

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2005-0350-AIR-E TCEQ ID: RN100242577 AND CB0003M ENF ID.: 24636
RESPONDENT NAME: ALCOA WORLD ALUMINA LLC

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 1472 Farm-to-Market Road 1593 South, south of Point Comfort, Calhoun County</p> <p>TYPE OF OPERATION: Alumina refining plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: The City of Point Comfort has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on April 19, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney: Ms. Laurencia Fasoyiro, Litigation Division, MC R-12, (713) 422-8914 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873 TCEQ Enforcement Coordinator: Ms. Audra L. Ruble, Enforcement Division, Section III, MC R-14, (361) 825-3126 TCEQ Regional Contact: Mr. David Turner, Corpus Christi Regional Office, MC R-14, (325) 825-3113 Respondent: Mr. John Ramos, Operations Manager, Alcoa World Alumina LLC, 701 Brazos Street, Suite 1050, Austin, Texas 78701 Respondent's Attorney: Mr. Brian J. Moore, Vinson & Elkins, LLP, 2801 Via Fortuna, Suite 100, The Terrace 7, Austin, Texas 78746</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><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>Dates of Investigation Relating to this Case: January 25, 2005, February 23, 2005, March 11, 2005, April 14, 2005, April 19, 2005, April 22, 2005, April 28, 2005 and September 22, 2004</p> <p>Date of NOE Relating to this Case: September 30, 2004, March 15, 2005, March 30, 2005, May 13, 2005, and May 19, 2005 (NOEs)</p> <p>Background Facts: The EDPRP was filed on February 3, 2006. The Respondent filed an Answer to the EDPRP on February 23, 2006. On March 29, 2006, the case was referred to SOAH. On January 31, 2007, Litigation mailed a proposed Agreed Order to the Respondent. On February 8, 2007, the Litigation Division received a signed Agreed Order from the Respondent.</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 meet the minimum reporting requirements for four reportable emissions events which occurred on November 5, 2004 and November 6, 2004 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B); and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2. Failed to prevent seven unauthorized emission events which occurred on October 30, 2004, November 5, 2004, November 6, 2004, and February 22, 2005 [30 TEX. ADMIN. CODE §§ 111.111(a)(1) and 116.115(c); Permit No. 8166, Special Conditions 1 and 6; and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3. Failed to maintain compliance with the emission limits of Permit No. 8166 [30 TEX. ADMIN. CODE § 116.115(c); Permit No. 8166, Special Conditions 1, 5, and 6; and TEX. HEALTH & SAFETY CODE § 382.085(b); and 40 CFR § 60.382(a)(1)].</p> <p>4. Failed to maintain compliance with the emission limit of Permit No. 8166 [30 TEX. ADMIN. CODE § 116.115(c); Permit No. 8166, Special Conditions 1 and 3; and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$44,426</p> <p>Total Deferred: \$0</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$44,426 The Respondent has paid the administrative penalty in full.</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 The Respondent has received three or more NOVs for the same violations in the past five years.</p>	<p>Ordering Provision(s)</p> <p>The Respondent shall undertake the following technical requirements:</p> <ol style="list-style-type: none"> Within 30 days, initiate employee training concerning the Plant standard operating procedures and routine maintenance to minimize and/or avoid the reoccurrence of emission events and reporting violations. Within 180 days, either: <ol style="list-style-type: none"> Ensure that EPN R56/AHC231 is permanently removed from service; or Conduct performance testing and submit test results demonstrating compliance with the particulate matter ("PM") emission limit for EPN R56AHC231, as required by Permit No. 8166. Within 195 days, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the ordering provisions above.

5. Failed to meet the minimum reporting requirements for two reportable emissions events (Incident Nos. 56832 which was a start-up activity and 56834 which was a shut down activity) for EPN R56-4/FC11 which occurred on December 8, 2004 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B), (b)(8), and (c); and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6. Failed to prevent two unauthorized emissions events on December 8, 2004, which resulted from a shutdown and startup of EPN R56-4/FC11 (Incident Nos. 56832 and 56834) [30 TEX. ADMIN. CODE §§ 111.111(a)(1) and 116.115(c); Permit No. 8166, Special Conditions 1 and 6; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7. Failed to meet the minimum reporting requirements for a reportable emission event which occurred on April 23, 2004 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B); and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8. Failed to prevent unauthorized emissions events from EPN 12 which occurred on April 23, 2004 [30 TEX. ADMIN. CODE §§ 111.111(a)(1)(B) and 116.115(c); Permit No. 8166, Special Conditions 1 and 6; and TEX. HEALTH & SAFETY CODE § 382.085(b)].



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision December 10, 2004

DATES	Assigned	31-Jan-2005	Screening	07-Feb-2005	Priority Due	01-Apr-2005	EPA Due	16-Aug-2005
	PCW	07-Feb-2005						

RESPONDENT/FACILITY INFORMATION	
Respondent	Alcoa World Alumina LLC
Reg. Ent. Ref. No.	RN100242577
Additional ID No(s)	Air Account No. CB0003M
Facility/Site Region	14-Corpus Christi <input type="checkbox"/> Major/Minor Source Major Source <input checked="" type="checkbox"/>

CASE INFORMATION			
Enf./Case ID No.	24636	No. of Violations	2
Docket No.	2005-0350-AIR-E	Order Type	Findings <input checked="" type="checkbox"/>
Case Priority	2 (SNC/HPV) <input checked="" type="checkbox"/>	Enf. Coordinator	Audra L. Ruble
Media Program(s)	Air Quality <input checked="" type="checkbox"/>	EC's Team	Enforcement Team 8 <input checked="" type="checkbox"/>
Multi-Media			
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$5,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1		
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		
Compliance History	70% Enhancement	Subtotals 2, 3, & 7 \$3,500
Notes	The Respondent has received six similar NOVs dated 1/6/04, 2/25/04, 5/21/04, 6/30/04, 8/26/04, and 1/25/05 and 22 non-similar NOVs dated 4/30/00, 5/31/00, 6/30/00, 11/30/00, 12/31/00, 2/28/01, 5/3/01, 6/30/01, 8/20/01, 8/31/01, 10/31/01, 11/30/01, 12/31/02, 1/14/03, 2/28/03, 7/15/03, 7/31/03, 9/30/03, 11/30/03, 4/30/04, 5/24/04, and 5/31/04. Additionally, the Respondent has submitted two NOIs, one of which is associated with a DOV.	
Culpability	No <input checked="" type="checkbox"/> 0% Enhancement	Subtotal 4 \$0
Notes	The Respondent does not meet the culpability criteria.	
Good Faith Effort to Comply	0% Reduction	Subtotal 5 \$0
	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)
Notes	This is a past event with no opportunity to comply.	
Economic Benefit	0% Enhancement*	Subtotal 6 \$0
Total EB Amounts	\$0	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$1,100	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$8,500
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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	\$8,500

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$8,500
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DEFERRAL	Reduction	Adjustment	\$0
Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)			
Notes	No deferral is recommended because this is a findings order.		

PAYABLE PENALTY	\$8,500
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EXHIBIT

tabbles

PCW-1

Screening Date 07-Feb-2005

Docket No. 2005-0350-AIR-E

PCW

Respondent Alcoa World Alumina LLC

Policy Revision 2 (September 2002)

Case ID No. 24636

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN100242577

Additional ID No(s). Air Account No. CB0003M

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Site Address 1472 Farm-to-Market Road 1593 South, south of Point Comfort, Calhoun County

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>)	6	30%
	Other written NOVs	22	44%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	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>	2	-2%
	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%
Other	<i>Please Enter Yes or No</i>		
	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) 70%

>> 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

The Respondent has received six similar NOV's dated 1/6/04, 2/25/04, 5/21/04, 6/30/04, 8/26/04, and 1/25/05 and 22 non-similar NOV's dated 4/30/00, 5/31/00, 6/30/00, 11/30/00, 12/31/00, 2/28/01, 5/3/01, 6/30/01, 8/20/01, 8/31/01, 10/31/01, 11/30/01, 12/31/02, 1/14/03, 2/28/03, 7/15/03, 7/31/03, 9/30/03, 11/30/03, 4/30/04, 5/24/04, and 5/31/04. Additionally, the Respondent has submitted two NOIs, one of which is associated with a DOV.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 70%

Screening Date 07-Feb-2005 **Docket No.** 2005-0350-AIR-E **PCW**

Respondent Alcoa World Alumina LLC *Policy Revision 2 (September 2002)*

Case ID No. 24636 *PCW Revision December 10, 2004*

Reg. Ent. Reference No. RN100242577

Additional ID No(s). Air Account No. CB0003M

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Base Penalty

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="25%"/>

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 <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$4,250"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$4,250"/>	

Economic Benefit Worksheet

Respondent: Alcoa World Alumina LLC
Case ID No.: 24636
Reg. Ent. Reference No.: RN100242577
Additional ID No(s): Air Account No. CB0003M
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
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)	\$100	23-Apr-2004	28-Apr-2004	0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to provide notification within the required 24 hour period. Date required is the date of the event and final date is when the notification was submitted.

