMMDD): STATUTE: SECT. OF STATUTE:
ENFORCEMENT ACTION TYPE: CITATION: CITE PART: CITE SECT.:
CASE RESULT: PROGRAM:
VIOLATION TYPE:

EPA CASE NO.: CLASSIFICATION:
ORDER ISSUED DATE (YYYYMMDD): STATUTE: SECT. OF STATUTE:
ENFORCEMENT ACTION TYPE: CITATION: CITE PART: CITE SECT.:
CASE RESULT: PROGRAM:
VIOLATION TYPE:

SECRET

SECRET

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
TEXAS PETROCHEMICALS LP
RN100219526

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-0073-AIR-E

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

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

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

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

I. FINDINGS OF FACT

1. Texas Petrochemicals owns and operates a chemical manufacturing plant at 8600 Park Place Boulevard in Houston, Harris County, Texas (the "Plant").

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial statements and for providing a clear audit trail. The records should be kept up-to-date and should be easily accessible to all relevant parties.

2. The second part of the document outlines the various methods used to collect and analyze data. These methods include interviews, surveys, and focus groups. Each method has its own strengths and weaknesses, and it is important to choose the most appropriate method for the specific research objectives.

3. The third part of the document describes the process of data analysis. This involves identifying patterns and trends in the data, and then interpreting these findings in the context of the research objectives. It is important to use a systematic and transparent approach to data analysis to ensure the reliability of the results.

4. The fourth part of the document discusses the importance of reporting the results of the research. This involves presenting the findings in a clear and concise manner, and providing a detailed explanation of the methods used and the limitations of the study. It is important to be transparent about any potential biases or limitations of the research.

5. The fifth part of the document concludes the report and provides a summary of the key findings. It also discusses the implications of the research for practice and for future research. The report is intended to provide a comprehensive overview of the research project and to serve as a valuable resource for all stakeholders.

6. The sixth part of the document provides a detailed description of the research methodology. This includes a description of the research design, the sampling method, and the data collection methods. It also discusses the ethical considerations that were taken into account during the research process.

7. The seventh part of the document presents the results of the research. This includes a description of the data that was collected, and a detailed analysis of these data. The results are presented in a clear and concise manner, and are supported by appropriate statistical tests and measures.

8. The eighth part of the document discusses the implications of the research. This includes a discussion of the practical implications of the findings, and a discussion of the theoretical implications. It also discusses the limitations of the study and the need for further research.

9. The ninth part of the document provides a detailed description of the research findings. This includes a description of the key findings, and a discussion of the implications of these findings. It also discusses the limitations of the study and the need for further research.

10. The tenth part of the document concludes the report and provides a summary of the key findings. It also discusses the implications of the research for practice and for future research. The report is intended to provide a comprehensive overview of the research project and to serve as a valuable resource for all stakeholders.

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation on September 21, 2006, TCEQ staff documented:
 - a. The unauthorized release of 327.5 pounds (lbs) of 1,3-butadiene from Tank 851 that was being cleaned, resulting in an emissions event which began on September 14, 2006, and lasted for fourteen hours and thirty minutes and caused or contributed to high 1,3-butadiene concentration readings at the CAM-169 Milby Park Station; and
 - b. A failure to timely submit the initial notification and the final report for the September 14, 2006 emissions event. The initial notification was due within 24 hours, but was not submitted until October 4, 2006. The final notification was due within 14 days after the end of the event, but was not submitted until October 17, 2006.
4. During an investigation on December 6, 2006, TCEQ staff documented the unauthorized release of 104 lbs of butane, 9,066 lbs of butene, 6 lbs of butylene isomers, 1,560 lbs of isobutane, 910 lbs of isobutylene, 45 lbs of propane, and 87 lbs of propylene from the 4D-4A-OH Line over a period of 3 hours and 22 minutes during an emissions event that occurred on December 1, 2006.
5. During an investigation on December 13, 2006, TCEQ staff documented the unauthorized release of 134.33 lbs of isobutylene and 298.67 lbs of isobutane from a 1" bleeder valve on the 2D-9 feed line from Tank 3 during an emissions event that occurred on October 11, 2006 and lasted 41 minutes.
6. During an investigation on December 14, 2006, TCEQ staff documented the unauthorized release of 0.1 lbs of butadiene, 10.38 lbs of 1,3-butadiene, 30.47 lbs of butane, 44.05 lbs of butene, 0.01 lbs of ethylene, 0.09 lbs of methyl acetylene, 0.07 lbs of pentane, 1.32 lbs of propane, and 0.42 lbs of propylene from a rupture in 4D-70 OH line in the Vinyl Acetylene Unit ("VAU") during an emissions event that occurred on October 18, 2006 and lasted 15 minutes.
7. Texas Petrochemicals received notice of the violations by letters dated December 5, December 21, and January 31, 2007.

