EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-2218-AIR-E TCEQ ID NO.: RN100219310 CASE NOS.: 31965 AND 29866
RESPONDENT NAME: VALERO REFINING-TEXAS, L.P.

ORDER TYPE:		
__1660 AGREED ORDER	X FINDINGS AGREED ORDER	__FINDINGS ORDER FOLLOWING SOAH HEARING
__FINDINGS DEFAULT ORDER	__SHUTDOWN ORDER	__IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
__AMENDED ORDER	__EMERGENCY ORDER	
CASE TYPE:		
X AIR	__MULTI-MEDIA (check all that apply)	__INDUSTRIAL AND HAZARDOUS WASTE
__PUBLIC WATER SUPPLY	__PETROLEUM STORAGE TANKS	__OCCUPATIONAL CERTIFICATION
__WATER QUALITY	__SEWAGE SLUDGE	__UNDERGROUND INJECTION CONTROL
__MUNICIPAL SOLID WASTE	__RADIOACTIVE WASTE	__ DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: 9701 Manchester Street, Houston, Harris County

TYPE OF OPERATION: Petroleum refinery

SMALL BUSINESS: ___ Yes _X_ No

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

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

COMMENTS RECEIVED: The *Texas Register* comment period expired on April 9, 2007. Comments were received on April 9, 2007 from the City of Houston. The City of Houston's comments and the Executive Director's responses are included with these back-up materials.

CONTACTS AND MAILING LIST:

TCEQ Attorney: Mr. Robert R. Mosley, Litigation Division, MC 175, (512) 239-0627;
Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873

TCEQ Enforcement Coordinators: Mr. John Barry, Enforcement Division, Section III, MC R-10, (409) 239-899-8781;
Ms. Sherronda Martin, Enforcement Division, Section III, MC R-12, (713) 7667-3680 and
Ms. Jessica Rhodes, Enforcement Division, Section III, MC 149, (512) 239-2879

TCEQ Regional Contact: Ms. Linda Vasse, Houston Regional Office, MC R-12, (713) 767-3637

Respondent: Mr. Clayton Falcon, Environmental Manager, Valero Refining-Texas, L.P., 9701 Manchester Street, Houston, Texas 77012

Respondent's Attorney: Mr. Parker Wilson, Valero Energy Corporation, P.O. Box 696000, San Antonio, Texas 78269

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: ___ Complaint _X_ Routine ___ Enforcement Follow-up _X_ Records Review **Dates of Complaints Relating to this Case:** None **Dates of Investigations Relating to this Case:** February 28, 2006, May 17, 2006, June 6, 2006, September 1, 2006, September 13, 2006, October 5, 2006 and December 5, 2006 **Dates of NOEs Relating to this Case:** June 2, 2006, June 13, 2006, June 30, 2006, October 25, 2006, November 7, 2006, December 7, 2006 and December 11, 2006 **Background Facts:** A signed Agreed Order was received on February 6, 2007. The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report. **AIR:** 1. Failed to comply with emission limits specified in the Maximum Allowable Emissions Rate table on NSR Permit 2501A. Specifically, an upset condition occurred on May 1, 2006 when a loss of power to units in Complex One and Complex Two resulted in the release of 9,538 pounds of sulfur dioxide ("SO_2"), 5,810 pounds of volatile organic compounds ("VOCs"), 3,182 pounds of carbon monoxide ("CO"), 763 pounds of particulate matter ("PM"), 472 pounds of nitrogen oxides ("NOx"), and an excess opacity of 70% at the Fluidized Catalytic Cracking Unit ("FCCU"). The duration of this emissions even was fourteen hours and forty-eight minutes. Because this emissions event could have been avoided by better operation practices, the emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222(b)(2) and (b)(3) and are not subject to an affirmative defense [30 TEX. ADMIN. CODE §§ 116.115(c) and 111.111(a)(1)(B), NSR Permit No. 2501A and TEX. HEALTH & SAFETY CODE § 382.085(b)].	**Total Assessed:** $85,600 **Total Deferred:** $0 **SEP Conditional Offset:** $0 **Total Paid to General Revenue:** $85,600 The Respondent ahs paid the assessed penalty in full. **Site Compliance History Classification:** ___ High _X_ Average ___ Poor **Person Compliance History Classification:** ___ High _X_ Average ___ Poor **Major Source:** _X_ Yes ___ No **Applicable Penalty Policy:** September 2002 **Findings Order Justification:** Absence of management practices designed to ensure compliance.	**Ordering Provisions** The Respondent shall undertake the following technical requirements: 1. Within 30 days: a. Submit additional information regarding the UPS system failure for the emissions event that occurred on March 12, 2006; b. Implement measures designed to prevent the recurrence of the emissions events due to the same causes which resulted in the emissions events of December 21, 2005, March 12, 2006 and May 1, 2006; c. Implement training of personnel to help ensure timely reporting of events; d. Implement procedures and practices to help prevent interruption of natural gas supply to the SRU; e. Modify equipment and procedures to help prevent emissions events like the one that occurred on September 27, 2006 by ensuring direction of acid gas to the SRU; f. Design and implement procedures to prevent future contact between power lines and heavy machinery; and g. Design and implement improvements to procedures to prevent the introduction of hydrocarbons into tanks during spent sulfuric acid transfer. 2. Within 45 days, submit written certification demonstrating compliance with Ordering Provision No. 1. 3. Within 60 days, comply with the TCEQ request dated December 8, 2006, for the submittal of a corrective action plan ("CAP") to address the excessive emissions event that occurred July 27, 2006. 4. Within 15 days or other deadline specified in writing of all written requests for information concerning the submitted CAP, respond completely and adequately. 5. Upon Commission approval, implement the CAP in accordance with the approved schedule.

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
2. Failed to comply with emissions limits in the Maximum Allowable Emissions Rate table of NSR Permit 2501A. Specifically, on March 12, 2006 a malfunction of the Uninterrupted Power Supply ("UPS") system resulted in the shutdown of the Sats Gas Compressor causing the release of the following contaminants: 1,451 pounds of SO_2, 183 pounds of VOCs, 107 pounds of CO, and 15 pounds of NOx. The duration of the emissions event was one hour and fifteen minutes. Because this emissions event could have been avoided by better operation and maintenance practices, the emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222(b) and are not subject to an affirmative defense [30 TEX. ADMIN. CODE § 116.115(c), NSR Permit No. 2501A, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 3. Failed to provide additional information on an emissions event, which occurred on March 12, 2006, as requested. Specifically, two requests were made by regional staff for additional information on the cause of the UPS system failure and no information was received [30 TEX. ADMIN. CODE § 101.201(f) and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 4. Failed to comply with emissions limits in the Maximum Allowable Emissions Rate table of NSR Permit 2501A. Specifically, an emissions event occurred on December 21, 2005 at the FCCU when excessive backpressure in the Sulfur Recovery Unit ("SRU") resulted in the release of the following unauthorized emissions from the FCCU Flare: 21,635 pounds of SO_2 and 235 pounds of hydrogen sulfide ("H_2S"). The duration of this emissions event was three hours and thirty minutes. Since this emissions event was determined to be excessive, the demonstrations of 30 TEX. ADMIN. CODE § 101.222 are not applicable [30 TEX. ADMIN. CODE § 116.115(c), NSR Permit No. 2501A, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 5. Failed to prevent unauthorized emissions. During a July 27, 2006 emissions event approximately 23,396 pounds of SO_2 and 264 pounds of H_2S were released from the FCCU Flare. The duration of the emissions event was three hours and thirty minutes. Since this emissions event was deemed excessive and avoidable, and not reported properly, the Respondent failed to meet the demonstrations for		6. Upon completion of the CAP implementation, submit written certification demonstrating compliance with Ordering Provision Nos. 3, 4 and 5.

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 2501A, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 6. Failed to submit a final emissions report no later than fourteen days after the event. The emissions event ended on July 27, 2006. The final report was not submitted until August 21, 2006 [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 7. Failed to prevent unauthorized emissions. During a September 27, 2006 emissions event approximately 2,923 pounds of unauthorized SO_2 was released through the FCCU Flare during a five hour and twenty minute period. Since the emissions event was avoidable, the Respondent failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), Air Permit Nos. 2501A and 2507A, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 8. Failed to route acid gas to the SRU. During a September 27, 2006 emissions event, acid gas was routed to the FCCU Flare, not to the SRU as required by permit [30 TEX. ADMIN. CODE §116.115(c), Air Permit No. 2507A, Special Condition 6 and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 9. Failed to prevent unauthorized emissions. Specifically, an emissions event occurred on September 9, 2006 when a crane contacted a power line and caused a power failure. Over a period of two hours and thirty-one minutes, the FCCU Flare (EPN 30FL5) and the Derrick Flare (EPN 30FL1) located within the Combination Crude Area and SRU, emitted 6,446 pounds of SO_2, 69 pounds of CO, 70 pounds H_2S, 10 pounds of NOx and 96 pounds of VOCs. NSR Permit No. 2501A allows 21.2 pounds per hour ("lbs/hr") of SO_2, 26.8 lbs/hr of CO, 0.2 lbs/hr of H_2S, 3.7 lbs/hr of NOx and 74.8 lbs/hr of VOCs. Since the emissions even was avoidable, the Respondent failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), NSR Permit No. 2501A, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)].		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
10. Failed to prevent unauthorized emissions and maintain SO_2 net ground level concentrations below 0.28 ppmv over a thirty minute period. Specifically, an emissions event occurred on October 4, 2006 when isobutane was inadvertently introduced in Storage Tank No. 748 (EPN 22FB748) as the tank was being filled with spent sulfuric acid from the Alkylation Unit. Over a period of thirty minutes, 4,800 pounds of isobutane and 674 pounds of SO_2 were emitted from Tank No. 748's relief hatch. NSR Permit No. 2501A allows 6.4 lbs/hr VOC emissions. The Respondent recorded surrounding area SO_2 ground level concentrations at 10 ppmv, 28 ppmv, 38 ppmv and 62 ppmv. Since the emissions event was avoidable, the Respondent failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 112.3(b) and 116.115(c), NSR Permit No. 2501A, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)].		

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) *PCW Revision April 25, 2006*

DATES					
Assigned	05-Jun-2006				
PCW	12-Feb-2007	Screening	09-Jun-2006	EPA Due	06-Mar-2007

RESPONDENT/FACILITY INFORMATION

Respondent	Valero Refining-Texas, L.P.		
Reg. Ent. Ref. No.	RN100219310		
Facility/Site Region	12-Houston	Major/Minor Source	Major Source

CASE INFORMATION

Enf./Case ID No.	29866	No. of Violations	4
Docket No.	2006-2218-AIR-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Sherronda Maritn
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* $22,600

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 148% Enhancement *Subtotals 2, 3, & 7* $33,448

Notes: The penalty was enhanced by six NOVs for the same or similar violations, 24 NOVs for unrelated violations, two 1660-style orders, and one court order.