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-Feb-2005

Docket No. 2005-0350-AIR-E

PCW

Respondent Alcoa World Alumina LLC

Policy Revision 2 (September 2002)

Case ID No. 24636

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN100242577

Additional ID No(s) Air Account No. CB0003M

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Violation Number

2

Primary Rule Cite(s)

30 Tex. Admin. Code §§ 111.111(a)(1)(B) and 116.115(c) and Permit No. 8166, Special Conditions 1 and 6

Secondary Rule Cite(s)

Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to prevent unauthorized emissions from EPN 12 which occurred on April 23, 2004. Data results from the emissions event show that the Plant emitted 60 lbs of Particulate Matter ("PM") and opacity was at 65.4% during the 2 hour 58 minute event. The emission limits are 8.04 lbs/hr for PM and 10% for opacity, respectively. Because the emissions event was not reported timely, the emissions do not meet the demonstrations in 30 Tex. Admin. Code § 101.222 and are not subject to an affirmative defense under 30 Tex. Admin. Code § 101.222(b)(1-11).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

		Falsification	Major	Moderate	Minor		
						Percent	
Matrix Notes	The emissions event resulted in the release of an insignificant amount of pollutants.						

Adjustment -\$7,500

Base Penalty Subtotal \$2,500

Violation Events

Number of Violation Events 1

mark only one use a small x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$2,500

One single event is recommended based on the April 23, 2004 event, as documented during a record review conducted on September 22, 2004.

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$4,250

This violation Final Assessed Penalty (adjusted for limits) \$4,250

Economic Benefit Worksheet

Respondent: Alcoa World Alumina LLC
Case ID No.: 24636
Reg. Ent. Reference No.: RN100242577
Additional ID No(s): Air Account No. CB0003M
Media [Statute]: Air Quality
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$1,000	23-Apr-2004	24-Apr-2004	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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to replace the faulty thermocouple. Date required is the date of the event and final date is when the repair was made.

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 \$0

Compliance History

Customer/Respondent/Owner-Operator:	CN601452329	Alcoa World Alumina LLC	Classification: AVERAGE	Rating: 0.640
Regulated Entity:	RN100242577	ALCOA POINT COMFORT OPERATIONS	Classification: AVERAGE	Site Rating: 1.28
ID Number(s):	WASTEWATER	PERMIT		TX0004715000
	WASTEWATER	PERMIT		WQ0000394000
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		0290014
	WASTEWATER LICENSING	LICENSE		WQ0000394000
	USED OIL	REGISTRATION		COU0020
	AIR OPERATING PERMITS	PERMIT		1344
	AIR OPERATING PERMITS	ACCOUNT NUMBER		CB0003M
	AIR NEW SOURCE PERMITS	AFS NUM		0002
	AIR NEW SOURCE PERMITS	PERMIT		53498
	AIR NEW SOURCE PERMITS	PERMIT		52338
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		CB0003M
	AIR NEW SOURCE PERMITS	PERMIT		42534
	AIR NEW SOURCE PERMITS	PERMIT		49501
	AIR NEW SOURCE PERMITS	PERMIT		49088
	AIR NEW SOURCE PERMITS	PERMIT		47485
	AIR NEW SOURCE PERMITS	PERMIT		47298
	AIR NEW SOURCE PERMITS	PERMIT		47111
	AIR NEW SOURCE PERMITS	PERMIT		46861
	AIR NEW SOURCE PERMITS	PERMIT		45787
	AIR NEW SOURCE PERMITS	PERMIT		45484
	AIR NEW SOURCE PERMITS	PERMIT		44814
	AIR NEW SOURCE PERMITS	PERMIT		44167
	AIR NEW SOURCE PERMITS	PERMIT		43839
	AIR NEW SOURCE PERMITS	PERMIT		43812
	AIR NEW SOURCE PERMITS	PERMIT		43647
	AIR NEW SOURCE PERMITS	PERMIT		38410
	AIR NEW SOURCE PERMITS	PERMIT		41426
	AIR NEW SOURCE PERMITS	PERMIT		39711
	AIR NEW SOURCE PERMITS	PERMIT		30561
	AIR NEW SOURCE PERMITS	PERMIT		27067
	AIR NEW SOURCE PERMITS	PERMIT		26370
	AIR NEW SOURCE PERMITS	PERMIT		20565
	AIR NEW SOURCE PERMITS	PERMIT		10127
	AIR NEW SOURCE PERMITS	PERMIT		10126
	AIR NEW SOURCE PERMITS	PERMIT		8166
	AIR NEW SOURCE PERMITS	PERMIT		7143
	AIR NEW SOURCE PERMITS	PERMIT		4994
	AIR NEW SOURCE PERMITS	PERMIT		4891
	AIR NEW SOURCE PERMITS	PERMIT		2009
	AIR NEW SOURCE PERMITS	PERMIT		1907
	AIR NEW SOURCE PERMITS	PERMIT		1674
	AIR NEW SOURCE PERMITS	PERMIT		1475
	AIR NEW SOURCE PERMITS	PERMIT		1451
	AIR NEW SOURCE PERMITS	PERMIT		229
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)		30035
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID		TXD008123168
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION		32781

EXHIBIT

CH-1

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WATER LICENSING	LICENSE	0290014
AIR NEW SOURCE PERMITS	REGISTRATION	78783
AIR NEW SOURCE PERMITS	REGISTRATION	74783
AIR NEW SOURCE PERMITS	REGISTRATION	74646
AIR NEW SOURCE PERMITS	REGISTRATION	74170
AIR NEW SOURCE PERMITS	REGISTRATION	74166
AIR NEW SOURCE PERMITS	REGISTRATION	73783
AIR NEW SOURCE PERMITS	REGISTRATION	73692
AIR NEW SOURCE PERMITS	REGISTRATION	73125
AIR NEW SOURCE PERMITS	REGISTRATION	72502
AIR NEW SOURCE PERMITS	REGISTRATION	72382
AIR NEW SOURCE PERMITS	PERMIT	54168
AIR NEW SOURCE PERMITS	PERMIT	55938
AIR NEW SOURCE PERMITS	PERMIT	50587
AIR NEW SOURCE PERMITS	PERMIT	50522
AIR NEW SOURCE PERMITS	PERMIT	23744
AIR NEW SOURCE PERMITS	PERMIT	23697
AIR NEW SOURCE PERMITS	REGISTRATION	71733
AIR NEW SOURCE PERMITS	REGISTRATION	71538
AIR NEW SOURCE PERMITS	REGISTRATION	70728
AIR NEW SOURCE PERMITS	REGISTRATION	70769
AIR NEW SOURCE PERMITS	REGISTRATION	55933

Location:	1472 FM 1593 S, POINT COMFORT, TX, 77978	Rating Date: 9/1/04 Repeat Violator: NO
TCEQ Region:	REGION 14 - CORPUS CHRISTI	
Date Compliance History Prepared:	February 07, 2005	
Agency Decision Requiring Compliance History:	Enforcement	
Compliance Period:	February 07, 2000 to February 07, 2005	

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

Name: Audra Ruble Phone: 361/825-3126

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? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |
| 6. Comments: | <u>STEERS</u> |

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
- 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 03/20/2000 (157422)
 - 2 04/20/2000 (157423)
 - 3 07/14/2003 (119366)