II. CONCLUSIONS OF LAW

1. Texas Petrochemicals is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3.a., Texas Petrochemicals failed to prevent unauthorized emissions on September 14, 2006, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN CODE § 101.222.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support effective decision-making.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and reporting, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that data is used responsibly and ethically.

5. The fifth part of the document discusses the importance of data governance and the role of various stakeholders in ensuring that data is managed effectively. It emphasizes the need for clear policies and procedures to guide data handling practices.

6. The sixth part of the document explores the benefits of data-driven decision-making and how it can lead to improved performance and innovation. It provides examples of successful data-driven initiatives and the impact they have had on the organization.

7. The seventh part of the document discusses the future of data management and the emerging trends in the field. It highlights the potential of artificial intelligence, machine learning, and big data to revolutionize data analysis and decision-making.

8. The eighth part of the document provides a summary of the key points discussed and offers recommendations for further action. It encourages the organization to continue to invest in data management capabilities and to embrace a data-driven culture.

9. The ninth part of the document includes a list of references and sources used in the document. It provides a comprehensive list of books, articles, and reports that have informed the analysis and conclusions presented.

10. The tenth part of the document is a conclusion that summarizes the overall findings and reiterates the importance of data management in achieving organizational success. It expresses confidence in the organization's ability to overcome challenges and achieve its goals through effective data management.

11. The eleventh part of the document is a list of appendices that provide additional information and data to support the main text. It includes detailed reports, charts, and tables that are too large to include in the main body of the document.

12. The twelfth part of the document is a list of footnotes that provide additional information and references for specific points made in the text. It ensures that all sources are properly cited and that the information is accurate and reliable.

3. As evidenced by Findings of Fact No. 3.b., Texas Petrochemicals failed to submit the initial notification within 24 hours and the final report within two weeks of the end of the September 14, 2006 emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1) and (c), and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. As evidenced by Findings of Fact No. 4, Texas Petrochemicals failed to prevent unauthorized emissions on December 1, 2006, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and determined to be excessive, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN CODE § 101.222.
5. As evidenced by Findings of Fact No. 5, Texas Petrochemicals failed to prevent unauthorized emissions on October 11, 2006, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN CODE § 101.222.
6. As evidenced by Findings of Fact No. 6, Texas Petrochemicals failed to prevent unauthorized emissions on October 18, 2006, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TCEQ Air Permit No. 46307, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable, Texas Petrochemicals failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN CODE § 101.222.
7. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Texas Petrochemicals for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
8. An administrative penalty in the amount of Thirty-One Thousand Three Hundred Thirty-Six Dollars (\$31,336) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Texas Petrochemicals has paid the Thirty-One Thousand Three Hundred Thirty-Six Dollar (\$31,336) administrative penalty.

III. ORDERING PROVISIONS

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

1. Texas Petrochemicals is assessed an administrative penalty in the amount of Thirty-One Thousand Three Hundred Thirty-Six Dollars (\$31,336) as set forth in Section II, Paragraph 8 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Texas Petrochemicals' compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action and any other violations arising from the emissions events and reporting obligations described in Section II. However, the Commission shall not be constrained in any manner from requiring

The first part of the document is a letter from the author to the editor. The letter is dated 10/10/2011 and is addressed to the editor of the journal. The author expresses their gratitude for the editor's invitation to submit a paper to the journal. The author also mentions that they have received the editor's comments on their previous paper and are pleased to see that the editor has found the paper to be of interest to the journal's readers.