Culpability No 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: The Respondent does not meet the good faith effort criteria.

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

**Capped at the Total EB $ Amount*

Total EB Amounts	$230
Approx. Cost of Compliance	$6,020

SUM OF SUBTOTALS 1-7 Final Subtotal $56,048

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 $56,048

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty $26,448

DEFERRAL Reduction Adjustment $0

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

Notes: No deferral offered, as this is a findings order.

PAYABLE PENALTY $26,448

EXHIBIT

tabbies

PCW-1

Screening Date 09-Jun-2006 **Docket No.** 2006-2218-AIR-E **PCW**

Respondent Valero Refining-Texas, L.P. *Policy Revision 2 (September 2002)*

Case ID No. 29866 *PCW Revision April 25, 2006*

Reg. Ent. Reference No. RN100219310

Media [Statute] Air Quality

Enf. Coordinator Sherronda Maritn

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action *(number of NOVs meeting criteria)*	6	30%
	Other written NOVs	24	48%
Orders	Any agreed final enforcement orders containing a denial of liability *(number of orders meeting criteria)*	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government *(number of judgements or consent decrees meeting criteria)*	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government *(number of counts)*	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%

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

Adjustment Percentage (Subtotal 2) **148%**

>> 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 penalty was enhanced by six NOVs for the same or similar violations, 24 NOVs for unrelated violations, two 1660-style orders, and one court order.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **148%**

PCW

Policy Revision 2 (September 2002)
PCW Revision April 25, 2006

Screening Date	09-Jun-2006
Docket No.	2006-2218-AIR-E
Respondent	Valero Refining-Texas, L.P.
Case ID No.	29866
Reg. Ent. Reference No.	RN100219310
Media [Statute]	Air Quality
Enf. Coordinator	Sherronda Maritn
Violation Number	1
Primary Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c), 111.111(a)(1)(B) and NSR Permit No. 2501A, Special Condition 1 and 2
Secondary Rule Cite(s)	Tex. Health and Safety Code § 382.085(b)
Violation Description	Failed to comply with emission limits specified in the Maximum Allowable Emissions Rates table of NSR Permit 2501A, as documented during an emissions event investigation conducted May 17, 2006. Specifically, an upset condition occurred on May 1, 2006 when a loss of power to units in Complex One and Complex Two resulted in the release of 9,538 pounds of sulfur dioxide, 5,810 pounds of VOCs, 3,182 pounds of carbon monoxide, 763 pounds of particulate matter, and 472 pounds of nitrogen oxides and an excess opacity of 70% at the Fluidized Catalytic Cracking Unit. The duration of this emissions event was 14 hours and 48 minutes. Because this emissions event could have been avoided by better operation practices, the emissions do not meet the demonstrations in 30 Tex. Admin. Code § 101.222(b)(2) and (b)(3) and are not subject to an affirmative defense.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or environment was exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment $0

Base Penalty Subtotal $10,000

Violation Events

Number of Violation Events: 1

1 Number of violation days

mark only one use a small x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $10,000

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $60

Statutory Limit Test

Violation Final Penalty Total $24,800

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

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P.
Case ID No. 29866
Reg. Ent. Reference No. RN100219310
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	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	$2,000	01-May-2006	06-Dec-2006	0.6	$60	n/a	$60
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 for aiding in better management practices. The Date Required is the date of the emissions event, and the Final Date is the date the respondent is expected to complete all corrective actions.

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $2,000

TOTAL: $60

PCW

Policy Revision 2 (September 2002)
PCW Revision April 25, 2006

Screening Date	09-Jun-2006
Docket No.	2006-2218-AIR-E
Respondent	Valero Refining-Texas, L.P.
Case ID No.	29866
Reg. Ent. Reference No.	RN100219310
Media [Statute]	Air Quality
Enf. Coordinator	Sherronda Maritn
Violation Number	2
Primary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c) and NSR Permit No. 2501A, Special Condition 1
Secondary Rule Cite(s)	Tex. Health and Safety Code § 382.085(b)
Violation Description	Failed to comply with emission limits specified in the Maximum Allowable Emissions Rates table of NSR Permit 2501A, as documented during an investigation conducted June 6, 2006. Specifically, on March 12, 2006, a malfunction of the Uninterrupted Power Supply (UPS) system resulted in the shutdown of the Sats Gas Compressor causing the release of the following contaminants: 1,451 pounds (lbs) of sulfur dioxide, 183 lbs of VOCs, 107 lbs of carbon monoxide, and 15 lbs of nitrogen oxides. The duration of this emissions event was 1 hour and 15 minutes. Because this emissions event could have been avoided by better operation and maintenance practices, the emissions do not meet the demonstrations in 30 Tex. Admin. Code § 101.222(b) and are not subject to an affirmative defense.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 1

1 Number of violation days

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

Estimated EB Amount $74

Statutory Limit Test

Violation Final Penalty Total $6,200

This violation Final Assessed Penalty (adjusted for limits) $6,200

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P.
Case ID No. 29866
Reg. Ent. Reference No. RN100219310
Media [Statute] Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	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	$2,000	12-Mar-2006	06-Dec-2006	0.7	$74	n/a	$74
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 for aiding in better operation practices. The Date Required is the date of the emissions event, and the Final Date is the date the respondent is expected to complete all corrective actions.

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $2,000

TOTAL: $74

PCW

Screening Date	09-Jun-2006
Docket No.	2006-2218-AIR-E
Respondent	Valero Refining-Texas, L.P.
Case ID No.	29866
Reg. Ent. Reference No.	RN100219310
Media [Statute]	Air Quality
Enf. Coordinator	Sherronda Maritn

Policy Revision 2 (September 2002)
PCW Revision April 25, 2006

Violation Number	3
Primary Rule Cite(s)	30 Tex. Admin. Code § 101.201(f)
Secondary Rule Cite(s)	Tex. Health and Safety Code § 382.085(b)
Violation Description	Failure to provide additional information on the emissions event, which occurred on March 12, 2006, upon request. Specifically, two requests were made by the region for additional information on the cause of the UPS system failure and no information was received.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: At least 70% of the rule requirement was met.

Adjustment -$9,900

Base Penalty Subtotal $100

Violation Events

Number of Violation Events: 1

1 Number of violation days

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

Estimated EB Amount $1

Statutory Limit Test

Violation Final Penalty Total $248

This violation Final Assessed Penalty (adjusted for limits) $248

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P.
Case ID No. 29866
Reg. Ent. Reference No. RN100219310
Media [Statute] Air Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	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)	$20	17-May-2006	06-Dec-2006	0.6	$1	n/a	$1

Notes for DELAYED costs: Estimated cost to submit documents in a timely manner. Date Required is the date the documents were due. Final Date is the date the respondent is expected to come into compliance.

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $20

TOTAL: $1

PCW

Screening Date	09-Jun-2006
Docket No.	2006-2218-AIR-E
Respondent	Valero Refining-Texas, L.P.
Case ID No.	29866
Reg. Ent. Reference No.	RN100219310
Media [Statute]	Air Quality
Enf. Coordinator	Sherronda Maritn

Policy Revision 2 (September 2002)
PCW Revision April 25, 2006

Violation Number 4

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.115(c) and NSR Permit No. 2501A, Special Condition 1

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

Violation Description Failed to comply with emission limits specified in the Maximum Allowable Emissions Rates table of NSR Permit 2501A, as documented during an emissions event investigation conducted February 28, 2006. Specifically, an emissions event occurred on December 21, 2005 at the Fluidized Catalytic Cracking Unit (FCCU), when excessive backpressure in the Sulfur Recovery Unity (SRU) resulted in the release of the following unauthorized emissions from the FCC flare: 21, 635 pounds (lbs) of sulfur dioxide and 235 lbs of hydrogen sulfide. The duration of this emissions event was 3 hours and 30 minutes. Since this emissions event was determined to be excessive, the demonstrations in 30 Tex. Admin. Code § 101.222 are not applicable.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

OR

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or environment was exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment $0

Base Penalty Subtotal $10,000

Violation Events

Number of Violation Events 1

1 Number of violation days

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

Violation Base Penalty $10,000

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $96

Statutory Limit Test

Violation Final Penalty Total $24,800

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

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P.
Case ID No. 29866
Reg. Ent. Reference No. RN100219310
Media [Statute] Air Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	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	$2,000	21-Dec-2005	06-Dec-2006	1.0	$96	n/a	$96
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 for aiding in better operation practices. The Date Required is the date of the emissions event, and the Final Date is the date the respondent is expected to complete all corrective actions.

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $2,000

TOTAL: $96

Compliance History

Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 2.06
Regulated Entity:	RN100219310	VALERO REFINING HOUSTON REFINERY	Classification: AVERAGE	Site Rating: 2.87