4 04/23/2001 (157424)
5 04/23/2002 (157425)
6 07/16/2003 (60583)
7 04/21/2003 (157426)
8 05/23/2000 (157427)
9 07/03/2003 (119504)
10 06/30/2004 (270535)
11 12/22/2003 (295099)
12 04/23/2004 (295100)
13 05/22/2001 (157428)
14 05/24/2004 (295102)
15 05/20/2002 (157429)
16 04/15/2004 (268842)
17 05/22/2003 (157430)
18 07/03/2003 (119371)
19 06/25/2004 (295104)
20 06/20/2000 (157431)
21 01/24/2005 (345679)
22 06/21/2004 (295105)
23 06/20/2001 (157432)
24 05/20/2004 (272811)
25 07/03/2003 (119079)
26 04/07/2000 (30832)
27 06/07/2004 (273116)
28 05/03/2001 (143635)
29 06/17/2002 (157433)
30 02/10/2000 (139650)
31 03/14/2000 (139651)
32 06/23/2003 (157434)
33 07/14/2003 (119361)
34 03/21/2000 (139652)
35 06/14/2000 (139653)
36 11/19/2004 (341671)
37 07/25/2000 (157435)
38 07/14/2003 (119368)
39 07/24/2001 (157436)
40 08/20/2001 (143632)
41 07/23/2002 (157437)
42 06/14/2000 (139654)
43 08/25/2003 (295108)
44 06/09/2003 (112334)
45 08/21/2000 (157438)
46 06/22/2000 (139655)
47 09/04/2001 (157439)
48 08/15/2002 (157440)
49 09/14/2000 (157441)
50 09/18/2001 (157442)
51 08/04/2000 (139656)
52 06/22/2000 (139657)
53 01/30/2003 (21858)
54 09/23/2002 (157443)
55 06/22/2000 (139658)

56 05/22/2003 (157444)
57 10/18/2002 (157445)
58 10/21/2003 (295111)
59 08/29/2000 (139659)
60 10/23/2000 (157446)
61 11/03/2000 (139660)
62 11/03/2000 (139661)
63 11/01/2001 (157447)
64 10/18/2002 (157448)
65 07/03/2003 (119497)
66 02/08/2001 (139662)
67 06/20/2001 (139663)
68 11/19/2003 (295112)
69 01/28/2005 (346324)
70 11/21/2000 (157450)
71 12/22/2003 (295113)
72 11/19/2001 (157451)
73 11/22/2002 (157452)
74 01/23/2004 (295114)
75 12/22/2000 (157454)
76 06/20/2001 (139664)
77 06/09/2003 (112342)
78 07/03/2001 (139665)
79 07/09/2001 (139666)
80 07/30/2001 (139667)
81 10/07/2002 (13415)
82 12/19/2001 (157455)
83 01/02/2002 (139668)
84 01/31/2002 (139669)
85 12/20/2002 (157456)
86 02/20/2002 (139670)
87 03/19/2003 (26931)
88 01/22/2001 (157458)
89 01/23/2002 (157459)
90 01/23/2003 (157460)
91 10/06/2004 (335483)
92 01/14/2003 (246523)
93 04/23/2001 (38929)
94 11/13/2002 (281270)
95 08/26/2003 (149424)
96 05/27/2004 (270289)
97 02/02/2004 (261636)
98 02/22/2000 (157415)
99 02/23/2001 (157416)
100 04/20/2004 (267782)
101 01/07/2004 (22068)
102 08/26/2004 (291847)
103 02/19/2002 (157417)
104 11/19/2004 (341124)
105 02/26/2004 (262449)
106 01/15/2003 (21259)
107 02/24/2003 (157418)

108 03/27/2001 (157419)
109 02/23/2004 (295097)
110 03/21/2002 (157420)
111 07/03/2003 (119369)
112 03/21/2003 (157421)

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

Date: 02/28/2003 (157421) Classification: Moderate
Self Report? YES

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: 04/30/2000 (157427) Classification: Moderate
Self Report? YES

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: 04/30/2004 (295102) Classification: Moderate
Self Report? YES

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: 05/24/2004 (295104) Classification: Moderate
Self Report? YES

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: 05/31/2000 (157431) Classification: Moderate
Self Report? YES

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 (295105) Classification: Moderate
Self Report? YES

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: 06/30/2000 (157435) Classification: Moderate
Self Report? YES

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: 08/20/2001 (143632) Classification: Moderate
Self Report? NO

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(18)

Description: Failure to submit notification for attaining compliance with final effluent limits

Date: 06/30/2001 (157436) Classification: Moderate
Self Report? YES

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: 05/03/2001 (143635) Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(18)
 Description: Failure to submit 12th report of progress.
 Date: 07/31/2003 (295108) Classification: Moderate
 Self Report? YES
 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: 08/31/2001 (157442) Classification: Moderate
 Self Report? YES
 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: 07/15/2003 (60583) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to maintain greater than 1.0 mg/l chlorine residual in the effluent from the domestic wastewater treatment plant (WWTP). On 9/24/2002, the domestic WWTP operator reported a 0.88 mg/l chlorine residual.
 Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to collect a required composite sample @ out fall 002 for 04/19,20 & 21/ 2003 .
 Failure to collect a required composite sample @ out fall 002 for 04/19,20 & 21/ 2003 .
 Failure to collect a required composite sample @ out fall 002 for 04/19,20 & 21/ 2003 .
 Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to prevent the discharge of wash water not authorized by the water quality permit.
 Date: 09/30/2003 (295111) Classification: Moderate
 Self Report? YES
 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: 01/25/2005 (345679) Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT IA
 Description: Failure to satisfy all demonstrations criteria in 30 Tex. Admin. Code § 101.222(b), to gain an affirmative defense for unauthorized opacity emissions during an emissions event.
 Date: 08/26/2004 (291847) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PA IA
 Description: Failure to conduct quarterly cylinder gas audits of the CEMS installed on High Pressure Boiler No. 6 during the 1st and 2nd quarters of 2003 as required by Special Condition No. 14B of TCEQ Permit No. 8166.

Date: 10/31/2001 (157451) Classification: Moderate
 Self Report? YES
 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: 11/30/2003 (295113) Classification: Moderate
 Self Report? YES
 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: 06/30/2004 (270535) Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C).
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT UUU 60.732(b)
 Rqmt Prov: PERMIT IA
 Description: Failure to obtain regulatory authority for, or satisfy all demonstration criteria of 30 TAC 101.222, for the opacity/emissions released from the R56-4 Calciner during emissions events on January 14, 2004.

Date: 11/30/2000 (157454) Classification: Moderate
 Self Report? YES
 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: 02/25/2004 (262449) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)
 Description: Failure to provide in the excess opacity event (EOE) report an accurate account of information required by this regulation within the time allotted by rule.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to obtain regulatory authority or meet the demonstration requirements of § 101.222 for the excess opacity event which occurred on October 12, 2003.

Date: 11/30/2001 (157455) Classification: Moderate
 Self Report? YES
 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: 01/14/2003 (246523) Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 12/31/2000 (157458) Classification: Moderate
 Self Report? YES
 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: 05/21/2004 (270289) Classification: Moderate
 Self Report? NO

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)(1)

Rqmt Prov: PERMIT IA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of § 101.222 for the excess opacity event which occurred on December 6, 2003.

Self Report? NO

Classification: Minor

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

Description: Failure to provide in the excess opacity event (EOE) report an accurate account of information required by this regulation within the time allotted by rule.
(157460)

Date: 12/31/2002

Classification: Moderate

Self Report?
YES

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
(22068)

Date: 01/06/2004

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Rqmt Prov: PA IA

Description: Failure to obtain regulatory authority for, or satisfy all demonstration criteria to exempt from compliance limitations, the emissions that were released from the R55-2 Calciner during an emissions event on September 25, 2003.

Date: 02/28/2001

Classification: Moderate

Self Report?
YES

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: 08/14/2001

Disclosure Date: 02/27/2002

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20[G]

Description: Bag Collector associated with EPN R56/AHC231 was installed in 1/97 and was not tested within 180 days.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter K 106.261[G]

Description: The R-56 Hydrate Railcar & Truck Loading Station Facility was installed in 1/02 without TNRCC approval.

Disclosure Date: 05/14/2003

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20[G]

Description: Bag Collector associated with EPN R56/AHC231 was installed in 1/97 and was not tested within 180 days.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter K 106.261[G]

Description: The R-56 Hydrate Railcar & Truck Loading Station Facility was installed in 1/02 without TNRCC approval.