The second part of the document is the author's response to the editor's comments. The author thanks the editor for the helpful comments and explains how they have addressed the editor's concerns. The author also mentions that they have revised the paper to improve its clarity and readability. The author concludes the response by expressing their hope that the editor will find the revised paper to be a suitable contribution to the journal.

The third part of the document is the author's revised paper. The paper is titled "The Role of the Editor in the Journal" and discusses the importance of the editor in the journal's success. The author argues that the editor is responsible for selecting the best papers for the journal and for ensuring that the journal's content is of high quality. The author also discusses the editor's role in promoting the journal's mission and in fostering a sense of community among the journal's readers and authors.

The fourth part of the document is the author's conclusion. The author summarizes the main points of the paper and reiterates their belief in the importance of the editor in the journal's success. The author also expresses their hope that the editor will find the paper to be a suitable contribution to the journal. The author concludes the paper by thanking the editor for the opportunity to submit a paper to the journal.

The fifth part of the document is the author's references. The author lists the following references:

- 1. Smith, J. (2010). The Role of the Editor in the Journal. *Journal of the American Association of Editors*, 37(1), 1-10.
- 2. Jones, K. (2009). The Editor's Role in the Journal. *Journal of the American Association of Editors*, 36(2), 1-10.
- 3. Brown, L. (2008). The Editor's Role in the Journal. *Journal of the American Association of Editors*, 35(3), 1-10.

The sixth part of the document is the author's acknowledgments. The author thanks the editor for the opportunity to submit a paper to the journal and for the helpful comments. The author also thanks the journal's readers and authors for their support and interest in the journal.

Author's Name: [Name]

The seventh part of the document is the author's contact information. The author provides the following contact information:

Author's Name: [Name]
Address: [Address]
City: [City]
State: [State]
Zip: [Zip]
Phone: [Phone]
Email: [Email]

The eighth part of the document is the author's closing. The author expresses their hope that the editor will find the paper to be a suitable contribution to the journal. The author also expresses their appreciation for the editor's invitation to submit a paper to the journal. The author concludes the paper by thanking the editor for the opportunity to submit a paper to the journal.

corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Texas Petrochemicals LP, Docket No. 2007-0073-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. Texas Petrochemicals shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement measures designed to ensure timely reporting of emissions events; and
 - ii. Implement measures designed to prevent to the extent practicable the recurrence of emissions due to the same causes as that of the October 11 and 18, 2006 and September 14, 2006 emissions events.
- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below under Provision No. 2.f., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. and 2.a.ii.;
- c. Comply with the TCEQ request dated January 31, 2007, for submittal of a corrective action plan ("CAP") to address the excessive emissions event that occurred December 1, 2006, in accordance with 30 TEX. ADMIN. CODE § 101.223(a)(1);
- d. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP within 15 days after the date of such requests, or by other deadline specified in writing;
- e. Upon Executive Director approval, implement the CAP in accordance with the approved schedule; and
- f. Upon completion of CAP implementation, submit written certification to demonstrate compliance with Ordering Provisions Nos. 2.c. through 2.e. as described below:

The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my

Handwritten paragraph of text, starting with a capital letter.

Handwritten text, possibly a signature or a specific name.

Handwritten paragraph of text, continuing the narrative.

Handwritten text, possibly a date or a specific reference.

Handwritten paragraph of text, starting with a capital letter.

Handwritten paragraph of text, starting with a capital letter.

Handwritten paragraph of text, starting with a capital letter.

Handwritten paragraph of text, starting with a capital letter.

Handwritten paragraph of text, starting with a capital letter.

Handwritten paragraph of text, starting with a capital letter.

Handwritten paragraph of text, starting with a capital letter.