ID Number(s):			
	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0130C
	AIR OPERATING PERMITS	PERMIT	1381
	AIR OPERATING PERMITS	PERMIT	1381
	AIR NEW SOURCE PERMITS	PERMIT	36395
	AIR NEW SOURCE PERMITS	PERMIT	36394
	AIR NEW SOURCE PERMITS	PERMIT	36392
	AIR NEW SOURCE PERMITS	PERMIT	37103
	AIR NEW SOURCE PERMITS	PERMIT	37102
	AIR NEW SOURCE PERMITS	PERMIT	37101
	AIR NEW SOURCE PERMITS	PERMIT	37694
	AIR NEW SOURCE PERMITS	PERMIT	38961
	AIR NEW SOURCE PERMITS	PERMIT	40306
	AIR NEW SOURCE PERMITS	PERMIT	41495
	AIR NEW SOURCE PERMITS	PERMIT	42119
	AIR NEW SOURCE PERMITS	PERMIT	42999
	AIR NEW SOURCE PERMITS	PERMIT	44387
	AIR NEW SOURCE PERMITS	PERMIT	45273
	AIR NEW SOURCE PERMITS	PERMIT	45869
	AIR NEW SOURCE PERMITS	PERMIT	46784
	AIR NEW SOURCE PERMITS	PERMIT	47004
	AIR NEW SOURCE PERMITS	PERMIT	47166
	AIR NEW SOURCE PERMITS	PERMIT	48166
	AIR NEW SOURCE PERMITS	PERMIT	50138
	AIR NEW SOURCE PERMITS	PERMIT	50232
	AIR NEW SOURCE PERMITS	PERMIT	8483A
	AIR NEW SOURCE PERMITS	PERMIT	2501A
	AIR NEW SOURCE PERMITS	PERMIT	7144A
	AIR NEW SOURCE PERMITS	PERMIT	7158A
	AIR NEW SOURCE PERMITS	PERMIT	8092A
	AIR NEW SOURCE PERMITS	PERMIT	33933
	AIR NEW SOURCE PERMITS	PERMIT	34151
	AIR NEW SOURCE PERMITS	PERMIT	34119
	AIR NEW SOURCE PERMITS	PERMIT	34094
	AIR NEW SOURCE PERMITS	PERMIT	33180
	AIR NEW SOURCE PERMITS	PERMIT	33383
	AIR NEW SOURCE PERMITS	PERMIT	30424
	AIR NEW SOURCE PERMITS	PERMIT	28324
	AIR NEW SOURCE PERMITS	PERMIT	19637
	AIR NEW SOURCE PERMITS	PERMIT	19294
	AIR NEW SOURCE PERMITS	PERMIT	10580A
	AIR NEW SOURCE PERMITS	PERMIT	2507A
	AIR NEW SOURCE PERMITS	PERMIT	2498A
	AIR NEW SOURCE PERMITS	PERMIT	10471A
	AIR NEW SOURCE PERMITS	PERMIT	13020A
	AIR NEW SOURCE PERMITS	PERMIT	36390
	AIR NEW SOURCE PERMITS	PERMIT	35206
	AIR NEW SOURCE PERMITS	PERMIT	71919
	AIR NEW SOURCE PERMITS	REGISTRATION	55752
	AIR NEW SOURCE PERMITS	PERMIT	48982
	AIR NEW SOURCE PERMITS	REGISTRATION	75514
	AIR NEW SOURCE PERMITS	AFS NUM	0065
	AIR NEW SOURCE PERMITS	PERMIT	70289
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0130C
	AIR NEW SOURCE PERMITS	PERMIT	71281
	AIR NEW SOURCE PERMITS	REGISTRATION	71680
	AIR NEW SOURCE PERMITS	PERMIT	54616
	AIR NEW SOURCE PERMITS	PERMIT	54513
	AIR NEW SOURCE PERMITS	PERMIT	56205
	AIR NEW SOURCE PERMITS	PERMIT	50600
	AIR NEW SOURCE PERMITS	PERMIT	54510
	AIR NEW SOURCE PERMITS	REGISTRATION	73824
	AIR NEW SOURCE PERMITS	REGISTRATION	73869
	AIR NEW SOURCE PERMITS	REGISTRATION	73902

EXHIBIT

tabbies

CH-1

AIR NEW SOURCE PERMITS	REGISTRATION	74363
AIR NEW SOURCE PERMITS	REGISTRATION	74454
AIR NEW SOURCE PERMITS	REGISTRATION	76694
AIR NEW SOURCE PERMITS	REGISTRATION	78537
AIR NEW SOURCE PERMITS	REGISTRATION	78574
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD053624193
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30520
WASTEWATER	PERMIT	WQ0000535000
WASTEWATER	PERMIT	TPDES0002976
WASTEWATER	PERMIT	TX0002976
STORMWATER	PERMIT	TXR05K869
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30520

Location: 9701 MANCHESTER ST, HOUSTON, TX, 77012 Rating Date: 9/1/2005 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 08, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 08, 2001 to June 08, 2006

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

Name: Sherronda Martin Phone: 713-767-3680

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

N/A Effective Date: 11/23/2005 COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]
Rqmt Prov: 2501A PA
Description: Failure to comply with the allowable emission limit (SC1) detected during a reference method stack test performed on March 13, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 19637/PSD-TX-767M2, Special Condition 4 PA
Description: Failure to maintain the refinery-gas sulfur content to below the permit allowable limit of 10 grains per 100 dry standard cubic foot.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 2498A, Special Condition 4 PA
Description: Failure to comply with the permitted fuel-gas sulfur content limit of 0.1 grain per dry standard cubic foot as required in TCEQ Permit No. 2498A, Special Condition 4.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206[G]
Description: Failure to comply with the operating restrictions for stationary diesel engines located in the Houston/Galveston ozone nonattaiment area by operating the firewater pumps for testing and maintenance purposes between the restricted hours of 6:00 a.m. and noon.

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)
Description: Failure to include the date(s) of operation and the total hours of operation for each month and for the most recent 12 consecutive months, in the operating records for the firewater pumps.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Description: Failure to maintain the fuel-gas hydrogen sulfide content to below the allowable limit of 0.10 grain per dry standard cubic foot.

Classification: Moderate

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

Rqmt Prov: 2498A, Special Condition 2 PA
Description: Failure to comply with all applicable requirements of the Environmental Protection Agency Regulations on Standards of Performance for Petroleum Refineries in Title 40 Code of Federal Regulations Part 60, Subpart J.

Classification: Moderate

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)

Description: The open-ended valves next to components 42154, 42115, and 4290 had no cap, blind flange, or second valve and the open-ended line between valve 42101 and 4299 was unsealed.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Part 63, Subpart CC 63.654(h)(1)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include in the August 27, 2002 and February 26, 2003 Refinery MACT Periodic Reports for the Startup, Shutdown and Malfunction Plan, all flare pilot light outages.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(i)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include all valves for which there were leaks and the total valves monitored in the periodic report required by 30 TEX. ADMIN. CODE § 101.20(2), 40 CFR § 63.182(d)(2)(i).

Classification: Moderate

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

Rqmt Prov: Special Condition 4J PERMIT
Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to make records of gas/hydraulic testing on new/reworked piping available upon request to a local air pollution control agency having jurisdiction over the site.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the authorized emissions limitations of 74.8 lbs/hr for volatile organic compounds (VOC), 3.7 lbs/hr for oxides of nitrogen (NOx), and 26.8 lbs/hr for carbon monoxide (CO).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)

Description: Failure to install a continuous monitoring system to measure and record sulfur dioxide emissions from a fuel-gas combustion device.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the authorized emissions limitations of 1.36 lbs/hr for volatile organic compounds (VOC), 0.26 lbs/hr for oxides of nitrogen (NOx), and 1.34 lbs/hr for carbon monoxide (CO).

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(B)
Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of 30 TEX. ADMIN. CODE Chapter 111.111(a)(1)(B).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fludized Catalytic Cracking

Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of 30 TEX. ADMIN. CODE Chapter 111.111(a)(1)(B).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of 30 TEX. ADMIN. CODE Chapter 111.111(a)(1)(B).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of 30 TEX. ADMIN. CODE Chapter 111.111(a)(1)(B).

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of 30 TEX. ADMIN. CODE Chapter 111.111(a)(1)(B).

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT
Description: Failure to comply with the allowable emission limit detected during a reference method stack test.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:18 a.m. was 45.76%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 6:18 a.m. was 45.76%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 10:06 a.m. was 46.03%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 10:06 a.m. was 46.03%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 p.m. was 40.15%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 6:00 p.m. was 40.15%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 7:06 p.m. was 63.5%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 7:06 p.m. was 63.5%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 8:36 p.m. was 42.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 8:36 p.m. was 42.7%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 9:30 p.m. was 53.8%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 9:30 p.m. was 53.8%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 11:48 a.m. was 41.3%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at

11:48 a.m. was 41.3%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 2:30 p.m. was 39.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 2:30 p.m. was 39.7%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 5:54 p.m. was 38.65%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 5:54 p.m. was 38.65%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 a.m. was 72.72%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 6:00 a.m. was 72.72%.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 1:12 p.m. was 100%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. The average opacity starting at 1:12 p.m. was 100%.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent more than 20% opacity of emissions, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 [30 TEX. ADMIN. CODE Chapter 116.5(c)].

Classification: Major

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to prevent more than 20% opacity of emissions, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period for any source on which construction was begun after January 31, 1972. This is a violation of 30 TEX. ADMIN. CODE Chapter 111.111(a)(1)(B)

Classification: Minor

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

Rqmt Prov: 1 PERMIT

Description: Violation of permit special condition.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

Classification: Minor

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

Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all acid gas shall be routed to the SRU.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to report the correct facility in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to report the correct facility in the final record.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to report the correct facility in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)[G]
Description: Failure to submit an opacity event notification in a timely manner after an initial maintenance notification's opacity estimate was exceeded.

Classification: Minor

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

Description: Failure to submit an initial notification with the proper authorized emissions limitations.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to indicate the proper authorized limits for the emissions event in the final records submitted to the BAQC.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to list the correct facility for each pollutant released during this emissions event in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to list the proper facility in the final record from which each pollutant originated.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of 30 TEX. ADMIN. CODE Chapter 111.111(a)(1)(B).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(6)
Description: Failure to have the duration for the excess opacity event in the notification. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(6).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(7)
Description: Failure to submit the correct opacity estimate in the submittal of an excess opacity event. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(7).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN.

CODE Chapter 116.115(c)).

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A & 2507A PA
Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A. For the FCC flare see additional discussion for emissions, limits, dates, and durations, for each incident.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU. This occurred 5 times for a total duration of 4 hours and 56 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20% averaged over a 6-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)). (Section 4)

Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS). The FCC flare, a fuel-gas combustion device combusted fuel gas with a hydrogen sulfide (H2S) content exceeding 0.10 grain (gr) per dry standard cubic foot (dscf). The H2S content was 27.1 grs/dscf for a duration of 4 hours and 56 minutes.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No, 2501A & 2507A PA
Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas L.P. identify the authorized emissions limits for the facility involved in the emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to a flare instead of the sulfur recovery unit.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A and 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.648(c)
40 CFR Part 63, Subpart H 63.167[G]

Rqmt Prov: 2501A PERMIT

Description: Failure to equip three open-ended valves with a second valve, plug, cap or a blind. Those valves are in organic hazardous air pollutant (HAP) service because they contain or contact a fluid that is at least 5 percent by weight of total organic HAPs and subject to MACT regulations.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.355(1)

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.648(c)(1)
40 CFR Part 63, Subpart H 63.180(b)[G]

Rqmt Prov: 2501A PERMIT

Description: Failure to perform fugitive monitoring, at the FCC unit, in accordance with 40 CFR 60, Appendix A, Reference Method 21.

Classification: Minor

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

40 CFR Part 63, Subpart CC 63.654(d)(1)
40 CFR Part 63, Subpart H 63.182(d)[G]

Rqmt Prov: 2501A PERMIT

Description: Failure to report two leaking pumps as delay of repair components in the MACT Subpart CC semi-annual report dated January 27, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Major

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

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
Description: Failure to meet initial notification requirements that Valero Refining - Texas L.P. submit the initial notification as soon as practicable, but not later than 24 hours after the discovery of an emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failure to meet final record requirements that Valero Refining - Texas L.P. submit the final record as soon as practicable, but not later than two weeks after the end of an emissions event.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Permit Air Nos. 2501A and 2507A for the Fluid Catalytic Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.