Notice of Intent Date: 05/17/2004

No DOV Associated

No Classification

Citation:

Description:

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 December 10, 2004

DATES	Assigned 28-Mar-2005	Screening 06-Apr-2005	Priority Due 27-May-2005	EPA Due 30-Jan-2006
	PCW 02-Dec-2005			

RESPONDENT/FACILITY INFORMATION	
Respondent	Alcoa World Alumina LLC
Reg. Ent. Ref. No.	RN100242577
Facility/Site Region	14-Corpus Christi
Major/Minor Source	Major Source

CASE INFORMATION			
Enf./Case ID No.	24636	No. of Violations	2
Docket No.	2005-0350-AIR-E	Order Type	Findings
Case Priority	2 (SNC/HPV)	Enf. Coordinator	Audra L. Ruble
Media Program(s)	Air Quality	EC's Team	Enforcement Team 7
Multi-Media			
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 82% Enhancement **Subtotals 2, 3, & 7**

Notes
The Respondent has received six NOVs for the same or similar violations, 6 NOVs for dissimilar violations, and 23 months of self reported effluent violations. Additionally, the Respondent has submitted two NOIs and two DOVs.

Culpability No **Subtotal 4**

Notes
The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 10% Reduction **Subtotal 5**

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

Notes
Although late, the notifications have been submitted.

Economic Benefit 0% Enhancement* **Subtotal 6**

Total EB Amounts	\$183	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$8,400	

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

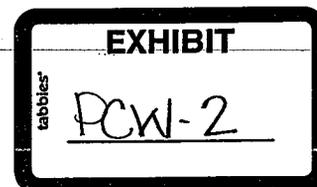
STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes
No deferral is recommended because this is a findings order.

PAYABLE PENALTY



Screening Date 06-Apr-2005 **Docket No.** 2005-0350-AIR-E **PCW**
Respondent Alcoa World Alumina LLC. *Policy Revision 2 (September 2002)*
Case ID No. 24636 *PCW Revision December 10, 2004*
Reg. Ent. Reference No. RN100242577
Media [Statute] Air Quality
Enf. Coordinator Audra L. Ruble

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>)	6	30%
	Other written NOVs	29	58%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	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 (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 (<i>number of audits for which notices were</i>	2	-2%
	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>)	2	-4%
<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) **82%**

>> **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

The Respondent has received six NOVs for the same or similar violations, 6 NOVs for dissimilar violations, and 23 months of self reported effluent violations. Additionally, the Respondent has submitted two NOIs and two DOVs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **82%**

Screening Date 06-Apr-2005

Docket No. 2005-0350-AIR-E

PCW

Respondent Alcoa World Alumina LLC

Policy Revision 2 (September 2002)

Case ID No. 24636

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN100242577

Additional ID No(s). 0

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Violation Number

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 meet the minimum reporting requirements for four reportable emissions events which occurred on November 5 and 6, 2004. Specifically, the Respondent failed to report the emission events within 24 hours of discovery.

Base Penalty

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

Harm

OR

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

Percent

>> **Programmatic Matrix**

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

Percent

Matrix Notes

At least 70% of the rule requirement was 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>	<input checked="" type="checkbox"/>

Violation Base Penalty

Two single events are recommended based on the emission events on November 5 and 6, 2004, as documented during record reviews conducted on January 25 and February 23, 2005.

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 Alcoa World Alumina LLC
 Case ID No. 24636
 Reg. Ent. Reference No. RN100242577
 Additional ID No(s). 0
 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	Percent Interest		Years of Depreciation	
						Onetime Costs	EB Amount		
Delayed Costs									
Equipment				0.0	\$0	\$0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0	\$0	\$0
Engineering/construction				0.0	\$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)	\$400	05-Nov-2004	25-Feb-2005	0.3	\$6	n/a			\$6

Notes for DELAYED costs: Estimated cost to provide notification within the required 24 hour period. Date required is the date of the event and final date is when the notifications were submitted.

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

Notes for AVOIDED costs:

Approx. Cost of Compliance **\$400** TOTAL **\$6**

Screening Date 06-Apr-2005

Docket No. 2005-0350-AIR-E

PCW

Respondent Alcoa World Alumina LLC

Policy Revision 2 (September 2002)

Case ID No. 24636

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN100242577

Additional ID No(s). 0

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Violation Number

Primary Rule Cite(s) 30 Tex. Admin. Code §§ 111.111(a)(1) and 116.115(c) and Permit No. 8166, Special Conditions 1 and 6

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description
 Failure to prevent seven unauthorized emission events which occurred on October 30, November 5 and 6, 2004, and February 22, 2005. See attached table. Incidents 49149, 49150, and 49084 had the same root cause. Incidents 54523 and 54526 also had the same root cause. The emissions do not meet the demonstrations in 30 Tex. Admin. Code § 101.222 and are not subject to an affirmative defense under 30 Tex. Admin. Code § 101.222(b)(1-11).

Base Penalty

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	Percent <input type="text" value="25%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

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

Matrix Notes

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

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 Alcoa World Alumina LLC
 Case ID No. 24636
 Reg. Ent. Reference No. RN100242577
 Additional ID No(s). 0
 Media [Statute] Air Quality
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Percent Interest		Years of Depreciation	
						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	\$1,000	30-Oct-2004	28-Feb-2006	1.3	\$67	n/a			\$67
Remediation/Disposal				0.0	\$0	n/a			\$0
Permit Costs				0.0	\$0	n/a			\$0
Other (as needed)	\$7,000	30-Oct-2004	22-Feb-2005	0.3	\$110	n/a			\$110

Notes for DELAYED costs: Estimated cost to repair faulty equipment, to remove multiple grounds on a transformer which caused a plant wide power outage, and to conduct employee training. Date required is the date of the first event and final date when compliance is expected to be achieved.

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 **\$8,000**

TOTAL \$177

Alcoa World Alumina LLC
Docket No. 2005-0350-AIR-E
Case No. 24636

Incident #	Date	EPN	Duration	Permit limits	Emissions
54523	11/6/04	R56-4/FC11	1 hr	PM 8.04 lbs/hr 10% Opacity	PM 10.29 lbs 81.37% Opacity
54526	11/6/04	R55-3/FC11	1 hr	PM 18.86 lbs/hr 15% Opacity	PM 20.11 lbs 81% Opacity
48687	10/30/04	R56-4/FC11	2 hrs 24 min	PM 8.04 lbs/hr 10% Opacity	PM 36.66 lbs 63% Opacity
49084	11/5/04	R56-4/FC11	4 hrs	PM 8.04 lbs/hr 10% Opacity	PM 55.15 lbs 70.74% Opacity
49149	11/5/04	R55-1/FC11	24 min	PM 33.94 lbs/hr 15% Opacity	PM 47.04 lbs 100% Opacity
49150	11/5/04	R55-3/FC11	25 min	PM 18.86 lbs/hr 15% Opacity	PM 26.56 lbs 100% Opacity
54400	2/22/05	R56-4/FC11	2 hrs 42 min	PM 8.04 lbs/hr 10% Opacity	PM 36.34 lbs 59.7% Opacity



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	16-May-2005	Screening	03-Jun-2005	EPA Due	20-Mar-2006
	PCW	02-Dec-2005				

RESPONDENT/FACILITY INFORMATION	
Respondent	Alcoa World Alumina LLC
Reg. Ent. Ref. No.	RN100242577
Facility/Site Region	14-Corpus Christi
Major/Minor Source	Major Source

CASE INFORMATION			
Enf./Case ID No.	24636	No. of Violations	4
Docket No.	2005-0350-AIR-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Audra L. Ruble
Multi-Media		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$10,100
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	82% Enhancement	Subtotals 2, 3, & 7	\$8,282
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Notes: The Respondent has received six NOVs for the same or similar violations, six NOVs for dissimilar violations, and 23 months of self reported effluent violations. Additionally, the Respondent has submitted two NOIs and two DOVs.

Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
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	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with a small x)

Notes: The Respondent is not yet in compliance.

Economic Benefit	0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$371	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$11,200	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$18,382
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OTHER FACTORS AS JUSTICE MAY REQUIRE	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

Final Penalty Amount	\$18,382
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$18,382
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DEFERRAL	0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral is recommended because this is a findings order.