Handwritten paragraph of text, starting with a capital letter.

inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

The certification shall be submitted to:

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

with a copy to:

Air Quality Section, Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

3. The provisions of this Agreed Order shall apply to and be binding upon Texas Petrochemicals. Texas Petrochemicals is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If Texas Petrochemicals 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, Texas Petrochemicals' failure to comply is not a violation of this Agreed Order. Texas Petrochemicals shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Texas Petrochemicals shall notify the Executive Director within seven days after Texas Petrochemicals 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 Texas Petrochemicals shall be made in writing to the Executive Director. Extensions are not effective until Texas Petrochemicals receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas (“OAG”) for further enforcement proceedings without notice to Texas Petrochemicals if the Executive Director determines that Texas Petrochemicals has not complied with one or more of the terms or conditions in this Agreed Order.

1. The first part of the document is a letter from the author to the editor of the journal. The letter discusses the author's interest in the journal and the author's qualifications for the position. The author mentions that they have a Ph.D. in the field and have published several papers in the area. The author also mentions that they have been working in the field for several years and have a good understanding of the current research in the area.

2. The second part of the document is a letter from the editor to the author. The editor thanks the author for their interest in the journal and mentions that the author's qualifications are impressive. The editor also mentions that the journal is looking for someone who can help with the day-to-day operations of the journal and who can also contribute to the editorial process.

3. The third part of the document is a letter from the author to the editor. The author thanks the editor for their response and mentions that they are interested in the position. The author also mentions that they are willing to relocate to the journal's office and that they are available to start work immediately. The author also mentions that they are willing to accept a salary of \$40,000 per year.

4. The fourth part of the document is a letter from the editor to the author. The editor thanks the author for their letter and mentions that they are impressed with the author's qualifications and interest in the position. The editor also mentions that they are willing to offer the author a salary of \$40,000 per year and that they are willing to relocate to the journal's office. The editor also mentions that they are willing to start work immediately.

5. The fifth part of the document is a letter from the author to the editor. The author thanks the editor for their offer and mentions that they are happy to accept the position. The author also mentions that they are willing to relocate to the journal's office and that they are available to start work immediately. The author also mentions that they are willing to accept a salary of \$40,000 per year.

6. The sixth part of the document is a letter from the editor to the author. The editor thanks the author for their letter and mentions that they are happy to hear that the author is accepting the position. The editor also mentions that they are willing to offer the author a salary of \$40,000 per year and that they are willing to relocate to the journal's office. The editor also mentions that they are willing to start work immediately.

7. The seventh part of the document is a letter from the author to the editor. The author thanks the editor for their offer and mentions that they are happy to accept the position. The author also mentions that they are willing to relocate to the journal's office and that they are available to start work immediately. The author also mentions that they are willing to accept a salary of \$40,000 per year.

8. The eighth part of the document is a letter from the editor to the author. The editor thanks the author for their letter and mentions that they are happy to hear that the author is accepting the position. The editor also mentions that they are willing to offer the author a salary of \$40,000 per year and that they are willing to relocate to the journal's office. The editor also mentions that they are willing to start work immediately.

7. 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.
8. This Agreed Order, issued by the Commission, shall not be admissible against Texas Petrochemicals 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.
9. 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.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy auditing of the accounts. The second part details the monthly reconciliation process, where the company's internal records are compared against bank statements to identify any discrepancies. Any differences are investigated immediately to prevent errors from accumulating. The final section outlines the annual financial review, which involves a comprehensive analysis of the company's performance over the past year. This includes reviewing profit margins, cash flow, and overall financial health. The results of this review are used to inform strategic decisions for the following year.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

2/26/07

Date

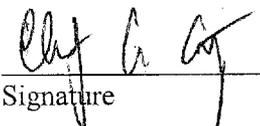
I, the undersigned, have read and understand the attached Agreed Order in the matter of Texas Petrochemicals LP. I am authorized to agree to the attached Agreed Order on behalf of Texas Petrochemicals LP, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting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

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

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

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

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



Signature

2/6/07

Date

CHRISTOPHER A. ARTZER

Name (Printed or typed)
Authorized Representative of
Texas Petrochemicals LP

VP & GENERAL COUNSEL

Title

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