Classification: Major

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per standard cubic foot of hydrogen sulfide at the FCC Flare (EPN 30 FL 5).

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2507A PERMIT
Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to FCC Flare (EPN 30 FL 5) instead of processing it in the sulfur recovery unit.

Classification: Major

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Major

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to submit authorization (rule or permit number) in the final record of emissions event that occurred on February 23, 2004.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 12, 2004 and lasted for five hours and ten minutes from the MEA Regenerator and the FCC Flare, EPN 30FL5.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 12, 2004.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 19, 2004 and lasted for one hour and 14 minutes from the MEA Regenerator and the FCC Flare and one hour and 28 minutes from the Sour Water Stripper, EPN 30FL5.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 19, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)
Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(5)
Description: Failure to submit the correct time for an excess opacity event.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)
Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Major

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit Nos. 2501A and 2507A for the Fluidized Catalytic Cracking Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.

Classification: Major

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS) and TCEQ Air Permit No. 2501A by combusting fuel gas containing 27.1 grains per standard cubic foot of hydrogen sulfide at the FCC flare (EPN 30FL5). See additional discussion for fuel gas hydrogen sulfide limits.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to the FCC Flare (EPN 30FL5) instead of processing it in the sulfur recovery unit.

Classification: Minor

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

Description: Failure to correctly submit the final record by facility.

Classification: Minor

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

Description: The regulated entity failed to identify the common name of the facility experiencing the emissions event and the common emissions point name in the initial notifications.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common emissions point name in the final records.

Classification: Major

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for carbon monoxide, hydrogen sulfide, nitrogen oxides and sulfur dioxide.

Classification: Major

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of the air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification by not including a common name for the facility.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements by not including the common name of the facility.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor

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

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

Rqmt Prov: SC No. 2 PA
Description: The regulated entity exceeded the authorized opacity limit of 20 percent by more than the reportable quantity of 15 additional percentage points averaged over a six-minute period at the FCCU regenerator stack.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for sulfur dioxide and hydrogen sulfide.

Classification: Minor

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

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common name of the emissions point in the initial notifications.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify the common name of the facility which incurred the emissions event in the final record.
Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 2 PERMIT
Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate

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

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

Rqmt Prov: Special Condtion No. 2 PERMIT
Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 2 PERMIT
Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack

Classification: Major

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

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits and duration.
Classification: Moderate

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

30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions No. 4 E., 6 and 8 PERMIT
Description: Failure to equip an open ended valve in organic Hazardous Air Pollutants (HAP) service with a second valve, plug, cap or blind flange.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions No. 4E. and 6 PERMIT
Description: Failure to equip an open ended valve in VOC service with a second valve, plug, cap or blind flange.

Effective Date: 03/14/2004 ADMINORDER 2003-0519-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to comply with emission limits stated in the Air Permit No. 2501A, the Maximum Allowable Emission Rate Table (MAERT) at EPN 30FL5 on December 10, 2002 and February 10, 2003.

Classification: Moderate

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

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

Rqmt Prov: SC 1 PERMIT
Description: Failed to comply with emission limits stated in the Air Permit No. 2507A, the MAERT limits at EPN 30FL5 and EPN 46CB6301 on December 10, 2002 and February 10, 2003.

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 4 PERMIT
Description: Failure to route the refinery acid gas to the Sulfur Recovery Unit before emitting the gas from Flare EPN 30FL5 on December 10, 2002 and February 10, 2003.

Effective Date: 07/03/2003 ADMINORDER 2001-0852-AIR-E

Classification: Moderate

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

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

Rqmt Prov: SC 2 PERMIT
Description: Failure to limit visible emissions to 20% averaged over any six-minute period during soot blowing at the Fluidized Catalytic Cracking Unit's catalyst regenerator stack and vent, EPN 42CB2001 on 7/12/99, 6/15/00, and 1/1/01.

Classification: Moderate

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

Description: Failure to submit a notification for a reportable opacity upset that occurred on 7/12/99 at the FCCU catalyst regenerator stack.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to equip an external floating roof tank (90FB004) roof drain with a slotted membrane fabric that covers at least 90% of the drain opening.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(2)

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

Description: Failed to make a first attempt at repair within 5 calendar days of discovery of leaks for two valves in volatile organic compound service.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor valves in HAP and light liquid service (Combination Crude Unit) at least quarterly or each calendar quarter using Method 21 in 40 CFR 60 Appendix A.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354[G]
30 TAC Chapter 115, SubChapter D 115.356(1)(D)

30 TAC Chapter 115, SubChapter D 115.357(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to record and maintain monitoring dates of components which contact a process fluid containing VOCs having a true vapor pressure equal or less than 0.44 psia at 68 degrees F that are inspected visually rather than with a hydrocarbon analyzer.

Classification: Moderate

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

Rqmt Prov: SC 10 PERMIT

Description: Failed to maintain a continuous emissions monitoring system to measure and record in-stack concentration of oxides of nitrogen and sulfer dioxide from the FCCU regenerator stack, EPN 42CB2001 during Sept, Oct, Nov 99 and June, July 2000.

Classification: Moderate

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

Rqmt Prov: SC2 PERMIT

Description: Failure to comply with permitted limit established in the MAERT for SO2 at the SRU Tail Gas Incinerator.

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	10/25/2002	(9350)
2	07/18/2003	(155887)
3	07/22/2002	(155886)
4	07/24/2001	(155885)
5	12/27/2002	(17852)
6	11/24/2003	(147980)
7	10/15/2002	(9157)
8	02/07/2003	(22590)
9	06/26/2003	(155883)
10	08/26/2003	(149864)
11	04/22/2003	(24982)
12	06/20/2002	(155882)
13	08/04/2003	(119955)
14	08/29/2003	(150288)
15	11/11/2004	(291133)

16	07/07/2003	(62086)
17	06/25/2001	(155881)
18	08/19/2003	(143885)
19	03/05/2003	(19917)
20	03/04/2004	(260962)
21	05/18/2004	(294506)
22	12/17/2002	(18292)
23	08/26/2004	(285903)
24	08/29/2003	(150294)
25	01/31/2005	(349063)
26	05/20/2003	(155879)
27	04/04/2006	(460600)
28	06/14/2004	(294508)
29	05/21/2002	(155878)
30	08/29/2003	(150286)
31	04/04/2006	(450259)
32	08/29/2003	(150300)
33	09/18/2003	(126946)
34	12/05/2003	(255456)
35	08/04/2003	(119954)
36	03/24/2006	(455235)
37	08/15/2003	(143026)
38	05/25/2006	(467406)
39	08/25/2003	(146803)
40	08/22/2003	(294511)
41	11/05/2003	(249523)
42	10/18/2004	(336800)
43	05/27/2004	(269564)
44	06/29/2001	(143883)
45	09/24/2004	(351786)
46	11/04/2004	(293252)
47	08/29/2003	(150290)
48	09/23/2003	(294513)
49	04/21/2003	(155875)
50	10/30/2003	(147976)
51	02/25/2006	(457037)
52	04/09/2003	(246481)
53	04/22/2002	(155874)
54	10/17/2003	(294515)
55	01/07/2002	(143888)
56	03/31/2003	(25810)
57	07/16/2004	(351787)
58	11/22/2004	(293279)
59	11/11/2004	(290143)
60	11/13/2003	(294516)
61	08/29/2003	(150287)
62	04/28/2004	(257215)
63	03/23/2004	(258540)
64	10/11/2004	(333468)
65	12/16/2003	(294517)
66	05/28/2004	(264798)

67	03/21/2003	(155870)
68	11/12/2004	(334809)
69	12/29/2004	(341784)
70	07/29/2004	(278713)
71	08/01/2005	(394168)
72	09/23/2003	(294518)
73	07/14/2003	(140758)
74	12/05/2003	(255457)
75	03/22/2002	(155869)
76	04/12/2004	(257214)
77	01/06/2005	(341788)
78	08/30/2004	(280526)
79	08/26/2004	(278395)
80	08/19/2004	(351788)
81	02/28/2006	(457238)
82	11/07/2003	(152532)
83	08/31/2004	(285881)
84	04/25/2006	(457910)
85	11/26/2002	(17092)
86	02/21/2003	(155867)
87	04/30/2003	(29974)
88	11/11/2004	(292771)
89	07/25/2003	(35349)
90	12/05/2003	(255459)
91	06/23/2004	(275361)
92	09/24/2004	(351789)
93	02/25/2002	(155866)
94	08/31/2004	(292423)
95	04/22/2005	(419479)
96	05/13/2005	(419480)
97	04/28/2004	(260954)
98	09/23/2004	(351790)
99	08/16/2004	(273862)
100	05/25/2006	(467410)
101	10/25/2004	(351791)
102	10/19/2004	(335816)
103	08/26/2003	(149666)
104	05/25/2005	(374927)
105	03/20/2003	(27376)
106	08/29/2003	(150295)
107	04/07/2004	(261524)
108	11/23/2004	(351792)
109	08/18/2003	(146444)
110	08/30/2005	(406150)
111	02/25/2004	(257948)
112	12/05/2003	(255460)
113	02/28/2006	(449951)
114	11/15/2002	(16232)
115	05/27/2004	(269566)
116	02/27/2006	(457158)
117	03/18/2005	(347744)

118	08/11/2003	(142966)
119	08/31/2005	(402136)
120	01/05/2005	(338615)
121	07/07/2003	(62111)
122	05/27/2004	(269560)
123	08/29/2003	(150298)
124	04/17/2006	(455285)
125	07/07/2004	(272779)
126	08/28/2003	(147452)
127	08/31/2005	(402447)
128	12/19/2002	(16306)
129	10/26/2004	(333660)
130	12/17/2002	(18243)
131	12/30/2004	(341786)
132	08/31/2005	(402449)
133	08/19/2005	(449391)
134	05/13/2004	(266477)
135	05/25/2006	(467411)
136	06/14/2004	(270852)
137	05/30/2003	(29605)
138	02/20/2003	(22703)
139	01/16/2003	(155909)
140	01/23/2002	(155908)
141	08/02/2004	(270510)
142	02/20/2003	(23695)
143	08/29/2003	(150291)
144	08/15/2003	(143867)
145	07/07/2003	(61454)
146	11/17/2004	(336148)
147	06/28/2005	(376330)
148	05/20/2004	(260968)
149	12/17/2002	(18617)
150	12/09/2002	(155905)
151	01/27/2006	(450186)
152	12/19/2001	(155904)
153	11/19/2004	(270763)
154	03/06/2006	(440402)
155	12/22/2003	(254339)
156	05/25/2006	(467413)
157	06/18/2003	(35482)
158	08/19/2003	(143927)
159	05/03/2002	(IE0001138007001)
160	12/22/2004	(341311)
161	11/20/2003	(281094)
162	02/28/2006	(449830)
163	06/14/2004	(274705)
164	04/04/2006	(455290)
165	02/24/2006	(468110)
166	06/28/2005	(380360)
167	11/01/2001	(155902)
168	06/23/2005	(440631)