PAYABLE PENALTY	\$18,382
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EXHIBIT

tabbles

PCW-3

Screening Date 03-Jun-2005

Docket No. 2005-0350-AIR-E

PCW

Respondent Alcoa World Alumina LLC

Policy Revision 2 (September 2002)

Case ID No. 24636

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN100242577

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

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>)	6	30%
	Other written NOVs	29	58%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	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>)	2	-2%
	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>)	2	-4%
<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) 82%

>> 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

The Respondent has received six NOVs for the same or similar violations, six NOVs for dissimilar violations, and 23 months of self reported effluent violations. Additionally, the Respondent has submitted two NOIs and two DOVs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 82%

Screening Date 03-Jun-2005

Docket No. 2005-0350-AIR-E

PCW

Respondent Alcoa World Alumina LLC

Policy Revision 2 (September 2002)

Case ID No. 24636

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN100242577

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Violation Number

Primary Rule Cite(s)

30 Tex. Admin. Code § 116.115(c), Permit No. 8166, Special Conditions 1, 5, and 6 and 40 CFR § 60.382(a)(1)

Secondary Rule Cite(s)

Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to maintain compliance with the emission limits of Permit No. 8166. Specifically, Alcoa failed to maintain the particulate matter ("PM") emission limit for EPN R56/AHC231, as evidenced by stack tests conducted on June 28, 2002 and July 31, 2003. The 2002 testing results indicated PM emissions of 0.376 lb/hr and 0.0244 gr/dscf and the 2003 testing results indicated PM emissions of 0.42 lb/hr and 0.0317 gr/dscf, with permit limits of 0.15 lb/hr, 0.01 gr/dscf, and 0.02 gr/dscm, respectively.

Base Penalty

>> Environmental, Property and Human Health Matrix

		Harm				
Release		Major	Moderate	Minor		
OR	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	Percent <input type="text" value="25%"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

		Falsification	Major	Moderate	Minor		
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>	
Matrix Notes	The failure to maintain compliance with the emission limits has resulted in the release of an insignificant amount of pollutants which does not exceed protective levels.						

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 checked="" type="checkbox"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Two quarterly events are recommended from each of the testing dates until each time the unit was shut down (June 28 through August 8, 2002 and July 31 through September 25, 2003).

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: Alcoa World Alumina LLC
 Case ID No: 24636
 Reg. Ent. Reference No: RN100242577
 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)				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	\$2,500	28-Jun-2002	08-Aug-2002	0.1	\$14	n/a	\$14
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,500	31-Jul-2003	01-Apr-2006	2.7	\$334	n/a	\$334

Notes for DELAYED costs: Estimated cost to conduct stack testing to demonstrate compliance with emission limits. Date required is the date of testing and Final date is when compliance is expected to be achieved.

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 \$348

Screening Date	03-Jun-2005	Docket No.	2005-0350-AIR-E	PCW
Respondent	Alcoa World Alumina LLC			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	24636			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN100242577			
Media [Statute]	Air Quality			
Enf. Coordinator	Audra L. Ruble			
Violation Number	2			
Primary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c) and Permit No. 8166, Special Conditions 1 and 3			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failure to maintain compliance with the emission limits of Permit No. 8166. Specifically, Alcoa failed to maintain the PM emission limit for EPN R55-1/FC11, as evidenced by a stack test conducted on January 31, 2003. Test results indicated PM emissions of 135.95 lbs/hr and 0.38 gr/dscf with permit limits of 33.94 lbs/hr and 0.088 gr/dscf, respectively.			
	Base Penalty	\$10,000		

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

OR	Harm				
	Release	Major	Moderate	Minor	
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Percent <input type="text" value="25%"/>
Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

>> **Programmatic Matrix**

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

Matrix Notes: The failure to maintain compliance with the emission limit has resulted in the release of an insignificant amount of pollutants which does not exceed protective levels.

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

One quarterly event is recommended from the testing date of January 31, 2003 to the compliance date of February 27, 2003.

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: Alcoa World Alumina LLC
 Case ID No. 24636
 Reg. Ent. Reference No. RN100242577
 Media [Statute] Air Quality
 Violation No. 2

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	\$5,000	31-Jan-2003	27-Feb-2003	0.1	\$18	n/a	\$18
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 stack testing to demonstrate compliance with emission limits. Date required is the date of testing and Final date is when compliance was achieved.

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** \$18

Screening Date 03-Jun-2005

Docket No. 2005-0350-AIR-E

PCW

Respondent Alcoa World Alumina LLC

Policy Revision 2 (September 2002)

Case ID No. 24636

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN100242577

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Violation Number

3

Primary Rule Cite(s)

30 Tex. Admin. Code § 101.201(a)(1)(B), (b)(8), and (c)

Secondary Rule Cite(s)

Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to meet the minimum reporting requirements for two reportable emissions events (Incident Nos. 56832 which was a start-up activity and 56834 which was a shut down activity) for EPN R56-4/FC11 which occurred on December 8, 2004. Specifically, Alcoa failed to submit the initial notifications and final reports in a timely manner and incorrectly reported emissions.

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

Less than 30% of the rule requirement was not met.

Adjustment -\$9,900

Base Penalty Subtotal \$100

Violation Events

Number of Violation Events 1

mark only one use a small x	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 \$4

Violation Final Penalty Total \$182

This violation Final Assessed Penalty (adjusted for limits) \$182

Economic Benefit Worksheet

Respondent: Alcoa World Alumina LLC
 Case ID No: 24636
 Reg. Ent. Reference No: RN100242577
 Media [Statute]: Air Quality
 Violation No: 3

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				0.0	\$0	n/a	\$0
Other (as needed)	\$200	08-Dec-2004	03-May-2005	0.4	\$4	n/a	\$4

Notes for DELAYED costs: Estimated cost to provide notification within the required 24 hour period. Date required is the date of the events and final date is when the corrected notifications were submitted.

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 \$200 **TOTAL** \$4

Screening Date 03-Jun-2005

Docket No. 2005-0350-AIR-E

PCW

Respondent Alcoa World Alumina LLC

Policy Revision 2 (September 2002)

Case ID No. 24636

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN100242577

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Violation Number 4

Primary Rule Cite(s)

30 Tex. Admin. Code §§ 111.111(a)(1) and 116.115(c) and Permit No. 8166, Special Conditions 1 and 6

Secondary Rule Cite(s)

Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to prevent two unauthorized emission events on December 8, 2004, which resulted from the shutdown and startup of EPN R56-4/FC11 (Incident Nos. 56832 and 56834). Data results from Incident 56832 show that the Plant emitted 14.955 lbs of Particulate Matter ("PM") and opacity was at 74.14% during the 1 hour event. Data results from Incident 56834 show that the Plant emitted 20.744 lbs of PM and opacity was at 80.98% during the 1 hour 45 minute event. The emission limits are 8.04 lbs/hr for PM and 10% for opacity, respectively. The emissions do not meet the demonstrations in 30 Tex. Admin. Code § 101.222 and are not subject to an affirmative defense under 30 Tex. Admin. Code § 101.222(b)(1-11).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			X	25%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent

Matrix Notes The emission events resulted in the release of an insignificant amount of pollutants which does not exceed protective levels.

Adjustment -\$7,500

Base Penalty Subtotal \$2,500

Violation Events

Number of Violation Events 1

mark only one use a small 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 \$0

Violation Final Penalty Total \$4,550

This violation Final Assessed Penalty (adjusted for limits) \$4,550

Economic Benefit Worksheet

Respondent Alcoa World Alumina LLC
 Case ID No. 24636
 Reg. Ent. Reference No. RN100242577
 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
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

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	08-Dec-2004	09-Dec-2004	0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to investigate and correct problems. Date required is the date when the events began and final date is when the maintenance activities were completed.