169	05/01/2006	(463424)
170	03/27/2006	(468111)
171	08/16/2004	(273873)
172	07/07/2003	(62089)
173	12/15/2003	(253102)
174	07/25/2005	(440632)
175	08/29/2003	(150297)
176	09/01/2005	(440633)
177	11/19/2002	(155900)
178	12/02/2005	(468112)
179	09/28/2005	(440634)
180	11/26/2001	(155899)
181	12/27/2005	(468113)
182	08/25/2003	(146710)
183	04/07/2004	(261175)
184	10/24/2005	(440635)
185	05/17/2006	(462752)
186	09/19/2005	(440636)
187	06/02/2006	(466664)
188	07/07/2003	(62098)
189	04/21/2003	(28674)
190	01/10/2006	(449982)
191	10/21/2002	(155896)
192	09/24/2003	(248196)
193	08/31/2004	(286662)
194	01/27/2006	(468114)
195	04/08/2005	(350433)
196	11/01/2001	(155895)
197	06/02/2006	(449745)
198	08/31/2004	(289712)
199	10/15/2004	(285900)
200	05/06/2004	(265188)
201	10/19/2004	(335907)
202	12/05/2003	(251452)
203	03/17/2006	(456074)
204	07/25/2003	(114197)
205	09/20/2002	(155893)
206	01/26/2004	(257136)
207	04/26/2005	(378333)
208	07/03/2003	(35450)
209	08/29/2003	(150299)
210	09/24/2001	(155892)
211	08/06/2003	(139366)
212	08/30/2005	(398453)
213	05/17/2006	(462534)
214	08/24/2005	(405569)
215	02/17/2004	(294501)
216	02/12/2004	(257706)
217	07/28/2005	(380007)
218	01/10/2005	(342683)
219	11/21/2002	(16529)

220 08/23/2002 (155890)

221 03/28/2005 (381681)

222 06/21/2004 (294503)

223 08/22/2001 (155889)

224 03/22/2005 (381682)

225 04/22/2004 (294504)

226 12/28/2004 (381683)

227 12/22/2004 (293301)

228 07/25/2003 (119402)

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

Date: 06/30/2001 (155885)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 03/31/2004 (294504)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 12/17/2002 (18617)

Self Report? NO Classification: Minor

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

Description: Failure to include the authorized opacity limit in a notification of an excess opacity event.

Self Report? NO Classification: Moderate

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

Description: Failure to maintain opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) regenerator stack within the authorized limit of 20%, averaged over a six-minute period.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA IA

Description: Failure to maintain opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) regenerator stack within the authorized limit of 20%, averaged over a six-minute period.

Date: 05/19/2004 (260968)

Self Report? NO Classification: Moderate

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

Description: Failure to keep the allowed opacity of emissions from the Sulfur Recovery Unit Incinerator Stack (Emissions Point Number 46CB6301) from exceeding 20 percent averaged over a six-minute period. The opacity that exceeded the limit was 45% over a duration of 3 hours.

Date: 04/30/2004 (294506)

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 (294508)

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: 04/09/2003 (246481)

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: 08/31/2005 (402449)

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)

Rqmt Prov: PERMIT IA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Date: 04/09/2004 (261524)

Self Report? NO Classification: Minor

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

Rqmt Prov: PA IA

Description: During the investigation conducted on January 27, 2004, it was determined that Valero Refining - Texas, L.P. failed to monitor monthly cooling tower water for Volatile Organic Compounds (VOC) with an approved air stripping system or equivalent for Cooling Tower Nos. 3 and 10 in April 2002 and September 2003.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)(B)

Description: During the investigation conducted on January 27, 2004, it was determined that Valero failed to maintain records that contained sufficient information to demonstrate compliance with all applicable PBR conditions for Cooling Tower No. 3 for 30 TEX. ADMIN. CODE § 106.261(3), (4), (7), & (8), September 4, 2000.

Date: 09/30/2003 (294515)

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: 06/29/2001 (143883)

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 1st report of progress.

Date: 10/31/2003 (294516)

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: 02/28/2002 (155869)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 11/30/2003 (294517)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 12/31/2003 (294518)

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 (351787)

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: 02/24/2004 (257948)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)

Description: Failure to list all individual pollutants of emissions event dated October 9, 2003.

Self Report? NO Classification: Minor

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

Description: Failure to list the estimated total quantities for those compounds or mixtures involved in the emissions event dated October 9, 2003.

Self Report? NO Classification: Minor

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

Description: Failure to enter the final record (pollutants, amounts, updated cause and authorizations) of emissions event dated October 9, 2003 electronically.

Self Report? NO Classification: Moderate

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

Description: Failure to adhere to the permit representations. 100 lbs of carbon black particles were emitted to the atmosphere during this emissions event without obtaining a permit amendment when there was a change in the character of the emissions.

Date: 06/14/2004 (270852)

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 106, SubChapter K 106.261(8)(A)

Description: Failure to submit PI-7 Form required by 30 TAC 106.261in a timely basis.

Date: 10/16/2002 (9157)

Self Report? NO Classification: Moderate

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

Description: Failure to initially notify the City of Houston, Bureau of Air Quality Control of a reportable upset within 24 hours after the discovery of the upset.

Self Report? NO Classification: Moderate

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

Description: Exceeded the 20% opacity limit, averaged over six-minute periods.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA IA

Description: Exceeded the 20% opacity limit, averaged over six-minute periods.

Date: 10/31/2004 (351792)

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: 01/07/2002 (143888)

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 3rd progress report.

Date: 08/19/2005 (449391)

Self Report? NO Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 03/31/2004 (261175)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.454(3)(B)[G]

30 TAC Chapter 115, SubChapter E 115.412(1)(A)

Description: The RE failed to close the solvent cleaner cover when parts were not being handled.

Date: 08/31/2005 (402447)

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)

Rqmt Prov: PERMIT IA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Date: 02/28/2006 (468111)

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: 01/10/2006 (449982)

Self Report? NO Classification: Moderate

Citation: TWC Chapter 26 26.121(a)(1)

Description: Failure to prevent the unauthorized discharge of wastewater. Unauthorized discharges (UD) occurred on 12/15/05 from the aeration basin, temporary pump for the ditch leading to outfall 008, and cooling tower #3. In addition, two UDs were reported from cooling tower #10.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.4

Description: Failure to monitor for Carbonaceous Biochemical Oxygen Demand (CBOD) as required by the permit issued on August 25, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.7(e)

Description: Failure to complete the Discharge Monitoring Reports (DMR) correctly. Several effluent values and the frequency of analsysis were reported incorrectly on the DMRs in February 2005, March 2005, May 2005, June 2005, July 2005, August 2005, and September 2005. See attached Table 1.

Self Report? NO Classification: Minor

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

Description: Failure to calculate loading values correctly.

Date: 12/31/2005 (468114)

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: 08/31/2002 (155893)

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: 07/31/2002 (155890)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 10/26/2004 (333660)

Self Report? NO Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(1)

Description: Failure to submit to the EPA administrator, a semi-annual report containing the all the information specified in paragraphs (d)(2), (d)(3), and (d)(4) of 40 CFR § 63.182.

F. Environmental audits.

N/A

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision December 8, 2006*

TCEQ

DATES					
Assigned	11-Dec-2006				
PCW	19-Dec-2006	Screening	12-Dec-2006	EPA Due	3-Sep-2007

RESPONDENT/FACILITY INFORMATION

Respondent	Valero Refining - Texas LP		
Reg. Ent. Ref. No.	RN100219310		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	31965	No. of Violations	4
Docket No.	2006-2218-AIR-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	John Barry
Multi-Media		EC's Team	EnforcementTeam 6
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1*	$17,600

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	252% Enhancement	*Subtotals 2, 3, & 7*	$44,352

Notes: The enhancement is due to one non-adjudicated court order, one findings order, two 1660 orders, 11 same-or-similar NOVs, 26 other NOVs, including 20 self-reported ones, and one criminal conviction.

Culpability	No	0% Enhancement *Subtotal 4*	$0

Notes: 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 x)

Notes: The Respondent does not meet the good faith criteria.

	0% Enhancement*	*Subtotal 6*	$0

Total EB Amounts	$1,087
Approx. Cost of Compliance	$20,500

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7	*Final Subtotal*	$61,952
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	$61,952
STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty*	$29,152
DEFERRAL 0% Reduction *Adjustment*	$0

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	$29,152

EXHIBIT

tabbies

PCW-2

Screening Date 12-Dec-2006 **Docket No.** 2006-2218-AIR-E **PCW**

Respondent Valero Refining - Texas LP

Policy Revision 2 (September 2002)

Case ID No. 31965

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100219310

Media [Statute] Air Quality

Enf. Coordinator John Barry

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	11	55%
	Other written NOVs	26	52%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	1	50%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 252%

>> 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 enhancement is due to one non-adjudicated court order, one findings order, two 1660 orders, 11 same-or-similar NOVs, 26 other NOVs, including 20 self-reported ones, and one criminal conviction.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 252%

Screening Date	12-Dec-2006	**Docket No.** 2006-2218-AIR-E	**PCW**
Respondent	Valero Refining - Texas LP		*Policy Revision 2 (September 2002)*
Case ID No.	31965		*PCW Revision December 8, 2006*
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Air Quality		
Enf. Coordinator	John Barry		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Air Permit No. 2501A, Special Condition 1 and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. During a July 27, 2006, emissions event, approximately 23,396 pounds ("lb") and 264 lb of unauthorized sulfur dioxide ("SO2") and hydrogen sulfide respectively were released from the Fluid Catalytic Cracking Unit ("FCCU") Flare for three hours ("hr") and 30 minutes ("min"). Since the emissions event was deemed excessive and avoidable, and not reported properly, Valero failed to meet the demonstrations for an affirmative defense under 30 Tex. Admin. Code § 101.222 .

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to significant amounts of pollutants which exceed levels that are protective of human health or the environmental receptors as a result of the violation.

Adjustment $0

$10,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $10,000

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $593

Statutory Limit Test

Violation Final Penalty Total $35,200

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

Economic Benefit Worksheet

Respondent Valero Refining - Texas LP
Case ID No. 31965
Reg. Ent. Reference No. RN100219310
Media Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	$10,000	27-Jul-2006	1-Jun-2007	0.8	$28	$564	$593
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 costs of providing adequate natural gas to the SRU; the date require is the date of the event; the final date is the estimated date of modification completion.

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: $10,000

TOTAL: $593

Screening Date 12-Dec-2006 **Docket No.** 2006-2218-AIR-E **PCW**

Respondent Valero Refining - Texas LP *Policy Revision 2 (September 2002)*

Case ID No. 31965 *PCW Revision December 8, 2006*

Reg. Ent. Reference No. RN100219310

Media [Statute] Air Quality

Enf. Coordinator John Barry

Violation Number 2

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

Violation Description Failed to submit a final emissions report no later than 14 days after the event. The emissions event ended on July 27, 2006; however, the final report was not submitted until August 21, 2006.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: At least 70% of the rule was met.

Adjustment $9,900

$100

Violation Events

Number of Violation Events 1

11 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $20

Statutory Limit Test

Violation Final Penalty Total $352

This violation Final Assessed Penalty (adjusted for limits) $352

Economic Benefit Worksheet

Respondent Valero Refining - Texas LP
Case ID No. 31965
Reg. Ent. Reference No. RN100219310
Media Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	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)	$500	10-Aug-2006	1-Jun-2007	0.8	$20	n/a	$20

Notes for DELAYED costs: Estimated costs of helping to assure proper emission event reporting; the date required was the deadline for final reporting within 14 days; the final date is the estimated date of compliance.

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $500

TOTAL: $20

Screening Date 12-Dec-2006 **Docket No.** 2006-2218-AIR-E **PCW**

Respondent Valero Refining - Texas LP *Policy Revision 2 (September 2002)*

Case ID No. 31965 *PCW Revision December 8, 2006*

Reg. Ent. Reference No. RN100219310

Media [Statute] Air Quality

Enf. Coordinator John Barry

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Air Permit Nos. 2501A and 2507A, Special Condition 1 and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. During a September 27, 2006, emissions event approximately 2,923 lb of unauthorized SO2 was released through the FCCU Flare during a five hr and 20 min period. Since the emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

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

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $5,000

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $474

Statutory Limit Test

Violation Final Penalty Total $17,600

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

Economic Benefit Worksheet

Respondent Valero Refining - Texas LP
Case ID No. 31965
Reg. Ent. Reference No. RN100219310
Media Air Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or $						
Delayed Costs							
Equipment	$10,000	27-Sep-2006	1-Jun-2007	0.7	$23	$451	$474
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 costs for modification to help ensure acid gas goes to the SRU; the date required was the event date; the final date is the estimated date of modification completion.

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: $10,000

TOTAL: $474

Screening Date	12-Dec-2006	**Docket No.** 2006-2218-AIR-E	**PCW**
Respondent	Valero Refining - Texas LP		*Policy Revision 2 (September 2002)*
Case ID No.	31965		*PCW Revision December 8, 2006*
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Air Quality		
Enf. Coordinator	John Barry		

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Air Permit No. 2507A, Special Condition 6 and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to route acid gas to the Sulfur Recovery Unit ("SRU"). During the September 27, 2006, emissions event, acid gas was routed to the FCCU Flare, not to the SRU as required by the permit.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

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

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $8,800

This violation Final Assessed Penalty (adjusted for limits) $8,800

Economic Benefit Worksheet

Respondent Valero Refining - Texas LP
Case ID No. 31965
Reg. Ent. Reference No. RN100219310
Media Air Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	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)				0.0	$0	n/a	$0
Notes for DELAYED costs	See modification under Violation No. 3 EB.						
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: $0

TOTAL: $0

Compliance History

Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 8.88
Regulated Entity:	RN100219310	VALERO REFINING HOUSTON REFINERY	Classification: AVERAGE	Site Rating: 42.55

ID Number(s):			
	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0130C
	AIR OPERATING PERMITS	PERMIT	1381
	AIR OPERATING PERMITS	PERMIT	1381
	AIR NEW SOURCE PERMITS	PERMIT	36395
	AIR NEW SOURCE PERMITS	PERMIT	36394
	AIR NEW SOURCE PERMITS	PERMIT	36392
	AIR NEW SOURCE PERMITS	PERMIT	37103
	AIR NEW SOURCE PERMITS	PERMIT	37102
	AIR NEW SOURCE PERMITS	PERMIT	37101
	AIR NEW SOURCE PERMITS	PERMIT	37694
	AIR NEW SOURCE PERMITS	PERMIT	38961
	AIR NEW SOURCE PERMITS	PERMIT	40306
	AIR NEW SOURCE PERMITS	PERMIT	41495
	AIR NEW SOURCE PERMITS	PERMIT	42119
	AIR NEW SOURCE PERMITS	PERMIT	42999
	AIR NEW SOURCE PERMITS	PERMIT	44387
	AIR NEW SOURCE PERMITS	PERMIT	45273
	AIR NEW SOURCE PERMITS	PERMIT	45869
	AIR NEW SOURCE PERMITS	PERMIT	46784
	AIR NEW SOURCE PERMITS	PERMIT	47004
	AIR NEW SOURCE PERMITS	PERMIT	47166
	AIR NEW SOURCE PERMITS	PERMIT	48166
	AIR NEW SOURCE PERMITS	PERMIT	50138
	AIR NEW SOURCE PERMITS	PERMIT	50232
	AIR NEW SOURCE PERMITS	PERMIT	8483A
	AIR NEW SOURCE PERMITS	PERMIT	2501A
	AIR NEW SOURCE PERMITS	PERMIT	7144A
	AIR NEW SOURCE PERMITS	PERMIT	7158A
	AIR NEW SOURCE PERMITS	PERMIT	8092A
	AIR NEW SOURCE PERMITS	PERMIT	33933
	AIR NEW SOURCE PERMITS	PERMIT	34151
	AIR NEW SOURCE PERMITS	PERMIT	34119
	AIR NEW SOURCE PERMITS	PERMIT	34094
	AIR NEW SOURCE PERMITS	PERMIT	33180
	AIR NEW SOURCE PERMITS	PERMIT	33383
	AIR NEW SOURCE PERMITS	PERMIT	28324
	AIR NEW SOURCE PERMITS	PERMIT	19637
	AIR NEW SOURCE PERMITS	PERMIT	19294
	AIR NEW SOURCE PERMITS	PERMIT	10580A
	AIR NEW SOURCE PERMITS	PERMIT	2507A
	AIR NEW SOURCE PERMITS	PERMIT	2498A
	AIR NEW SOURCE PERMITS	PERMIT	10471A
	AIR NEW SOURCE PERMITS	PERMIT	13020A
	AIR NEW SOURCE PERMITS	PERMIT	36390
	AIR NEW SOURCE PERMITS	PERMIT	35206
	AIR NEW SOURCE PERMITS	PERMIT	71919
	AIR NEW SOURCE PERMITS	REGISTRATION	55752
	AIR NEW SOURCE PERMITS	PERMIT	48982
	AIR NEW SOURCE PERMITS	REGISTRATION	75514
	AIR NEW SOURCE PERMITS	AFS NUM	0065
	AIR NEW SOURCE PERMITS	PERMIT	70289
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0130C
	AIR NEW SOURCE PERMITS	PERMIT	71281
	AIR NEW SOURCE PERMITS	REGISTRATION	71680
	AIR NEW SOURCE PERMITS	PERMIT	54616
	AIR NEW SOURCE PERMITS	PERMIT	54513
	AIR NEW SOURCE PERMITS	PERMIT	56205
	AIR NEW SOURCE PERMITS	PERMIT	50600
	AIR NEW SOURCE PERMITS	PERMIT	54510

EXHIBIT

tabbies

CH-2

AIR NEW SOURCE PERMITS	REGISTRATION	73824
AIR NEW SOURCE PERMITS	REGISTRATION	73869
AIR NEW SOURCE PERMITS	REGISTRATION	73902
AIR NEW SOURCE PERMITS	REGISTRATION	74363
AIR NEW SOURCE PERMITS	REGISTRATION	76694
AIR NEW SOURCE PERMITS	REGISTRATION	78537
AIR NEW SOURCE PERMITS	REGISTRATION	78574
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD053624193
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30520
WASTEWATER	PERMIT	WQ0000535000
WASTEWATER	PERMIT	TPDES0002976
WASTEWATER	PERMIT	TX0002976
STORMWATER	PERMIT	TXR05K869
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30520

Location: 9701 MANCHESTER ST, HOUSTON, TX, 77012 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: November 30, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: November 30, 2001 to November 30, 2006

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

Name: Jessica Rhodes Phone: 512-239-2879

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

Effective Date: 11/23/2005 COURTORDER
Classification: Moderate SA-05-CA-0569RF

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]
Rqmt Prov: 2501A PA
Description: Failure to comply with the allowable emission limit (SC1) detected during a reference method stack test performed on March 13, 2002.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 19637/PSD-TX-767M2, Special Condition 4 PA
Description: Failure to maintain the refinery-gas sulfur content to below the permit allowable limit of 10 grains per 100 dry standard cubic foot.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 2498A, Special Condition 4 PA
Description: Failure to comply with the permitted fuel-gas sulfur content limit of 0.1 grain per dry standard cubic foot as required in TCEQ Permit No. 2498A, Special Condition 4.

Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206[G]

Description: Failure to comply with the operating restrictions for stationary diesel engines located in the Houston/Galveston ozone nonattaiment area by operating the firewater pumps for testing and maintenance purposes between the restricted hours of 6:00 a.m. and noon.

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)
Description: Failure to include the date(s) of operation and the total hours of operation for each month and for the most recent 12 consecutive months, in the operating records for the firewater pumps.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Rqmt Prov: Special Condition 2 PERMIT
Description: Failure to maintain the fuel-gas hydrogen sulfide content to below the allowable limit of 0.10 grain per dry standard cubic foot.