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: \$0

Compliance History

Customer/Respondent/Owner-Operator:	CN601452329	Alcoa World Alumina LLC	Classification: AVERAGE	Rating: 0.43
Regulated Entity:	RN100242577	ALCOA POINT COMFORT OPERATIONS	Classification: AVERAGE	Site Rating: 0.86
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	CB0003M	
	AIR OPERATING PERMITS	PERMIT	1344	
	USED OIL	REGISTRATION	COU0020	
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32781	
	AIR NEW SOURCE PERMITS	PERMIT	229	
	AIR NEW SOURCE PERMITS	PERMIT	1451	
	AIR NEW SOURCE PERMITS	PERMIT	1475	
	AIR NEW SOURCE PERMITS	PERMIT	1674	
	AIR NEW SOURCE PERMITS	PERMIT	1907	
	AIR NEW SOURCE PERMITS	PERMIT	2009	
	AIR NEW SOURCE PERMITS	PERMIT	4891	
	AIR NEW SOURCE PERMITS	PERMIT	4994	
	AIR NEW SOURCE PERMITS	PERMIT	7143	
	AIR NEW SOURCE PERMITS	PERMIT	8166	
	AIR NEW SOURCE PERMITS	PERMIT	10126	
	AIR NEW SOURCE PERMITS	PERMIT	10127	
	AIR NEW SOURCE PERMITS	PERMIT	20565	
	AIR NEW SOURCE PERMITS	PERMIT	26370	
	AIR NEW SOURCE PERMITS	PERMIT	27067	
	AIR NEW SOURCE PERMITS	PERMIT	30561	
	AIR NEW SOURCE PERMITS	PERMIT	39711	
	AIR NEW SOURCE PERMITS	PERMIT	41426	
	AIR NEW SOURCE PERMITS	PERMIT	38410	
	AIR NEW SOURCE PERMITS	PERMIT	43647	
	AIR NEW SOURCE PERMITS	PERMIT	43812	
	AIR NEW SOURCE PERMITS	PERMIT	43839	
	AIR NEW SOURCE PERMITS	PERMIT	44167	
	AIR NEW SOURCE PERMITS	PERMIT	44814	
	AIR NEW SOURCE PERMITS	PERMIT	45484	
	AIR NEW SOURCE PERMITS	PERMIT	45787	
	AIR NEW SOURCE PERMITS	PERMIT	46861	
	AIR NEW SOURCE PERMITS	PERMIT	47111	
	AIR NEW SOURCE PERMITS	PERMIT	47298	
	AIR NEW SOURCE PERMITS	PERMIT	47485	
	AIR NEW SOURCE PERMITS	PERMIT	49088	
	AIR NEW SOURCE PERMITS	PERMIT	49501	
	AIR NEW SOURCE PERMITS	PERMIT	42534	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	CB0003M	
	AIR NEW SOURCE PERMITS	PERMIT	52338	
	AIR NEW SOURCE PERMITS	PERMIT	53498	
	AIR NEW SOURCE PERMITS	AFS NUM	0002	
	AIR NEW SOURCE PERMITS	REGISTRATION	55933	
	AIR NEW SOURCE PERMITS	REGISTRATION	75403	
	AIR NEW SOURCE PERMITS	REGISTRATION	70769	
	AIR NEW SOURCE PERMITS	REGISTRATION	70728	
	AIR NEW SOURCE PERMITS	REGISTRATION	71538	
	AIR NEW SOURCE PERMITS	REGISTRATION	71733	
	AIR NEW SOURCE PERMITS	PERMIT	23697	
	AIR NEW SOURCE PERMITS	PERMIT	23744	
	AIR NEW SOURCE PERMITS	PERMIT	50522	
	AIR NEW SOURCE PERMITS	PERMIT	50587	
	AIR NEW SOURCE PERMITS	PERMIT	55938	
	AIR NEW SOURCE PERMITS	PERMIT	54168	
	AIR NEW SOURCE PERMITS	REGISTRATION	72382	
	AIR NEW SOURCE PERMITS	REGISTRATION	72502	
	AIR NEW SOURCE PERMITS	REGISTRATION	73125	
	AIR NEW SOURCE PERMITS	REGISTRATION	73692	
	AIR NEW SOURCE PERMITS	REGISTRATION	73783	
	AIR NEW SOURCE PERMITS	REGISTRATION	74166	
	AIR NEW SOURCE PERMITS	REGISTRATION	74170	
	AIR NEW SOURCE PERMITS	REGISTRATION	74646	
	AIR NEW SOURCE PERMITS	REGISTRATION	74783	

EXHIBIT

CH-2/3

AIR NEW SOURCE PERMITS	REGISTRATION	78783
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008123168
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30035
WASTEWATER WASTEWATER	PERMIT	WQ0000394000
WASTEWATER	PERMIT	TX0004715000
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0290014
WATER LICENSING	LICENSE	0290014
WASTEWATER LICENSING	LICENSE	WQ0000394000

Location: 1472 FM 1593 S, POINT COMFORT, TX, 77978 Rating Date: 9/1/2004 Repeat Violator: NO

TCEQ Region: REGION 14 - CORPUS CHRISTI

Date Compliance History Prepared: July 13, 2005

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: July 01, 2000 to July 01, 2005

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

Name: Audra Ruble Phone: 361-825-3126

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

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

C. Chronic excessive emissions events.
N/A

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

- 1 07/14/2003 (119366)
- 2 04/23/2001 (157424)
- 3 04/23/2002 (157425)
- 4 07/16/2003 (60583)
- 5 04/21/2003 (157426)
- 6 07/03/2003 (119504)
- 7 06/30/2004 (270535)
- 8 12/22/2003 (295099)
- 9 04/23/2004 (295100)
- 10 05/22/2001 (157428)
- 11 05/24/2004 (295102)
- 12 05/20/2002 (157429)
- 13 04/15/2004 (268842)
- 14 05/22/2003 (157430)
- 15 07/03/2003 (119371)
- 16 06/16/2005 (396309)
- 17 06/25/2004 (295104)
- 18 07/28/2004 (351969)
- 19 01/24/2005 (345679)

20	06/21/2004	(295105)
21	06/20/2001	(157432)
22	05/20/2004	(272811)
23	07/03/2003	(119079)
24	06/27/2005	(397252)
25	06/07/2004	(273116)
26	05/03/2001	(143635)
27	06/17/2002	(157433)
28	06/23/2003	(157434)
29	07/14/2003	(119361)
30	11/19/2004	(341671)
31	07/25/2000	(157435)
32	07/14/2003	(119368)
33	05/09/2005	(378731)
34	07/24/2001	(157436)
35	08/24/2004	(351970)
36	08/20/2001	(143632)
37	07/23/2002	(157437)
38	08/25/2003	(295108)
39	06/09/2003	(112334)
40	08/21/2000	(157438)
41	04/01/2005	(375987)
42	09/04/2001	(157439)
43	08/15/2002	(157440)
44	09/14/2000	(157441)
45	09/18/2001	(157442)
46	08/04/2000	(139656)
47	01/04/2005	(351971)
48	05/09/2005	(378801)
49	01/30/2003	(21858)
50	09/23/2002	(157443)
51	02/23/2005	(381788)
52	03/22/2005	(381789)
53	05/22/2003	(157444)
54	03/21/2005	(350078)
55	10/18/2002	(157445)
56	03/31/2005	(374177)
57	12/27/2004	(381790)
58	10/21/2003	(295111)
59	08/29/2000	(139659)
60	10/23/2000	(157446)
61	11/03/2000	(139660)
62	05/09/2005	(379459)
63	11/03/2000	(139661)
64	01/24/2005	(381791)
65	11/01/2001	(157447)
66	10/18/2002	(157448)
67	10/25/2004	(351972)
68	07/03/2003	(119497)
69	05/09/2005	(378944)
70	02/08/2001	(139662)
71	06/20/2001	(139663)

72	11/19/2003	(295112)
73	01/28/2005	(346324)
74	11/21/2000	(157450)
75	12/22/2003	(295113)
76	11/19/2001	(157451)
77	11/22/2002	(157452)
78	01/23/2004	(295114)
79	11/23/2004	(351973)
80	12/22/2000	(157454)
81	06/20/2001	(139664)
82	06/09/2003	(112342)
83	07/03/2001	(139665)
84	07/09/2001	(139666)
85	07/30/2001	(139667)
86	10/07/2002	(13415)
87	12/19/2001	(157455)
88	01/02/2002	(139668)
89	05/19/2005	(378521)
90	01/31/2002	(139669)
91	12/20/2002	(157456)
92	02/20/2002	(139670)
93	03/19/2003	(26931)
94	01/22/2001	(157458)
95	02/25/2005	(345700)
96	01/23/2002	(157459)
97	03/30/2005	(371512)
98	01/23/2003	(157460)
99	10/06/2004	(335483)
100	01/14/2003	(246523)
101	04/23/2001	(38929)
102	06/27/2005	(379389)
103	06/29/2005	(381178)
104	11/13/2002	(281270)
105	08/26/2003	(149424)
106	05/27/2004	(270289)
107	02/02/2004	(261636)
108	02/23/2001	(157416)
109	04/20/2004	(267782)
110	01/07/2004	(22068)
111	08/26/2004	(291847)
112	04/15/2005	(374158)
113	02/19/2002	(157417)
114	11/19/2004	(341124)
115	02/26/2004	(262449)
116	01/15/2003	(21259)
117	02/24/2003	(157418)
118	03/27/2001	(157419)
119	06/20/2005	(396724)
120	02/23/2004	(295097)
121	03/21/2002	(157420)
122	07/03/2003	(119369)
123	03/21/2003	(157421)

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

Date: 02/28/2003 (157421)
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: 04/30/2004 (295102)
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: 05/24/2004 (295104)
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 (295105)
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: 06/30/2004 (351969)
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: 08/20/2001 (143632)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(18)
Description: Failure to submit notification for attaining compliance with final effluent limits

Date: 02/25/2005 (345700)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to satisfy all demonstrations criteria as listed under 30 TAC 101.222.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to comply with opacity limits specified in 30 TAC 111.111 and TCEQ Permit No. 8166.