Classification: Moderate

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)

Description: The open-ended valves next to components 42154, 42115, and 4290 had no cap, blind flange, or second valve and the open-ended line between valve 42101 and 4299 was unsealed.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Part 63, Subpart CC 63.654(h)(1)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include in the August 27, 2002 and February 26, 2003 Refinery MACT Periodic Reports for the Startup, Shutdown and Malfunction Plan, all flare pilot light outages.
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(i)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include all valves for which there were leaks and the total valves monitored in the periodic report required by 30 TEX. ADMIN. CODE § 101.20(2), 40 CFR § 63.182(d)(2)(i).
Classification: Moderate

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

Rqmt Prov: Special Condition 4J PERMIT
Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to make records of gas/hydraulic testing on new/reworked piping available upon request to a local air pollution control agency having jurisdiction over the site.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the authorized emissions limitations of 74.8 lbs/hr for volatile organic compounds (VOC), 3.7 lbs/hr for oxides of nitrogen (NOx), and 26.8 lbs/hr for carbon monoxide (CO).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)

Description: Failure to install a continuous monitoring system to measure and record sulfur dioxide emissions from a fuel-gas combustion device.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the authorized emissions limitations of 1.36 lbs/hr for volatile organic compounds (VOC), 0.26 lbs/hr for oxides of nitrogen (NOx), and 1.34 lbs/hr for carbon monoxide (CO).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(B)
Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fludized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT
Description: Failure to comply with the allowable emission limit detected during a reference method stack test.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:18 a.m. was 45.76%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 10:06 a.m. was 46.03%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 p.m. was 40.15%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 7:06 p.m. was 63.5%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 8:36 p.m. was 42.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic

Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 9:30 p.m. was 53.8%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 11:48 a.m. was 41.3%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 2:30 p.m. was 39.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 5:54 p.m. was 38.65%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 a.m. was 72.72%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 1:12 p.m. was 100%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent more than 20% opacity of emissions, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 [30 TEX. ADMIN. CODE Chapter 116.5(c)].

Classification: Minor

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

Rqmt Prov: 1 PERMIT
Description: Violation of permit special condition.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.
Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all acid gas shall be routed to the SRU.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to report the correct facility in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to report the correct facility in the final record.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to report the correct facility in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)[G]
Description: Failure to submit an opacity event notification in a timely manner after an initial maintenance notification's opacity estimate was exceeded.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
Description: Failure to submit an initial notification with the proper authorized emissions limitations.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to indicate the proper authorized limits for the emissions event in the final records submitted to the BAQC.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to list the correct facility for each pollutant released during this emissions event in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to list the proper facility in the final record from which each pollutant originated.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(6)
Description: Failure to have the duration for the excess opacity event in the notification. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(6).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(7)
Description: Failure to submit the correct opacity estimate in the submittal of an excess opacity event. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(7).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A & 2507A PA
Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A. For the FCC flare see additional discussion for emissions, limits, dates, and durations, for each incident.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU. This occurred 5 times for a total duration of 4 hours and 56 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20% averaged over a 6-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)). (Section 4)

Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS). The FCC flare, a fuel-gas combustion device combusted fuel gas with a hydrogen sulfide (H2S) content exceeding 0.10 grain (gr) per dry standard cubic foot (dscf). The H2S content was 27.1 grs/dscf for a duration of 4 hours and 56 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No, 2501A & 2507A PA
Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas L.P. identify the authorized emissions limits for the facility involved in the emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A and 2507A PA
Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.648(c)
40 CFR Part 63, Subpart H 63.167[G]

Rqmt Prov: 2501A PERMIT
Description: Failure to equip three open-ended valves with a second valve, plug, cap or a blind. Those valves are in organic hazardous air pollutant (HAP) service because they contain or contact a fluid that is at least 5 percent by weight of total organic HAPs and subject to MACT regulations.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.355(1)

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.648(c)(1)
40 CFR Part 63, Subpart H 63.180(b)[G]

Rqmt Prov: 2501A PERMIT
Description: Failure to perform fugitive monitoring, at the FCC unit, in accordance with 40 CFR 60, Appendix A, Reference Method 21.

Classification: Minor

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

40 CFR Part 63, Subpart CC 63.654(d)(1)
40 CFR Part 63, Subpart H 63.182(d)[G]

Rqmt Prov: 2501A PERMIT
Description: Failure to report two leaking pumps as delay of repair components in the MACT Subpart CC semi-annual report dated January 27, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
Description: Failure to meet initial notification requirements that Valero Refining - Texas L.P. submit the initial notification as soon as practicable, but not later than 24 hours after the discovery of an emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failure to meet final record requirements that Valero Refining - Texas L.P. submit the final record as soon as practicable, but not later than two weeks after the end of an emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Permit Air Nos. 2501A and 2507A for the Fluid Catalytic Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.

Classification: Moderate

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per standard cubic foot of hydrogen sulfide at the FCC Flare (EPN 30 FL 5).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PERMIT
Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to FCC Flare (EPN 30 FL 5) instead of processing it in the sulfur recovery unit.

Classification: Moderate

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Moderate

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to submit authorization (rule or permit number) in the final record of emissions event that occurred on February 23, 2004.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 12, 2004 and lasted for five hours and ten minutes from the MEA Regenerator and the FCC Flare, EPN 30FL5.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 12, 2004.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 19, 2004 and lasted for one hour and 14 minutes from the MEA Regenerator and the FCC Flare and one hour and 28 minutes from the Sour Water Stripper, EPN 30FL5.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 19, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)
Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(5)
Description: Failure to submit the correct time for an excess opacity event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)

Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Moderate

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.
Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit Nos. 2501A and 2507A for the Fluidized Catalytic Cracking Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS) and TCEQ Air Permit No. 2501A by combusting fuel gas containing 27.1 grains per standard cubic foot of hydrogen sulfide at the FCC flare (EPN 30FL5). See additional discussion for fuel gas hydrogen sulfide limits.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to the FCC Flare (EPN 30FL5) instead of processing it in the sulfur recovery unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to correctly submit the final record by facility.

Classification: Minor

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

Description: The regulated entity failed to identify the common name of the facility experiencing the emissions event and the common emissions point name in the initial notifications.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common emissions point name in the final records.
Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for carbon monoxide, hydrogen sulfide, nitrogen oxides and sulfur dioxide.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of the air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification by not including a common name for the facility.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements by not including the common name of the facility.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC No. 2 PA
Description: The regulated entity exceeded the authorized opacity limit of 20 percent by more than the reportable quantity of 15 additional percentage points averaged over a six-minute period at the FCCU regenerator stack.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for sulfur dioxide and hydrogen sulfide.

Classification: Minor

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

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common name of the emissions point in the initial notifications.

Classification: Minor

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify the common name of the facility which incurred the emissions event in the final record.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condtion No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits and duration.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

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

Rqmt Prov: Special Conditions No. 4 E., 6 and 8 PERMIT
Description: Failure to equip an open ended valve in organic Hazardous Air Pollutants (HAP) service with a second valve, plug, cap or blind flange.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions No. 4E. and 6 PERMIT
Description: Failure to equip an open ended valve in VOC service with a second valve, plug, cap or blind flange.

Effective Date: 03/14/2004 ADMINORDER 2003-0519-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to comply with emission limits stated in the Air Permit No. 2501A, the Maximum Allowable Emission Rate Table (MAERT) at EPN 30FL5 on December 10, 2002 and February 10, 2003.

Classification: Moderate

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

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

Rqmt Prov: SC 1 PERMIT
Description: Failed to comply with emission limits stated in the Air Permit No. 2507A, the MAERT limits at EPN 30FL5 and EPN 46CB6301 on December 10, 2002 and February 10, 2003.

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 4 PERMIT
Description: Failure to route the refinery acid gas to the Sulfur Recovery Unit before emitting the gas from Flare EPN 30FL5 on December 10, 2002 and February 10, 2003.

Effective Date: 08/28/2006 ADMINORDER 2006-0532-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

Description: Valero failed to submit a separate report for each facility involved in the emissions event.

Classification: Moderate

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

Rqmt Prov: No. 2501A, Special Condition No. 1 PERMIT
No. 2507A, Special Condition No. 1 PERMIT

Description: Failure to prevent an unplanned boiler shutdown resulting in unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]

Description: Failure to comply with the emissions event reporting requirements.

Classification: Moderate

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

Rqmt Prov: No, 2507A Special Condition No. 1 PERMIT
No. 2501A Special Condition No. 1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failed to submit a notification for facility that experienced a reportable emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit 2501A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit 2501A, Special Condition 1 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A, SC6 PERMIT
Description: Failure to comply with TCEQ Air Permit No. 2507A, Special Condition No. 6.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT
Description: Failure to prevent the release of unauthorized emissions during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit 2501A, Special Condition 2 PERMIT
Description: Exceeded opacity limit during an avoidable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: failed to prevent unauthorized emissions

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to prevent emissions

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to prevent emissions event

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to submit emissions reports in a timely manner.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to comply with permitted limits

Classification: Moderate

Citation: 2A TWC Chapter 7, SubChapter A 7.051[G]
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to prevent nuisance conditions

Effective Date: 07/03/2003 ADMINORDER 2001-0852-AIR-E

Classification: Moderate

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

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

Rqmt Prov: SC 2 PERMIT
Description: Failure to limit visible emissions to 20% averaged over any six-minute period during soot blowing at the Fluidized Catalytic Cracking Unit's catalyst regenerator stack and vent, EPN 42CB2001 on 7/12/99, 6/15/00, and 1/1/01.

Classification: Moderate

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

Description: Failure to submit a notification for a reportable opacity upset that occurred on 7/12/99 at the FCCU catalyst regenerator stack.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to equip an external floating roof tank (90FB004) roof drain with a slotted membrane fabric that covers at least 90% of the drain opening.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)

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

Description: Failed to make a first attempt at repair within 5 calendar days of discovery of leaks for two valves in volatile organic compound service.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)

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

Description: Failed to monitor valves in HAP and light liquid service (Combination Crude Unit) at least quarterly or each calendar quarter using Method 21 in 40 CFR 60 Appendix A.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354[G]
30 TAC Chapter 115, SubChapter D 115.356(1)(D)

30 TAC Chapter 115, SubChapter D 115.357(1)

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

Description: Failed to record and maintain monitoring dates of components which contact a process fluid containing VOCs having a true vapor pressure equal or less than 0.44 psia at 68 degrees F that are inspected visually rather than with a hydrocarbon analyzer.

Classification: Moderate

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

Rqmt Prov: SC 10 PERMIT
Description: Failed to maintain a continuous emissions monitoring system to measure and record in-stack concentration of oxides of nitrogen and sulfer dioxide from the FCCU regenerator stack, EPN 42CB2001 during Sept, Oct, Nov 99 and June, July 2000.

Classification: Moderate

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

Rqmt Prov: SC2 PERMIT
Description: Failure to comply with permitted limit established in the MAERT for SO2 at the SRU Tail Gas Incinerator.

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

Conviction Date: 4/18/2005 12:00:00AM Type of Action: COURTORDER

Classification: Major

Rqmt Prov:

Citation: 2A TWC Chapter 7, SubChapter A 7.147[G]

Description: Unauthorized discharge of a pollutant.