Date: 06/30/2001 (157436)
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: 05/03/2001 (143635)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(18)
Description: Failure to submit 12th report of progress.

Date: 07/31/2003 (295108)
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: 07/31/2004 (351970)
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: 08/31/2001 (157442) Classification: Moderate
 Self Report? YES
 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: 07/15/2003 (60583) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to maintain greater than 1.0 mg/l chlorine residual in the effluent from the domestic wastewater treatment plant (WWTP). On 9/24/2002, the domestic WWTP operator reported a 0.88 mg/l chlorine residual.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to collect a required composite sample @ out fall 002 for 04/19,20 & 21/ 2003 .
 Failure to collect a required composite sample @ out fall 002 for 04/19,20 & 21/ 2003 .
 Failure to collect a required composite sample @ out fall 002 for 04/19,20 & 21/ 2003 .

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to prevent the discharge of wash water not authorized by the water quality permit.

Date: 02/28/2005 (381789) Classification: Moderate
 Self Report? YES
 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: 11/30/2004 (381790) Classification: Moderate
 Self Report? YES
 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: 08/31/2004 (351971) Classification: Moderate
 Self Report? YES
 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: 12/31/2004 (381791) Classification: Moderate
 Self Report? YES
 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: 09/30/2003 (295111) Classification: Moderate
 Self Report? YES
 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: 01/25/2005 (345679) Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT IA
 Description: Failure to satisfy all demonstrations criteria in 30 Tex. Admin. Code § 101.222(b), to gain an affirmative defense for unauthorized opacity emissions during an emissions event.

Date: 08/26/2004 (291847) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PA IA
 Description: Failure to conduct quarterly cylinder gas audits of the CEMS installed on High Pressure Boiler No. 6 during the 1st and 2nd quarters of 2003 as required by Special Condition No. 14B of TCEQ Permit No. 8166.

Date: 10/31/2001 (157451) Classification: Moderate
 Self Report? YES
 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: 06/28/2005 (379389) Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to continuously monitor and record flow at Outfall 004 on 12/25/04 through 1/31/05 and 11/10/2004 through 12/5/2004.

Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to maintain the pH greater than 6 standard units and less than 9.0 standard units.

Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to collect a composite sample at Outfall 002 and 004 on 10/28/04 and 7/22/04.

Classification: Minor
 Self Report? NO
 Citation: 30 TAC Chapter 319, SubChapter A 319.4
 Rqmt Prov: PERMIT IA
 Description: Failure to meet minimum self-monitoring requirements for sample collection and laboratory analysis.

Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to divert dry weather flow from Outfall 005 up to installed pump capacity (5.2 MGD) and pump it to the holding and settling lagoon in front of Outfall 006. This incident occurred on 10/10/04.

Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to maintain the temperature at Outfall 004 below 122 degrees Fahrenheit and below a 30 minute duration. The violation occurred on 6/19/2005.

Date: 11/30/2003 (295113) Classification: Moderate
 Self Report? YES
 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: 09/30/2004 (351972) Classification: Moderate
 Self Report? YES
 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: 06/30/2004 (270535) Classification: Moderate
 Self Report? NO
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT UUU 60.732(b)
 Rqmt Prov: PERMIT IA
 Description: Failure to obtain regulatory authority for, or satisfy all demonstration criteria of 30 TAC 101.222, for the opacity/emissions released from the R56-4 Calciner during emissions events on January 14, 2004.

Date: 11/30/2000 (157454) Classification: Moderate
 Self Report? YES
 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: 10/31/2004 (351973)

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: 02/25/2004 (262449)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)
 Description: Failure to provide in the excess opacity event (EOE) report an accurate account of information required by this regulation within the time allotted by rule.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to obtain regulatory authority or meet the demonstration requirements of § 101.222 for the excess opacity event which occurred on October 12, 2003.
 Date: 11/30/2001 (157455)

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: 01/14/2003 (246523)

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: 12/31/2000 (157458)

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: 05/21/2004 (270289)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)(1)
 Rqmt Prov: PERMIT IA
 Description: Failure to obtain regulatory authority or meet the demonstration requirements of § 101.222 for the excess opacity event which occurred on December 6, 2003.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)
 Description: Failure to provide in the excess opacity event (EOE) report an accurate account of information required by this regulation within the time allotted by rule.

Date: 12/31/2002 (157460)

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: 01/06/2004 (22068)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 Rqmt Prov: PA IA
 Description: Failure to obtain regulatory authority for, or satisfy all demonstration criteria to exempt from compliance limitations, the emissions that were released from the R55-2 Calciner during an emissions event on September 25, 2003.

Date: 02/28/2001 (157419)

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

Notice of Intent Date: 08/14/2001

Disclosure Date: 02/27/2002

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20[G]

Description: Bag Collector associated with EPN R56/AHC231 was installed in 1/97 and was not tested within 180 days.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter K 106.261[G]

Description: The R-56 Hydrate Railcar & Truck Loading Station Facility was installed in 1/02 without TNRCC approval.

Disclosure Date: 05/14/2003

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20[G]

Description: Bag Collector associated with EPN R56/AHC231 was installed in 1/97 and was not tested within 180 days.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter K 106.261[G]

Description: The R-56 Hydrate Railcar & Truck Loading Station Facility was installed in 1/02 without TNRCC approval.

Notice of Intent Date: 05/17/2004

Disclosure Date: 05/03/2005

Viol. Classification: Minor

Citation:

Description: From 8/1/2000 to 11/24/2002 Alcoa failed to calculate and maintain records of the 30-day average NOx emission rates for the preceding 30 steam generating unit operating days for High Pressure Boiler No. 6.

Viol. Classification: Minor

Citation:

Description: Beginning in 3/2001, Alcoa failed to calculate the annual capacity factor for High Pressure Boiler No. 6.

Viol. Classification: Minor

Citation:

Description: Since 2003, the monthly emission calculations used to determine a rolling 12-month total for NOx, CO, VOC, SO2, and PM emissions from the Calciner Department have not been based on the most recent emissions testing results.

Viol. Classification: Minor

Citation:

Description: Since issuance of Federal operating permit No. O-01344 on 2/20/2004, Alcoa has not established a maximum secondary current for the Flash Calciner Electrostatic Precipitator (Unit ID No. R56-4/FC).

Disclosure Date: 10/15/2004

Viol. Classification: Minor

Citation:

Description: From 8/1/2000 to 11/24/2002 Alcoa failed to calculate and maintain records of the 30-day average NOx emission rates for the preceding 30 steam generating unit operating days for High Pressure Boiler No. 6.

Viol. Classification: Minor

Citation:

Description: Beginning in 3/2001, Alcoa failed to calculate the annual capacity factor for High Pressure Boiler No. 6.

Viol. Classification: Minor

Citation:

Description: Since 2003, the monthly emission calculations used to determine a rolling 12-month total for NOx, CO, VOC, SO2, and PM emissions from the Calciner Department have not been based on the most recent emissions testing results.

Viol. Classification: Minor

Citation:

Description: Since issuance of Federal operating permit No. O-01344 on 2/20/2004, Alcoa has not established a maximum secondary current for the Flash Calciner Electrostatic Precipitator (Unit ID No. R56-4/FC).

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ALCOA WORLD ALUMINA LLC
AIR ACCOUNT NO. CB0003M
RN100242577

§
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§
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§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2005-0350-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Alcoa World Alumina LLC ("Alcoa") 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 Alcoa represented by John Riley of the law firm of Vinson & Elkins, presented this agreement to the Commission.

Alcoa 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, Alcoa agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement 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 Alcoa.

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

FINDINGS OF FACT

1. Alcoa owns and operates an alumina refining plant located at 1472 Farm-to-Market Road 1593 South, south of Point Comfort, Calhoun County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. During record reviews conducted on January 25, 2005, February 23, 2005, March 11, 2005, April 14, 2005, April 19, 2005, April 22, 2005, April 28, 2005 and September 22, 2004, a TCEQ Corpus Christi Regional Office investigator documented that Alcoa violated the following requirements:
 - a. Failed to meet the minimum reporting requirements for four reportable emissions events which occurred on November 5, 2004 and November 6, 2004. Specifically, Alcoa failed to report the emission events within 24 hours of discovery.
 - b. Failed to prevent seven unauthorized emission events which occurred on October 30, 2004, November 5, 2004, November 6, 2004, and February 22, 2005. The emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222 and are not subject to an affirmative defense under 30 TEX. ADMIN. CODE § 101.222(b)(1-11).
 - c. Failed to maintain compliance with the emission limits of Permit No. 8166. Specifically, Alcoa failed to maintain the particulate matter ("PM") emission limit for EPN R56/AHC231, as evidenced by stack tests conducted on June 28, 2002 and July 31, 2003. The 2002 testing results indicated PM emissions of 0.376 lb/hr and 0.0244 gr/dscf and the 2003 testing results indicated PM emissions of 0.42 lb/hr and 0.0317 gr/dscf, with permit limits of 0.15 lb/hr, 0.01 gr/dscf, and 0.02 gr/dscm, respectively.
 - d. Failed to maintain compliance with the emission limit of Permit No. 8166. Specifically, Alcoa failed to maintain the PM emission limit for EPN R55-1/FC11, as evidenced by a stack test conducted on January 31, 2003. Test results indicated PM emissions of 135.95 lbs/hr and 0.38 gr/dscf with permit limits of 33.94 lbs/hr and 0.088 gr/dscf, respectively.
 - e. Failed to meet the minimum reporting requirements for two reportable emissions events (Incident Nos. 56832 which was a start-up activity and 56834 which was a shut down activity) for EPN R56-4/FC11 which occurred on December 8, 2004. Specifically, Alcoa failed to submit the initial notifications and final reports in a timely manner and incorrectly reported emissions.
 - f. Failed to prevent two unauthorized emissions events on December 8, 2004, which resulted from a shutdown and startup of EPN R56-4/FC11 (Incident Nos. 56832

and 56834). Data results from Incident 56832 show that the Plant emitted 14.955 lbs of Particulate Matter ("PM") and opacity was 74.14% during the 1 hour event. Data results from Incident 56834 show that the Plant emitted 20.744 lbs of PM and opacity was at 80.98% during the 1 hour 45 minute event. The emission limits are 8.04 lbs/hr for PM and 10% for opacity, respectively. The emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222 and are not subject to an affirmative defense under 30 TEX. ADMIN. CODE § 101.222(b)(1-11).

- g. Failed to meet the minimum reporting requirements for a reportable emission event which occurred on April 23, 2004. Specifically, Alcoa failed to report the emission events within 24 hours of discovery.
 - h. Failed to prevent unauthorized emissions events from EPN 12 which occurred on April 23, 2004. Data results from the emissions event show that the Plant emitted 60 lbs of PM and opacity was at 65.4% during the 2 hour 58 minute event. The emission limits are 8.04 lbs/hr for PM and 10% for opacity. Because the emissions event was not reported timely, the emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222 and are not subject to an affirmative defense under 30 TEX. ADMIN. CODE § 101.222(b)(1-11).
4. Alcoa received notice of the violations on or about March 15, 2005, March 30, 2005, May 13, 2005, May 19, 2005 and September 30, 2004.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, Alcoa is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3.a., Alcoa has failed to meet the minimum reporting requirements for four reportable emissions events which occurred on November 5, 2004 and November 6, 2004, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B); and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Finding of Fact No. 3.b., Alcoa has failed to prevent seven unauthorized emission events which occurred on October 30, 2004, November 5, 2004, November 6, 2004, and February 22, 2005, in violation of 30 TEX. ADMIN. CODE §§ 111.111(a)(1) and

- 116.115(c); Permit No. 8166, Special Conditions 1 and 6; and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. As evidenced by Finding of Fact No. 3.c., Alcoa has failed to maintain compliance with the emission limits of Permit No. 8166, in violation of 30 TEX. ADMIN. CODE § 116.115(c); Permit No. 8166, Special Conditions 1, 5, and 6; and TEX. HEALTH & SAFETY CODE § 382.085(b); and 40 CFR § 60.382(a)(1).
 5. As evidenced by Finding of Fact No. 3.d., Alcoa has failed to maintain compliance with the emission limit of Permit No. 8166, in violation of 30 TEX. ADMIN. CODE § 116.115(c); Permit No. 8166, Special Conditions 1 and 3; and TEX. HEALTH & SAFETY CODE § 382.085(b).
 6. As evidenced by Finding of Fact No. 3.e., Alcoa has failed to meet the minimum reporting requirements for two reportable emissions events (Incident Nos. 56832 which was a start-up activity and 56834 which was a shut down activity) for EPN R56-4/FC11 which occurred on December 8, 2004, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B), (b)(8), and (c); and TEX. HEALTH & SAFETY CODE § 382.085(b).
 7. As evidenced by Finding of Fact No. 3.f., Alcoa has failed to prevent two unauthorized emissions events on December 8, 2004, which resulted from a shutdown and startup of EPN R56-4/FC11 (Incident Nos. 56832 and 56834), in violation of 30 TEX. ADMIN. CODE §§ 111.111(a)(1) and 116.115(c); Permit No. 8166, Special Conditions 1 and 6; and TEX. HEALTH & SAFETY CODE § 382.085(b).
 8. As evidenced by Finding of Fact No. 3.g., Alcoa has failed to meet the minimum reporting requirements for a reportable emission event which occurred on April 23, 2004, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B); and TEX. HEALTH & SAFETY CODE § 382.085(b).
 9. As evidenced by Finding of Fact No. 3.h., Alcoa has failed to prevent unauthorized emissions events from EPN 12 which occurred on April 23, 2004, in violation of 30 TEX. ADMIN. CODE §§ 111.111(a)(1)(B) and 116.115(c); Permit No. 8166, Special Conditions 1 and 6; and TEX. HEALTH & SAFETY CODE § 382.085(b).
 10. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Alcoa 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.

11. An administrative penalty in the amount of forty-four thousand four hundred twenty-six dollars (\$44,426.00) 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. Alcoa has paid forty-four thousand four hundred twenty-six dollars (\$44,426.00) of the administrative penalty.

ORDERING PROVISIONS

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

1. Alcoa is assessed an administrative penalty in the amount of forty-four thousand four hundred twenty-six dollars (\$44,426.00) as set forth in Conclusion of Law No. 11 for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Alcoa's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Alcoa World Alumina LLC; Docket No. 2005-0350-AIR-E; Enforcement ID No. 24636" 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. Alcoa shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, initiate employee training concerning the Plant standard operating procedures and routine maintenance to minimize and/or avoid the reoccurrence of emission events and reporting violations.
 - b. Within 180 days after the effective date of this Agreed Order, either:
 - i. Ensure that EPN R56/AHC231 is permanently removed from service; or
 - ii. Conduct performance testing and submit test results demonstrating

compliance with the particulate matter ("PM") emission limit for EPN R56/AHC231, as required by Permit No. 8166.

- c. Within 195 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions 2.a. and 2.b.

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 I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is 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.

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

with a copy to:

Air Section Manager
Corpus Christi Regional Office
Texas Commission on Environmental Quality
6300 Ocean Drive, Suite 1200
Corpus Christi, Texas 78412

3. The provisions of this Agreed Order shall apply to and be binding upon Alcoa. Alcoa 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 Alcoa 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, Alcoa's failure to comply is not a violation of this Agreed Order. Alcoa

has the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Alcoa shall notify the Executive Director within seven days after Alcoa 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 Alcoa shall be made in writing to the Executive Director. Extensions are not effective until Alcoa 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 Alcoa if the Executive Director determines that Alcoa has not complied with one or more of the terms or conditions in this Agreed Order.
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 Alcoa 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. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of the Order to Alcoa, or three days after the date on which the Commission mails notice of the Order to Alcoa, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

4/16/07

Date

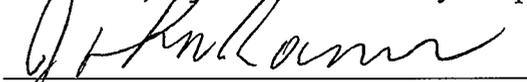
I, the undersigned, have read and understand the attached Agreed Order in the matter of Alcoa World Alumina LLC. I represent that I am authorized to agree to the attached Agreed Order on behalf of Alcoa World Alumina LLC, and do agree to the specified terms and conditions. I further acknowledge that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

I understand that by entering into this Agreed Order, Alcoa World Alumina LLC 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

JOHN RAMOS

Name (printed or typed)

Authorized Representative

Alcoa World Alumina LLC

2-08-07

Date

OPS. MGR.

Title