C. Chronic excessive emissions events.

N/A

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

1	10/25/2002	(9350)
2	07/18/2003	(155887)
3	07/22/2002	(155886)
4	08/30/2002	(6762)
5	12/27/2002	(17852)
6	11/24/2003	(147980)
7	10/15/2002	(9157)
8	05/30/2003	(37977)
9	02/07/2003	(22590)
10	06/26/2003	(155883)
11	08/26/2003	(149864)
12	04/22/2003	(24982)
13	06/20/2002	(155882)
14	08/04/2003	(119955)
15	08/29/2003	(150288)
16	05/31/2006	(480495)
17	11/11/2004	(291133)
18	07/07/2003	(62086)
19	11/07/2006	(516134)
20	08/19/2003	(143885)
21	03/05/2003	(19917)
22	03/04/2004	(260962)
23	05/18/2004	(294506)
24	12/17/2002	(18292)
25	08/26/2004	(285903)
26	08/29/2003	(150294)
27	11/06/2006	(514699)
28	01/31/2005	(349063)
29	07/25/2006	(488197)
30	05/20/2003	(155879)
31	04/24/2006	(497980)
32	07/11/2006	(484212)
33	04/04/2006	(460600)
34	06/14/2004	(294508)
35	07/12/2006	(485707)
36	09/04/2003	(247684)
37	05/21/2002	(155878)
38	08/29/2003	(150286)
39	04/04/2006	(450259)
40	08/29/2003	(150300)
41	05/25/2006	(497981)
42	09/18/2003	(126946)
43	12/05/2003	(255456)

44	08/04/2003	(119954)
45	03/24/2006	(455235)
46	08/15/2003	(143026)
47	05/25/2006	(467406)
48	06/23/2006	(497982)
49	08/25/2003	(146803)
50	08/22/2003	(294511)
51	11/05/2003	(249523)
52	10/18/2004	(336800)
53	05/27/2004	(269564)
54	09/24/2004	(351786)
55	11/04/2004	(293252)
56	08/29/2003	(150290)
57	09/23/2003	(294513)
58	04/21/2003	(155875)
59	10/30/2003	(147976)
60	02/25/2006	(457037)
61	04/09/2003	(246481)
62	04/22/2002	(155874)
63	10/17/2003	(294515)
64	01/07/2002	(143888)
65	03/31/2003	(25810)
66	07/16/2004	(351787)
67	11/22/2004	(293279)
68	11/11/2004	(290143)
69	10/23/2006	(510591)
70	11/10/2006	(494149)
71	11/13/2003	(294516)
72	08/29/2003	(150287)
73	04/28/2004	(257215)
74	03/23/2004	(258540)
75	10/11/2004	(333468)
76	12/16/2003	(294517)
77	05/28/2004	(264798)
78	03/21/2003	(155870)
79	10/25/2006	(516346)
80	11/12/2004	(334809)
81	12/29/2004	(341784)
82	07/29/2004	(278713)
83	08/01/2005	(394168)
84	09/23/2003	(294518)
85	07/14/2003	(140758)
86	07/20/2006	(487229)
87	12/05/2003	(255457)
88	03/22/2002	(155869)
89	04/12/2004	(257214)
90	01/06/2005	(341788)
91	08/30/2004	(280526)
92	08/26/2004	(278395)
93	07/24/2006	(487951)
94	11/08/2006	(513557)
95	08/19/2004	(351788)
96	02/28/2006	(457238)
97	11/07/2003	(152532)
98	08/31/2004	(285881)
99	04/25/2006	(457910)
100	11/26/2002	(17092)
101	02/21/2003	(155867)
102	04/30/2003	(29974)
103	11/11/2004	(292771)
104	07/17/2006	(467191)
105	07/25/2003	(35349)
106	06/05/2006	(481197)

107	12/05/2003	(255459)
108	06/23/2004	(275361)
109	09/24/2004	(351789)
110	02/25/2002	(155866)
111	08/31/2004	(292423)
112	04/22/2005	(419479)
113	05/13/2005	(419480)
114	04/28/2004	(260954)
115	09/23/2004	(351790)
116	08/16/2004	(273862)
117	05/25/2006	(467410)
118	10/25/2004	(351791)
119	10/19/2004	(335816)
120	08/26/2003	(149666)
121	05/25/2005	(374927)
122	03/20/2003	(27376)
123	08/29/2003	(150295)
124	09/07/2006	(457421)
125	04/07/2004	(261524)
126	11/23/2004	(351792)
127	08/18/2003	(146444)
128	08/30/2005	(406150)
129	02/25/2004	(257948)
130	10/12/2006	(514788)
131	12/05/2003	(255460)
132	11/10/2006	(489514)
133	02/28/2006	(449951)
134	11/15/2002	(16232)
135	05/27/2004	(269566)
136	02/27/2006	(457158)
137	03/18/2005	(347744)
138	08/11/2003	(142966)
139	08/31/2005	(402136)
140	07/11/2006	(484217)
141	01/05/2005	(338615)
142	07/07/2003	(62111)
143	05/27/2004	(269560)
144	07/24/2006	(487838)
145	08/29/2003	(150298)
146	08/21/2006	(519997)
147	04/17/2006	(455285)
148	08/21/2006	(519998)
149	07/07/2004	(272779)
150	08/28/2003	(147452)
151	08/31/2005	(402447)
152	09/19/2006	(519999)
153	12/19/2002	(16306)
154	10/26/2004	(333660)
155	07/11/2006	(485431)
156	10/20/2006	(520000)
157	12/17/2002	(18243)
158	12/30/2004	(341786)
159	08/31/2005	(402449)
160	11/10/2006	(490256)
161	08/19/2005	(449391)
162	05/13/2004	(266477)
163	07/11/2006	(485211)
164	05/25/2006	(467411)
165	04/04/2006	(484501)
166	02/03/2005	(349551)
167	06/14/2004	(270852)
168	05/30/2003	(29605)
169	02/20/2003	(22703)

170	01/16/2003	(155909)
171	08/24/2006	(509977)
172	01/23/2002	(155908)
173	08/02/2004	(270510)
174	02/20/2003	(23695)
175	08/29/2003	(150291)
176	08/15/2003	(143867)
177	07/07/2003	(61454)
178	04/18/2005	(511002)
179	09/17/2003	(517131)
180	11/17/2004	(336148)
181	06/28/2005	(376330)
182	05/20/2004	(260968)
183	12/17/2002	(18617)
184	12/09/2002	(155905)
185	11/10/2006	(489909)
186	01/27/2006	(450186)
187	12/19/2001	(155904)
188	11/19/2004	(270763)
189	03/06/2006	(440402)
190	12/22/2003	(254339)
191	11/04/2004	(517133)
192	05/25/2006	(467413)
193	06/18/2003	(35482)
194	08/19/2003	(143927)
195	06/30/2006	(466897)
196	05/03/2002	(IE0001138007001
197	12/22/2004	(341311)
198	11/20/2003	(281094)
199	02/28/2006	(449830)
200	06/14/2004	(274705)
201	04/04/2006	(455290)
202	02/24/2006	(468110)
203	06/28/2005	(380360)
204	06/23/2005	(440631)
205	05/01/2006	(463424)
206	03/27/2006	(468111)
207	08/16/2004	(273873)
208	07/07/2003	(62089)
209	12/15/2003	(253102)
210	07/25/2005	(440632)
211	08/29/2003	(150297)
212	05/25/2006	(479192)
213	09/01/2005	(440633)
214	11/19/2002	(155900)
215	12/02/2005	(468112)
216	09/28/2005	(440634)
217	11/21/2006	(531593)
218	12/27/2005	(468113)
219	08/25/2003	(146710)
220	04/07/2004	(261175)
221	10/24/2005	(440635)
222	05/17/2006	(462752)
223	09/19/2005	(440636)
224	06/02/2006	(466664)
225	07/07/2003	(62098)
226	04/21/2003	(28674)
227	11/20/2003	(517135)
228	01/10/2006	(449982)
229	10/21/2002	(155896)
230	06/20/2006	(481339)
231	09/24/2003	(248196)
232	08/31/2004	(286662)

233	01/27/2006	(468114)
234	04/08/2005	(350433)
235	06/02/2006	(449745)
236	08/31/2004	(289712)
237	10/15/2004	(285900)
238	05/30/2006	(480185)
239	05/06/2004	(265188)
240	10/19/2004	(335907)
241	12/05/2003	(251452)
242	03/17/2006	(456074)
243	07/25/2003	(114197)
244	09/20/2002	(155893)
245	01/26/2004	(257136)
246	04/26/2005	(378333)
247	07/03/2003	(35450)
248	08/29/2003	(150299)
249	08/06/2003	(139366)
250	08/30/2005	(398453)
251	05/17/2006	(462534)
252	08/24/2005	(405569)
253	02/17/2004	(294501)
254	02/12/2004	(257706)
255	07/28/2005	(380007)
256	01/10/2005	(342683)
257	11/21/2002	(16529)
258	08/23/2002	(155890)
259	09/01/2006	(497507)
260	03/28/2005	(381681)
261	07/11/2006	(484218)
262	11/10/2006	(497338)
263	06/21/2004	(294503)
264	03/22/2005	(381682)
265	04/22/2004	(294504)
266	12/28/2004	(381683)
267	12/22/2004	(293301)
268	06/13/2006	(457562)
269	07/25/2003	(119402)

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

Date: 03/31/2004 (294504)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 12/17/2002 (18617)

Self Report? NO Classification: Minor

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

Description: Failure to include the authorized opacity limit in a notification of an excess opacity event.

Self Report? NO Classification: Moderate

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

Description: Failure to maintain opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) regenerator stack within the authorized limit of 20%, averaged over a six-minute period.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA IA

Description: Failure to maintain opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) regenerator stack within the authorized limit of 20%, averaged over a six-minute period.

Date: 05/19/2004 (260968)

Self Report? NO Classification: Moderate

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

Description: Failure to keep the allowed opacity of emissions from the Sulfur Recovery Unit Incinerator Stack (Emissions Point Number 46CB6301) from exceeding 20 percent averaged over a six-minute period. The opacity that exceeded the limit was 45% over a duration of 3 hours.

Date: 04/30/2004 (294506)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 03/31/2006 (497980)

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 (294508)

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: 04/09/2003 (246481)

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: 04/30/2006 (497981)

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: 05/31/2006 (497982)

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: 08/31/2005 (402449)

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)

Rqmt Prov: PERMIT IA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Date: 04/09/2004 (261524)

Self Report? NO Classification: Minor

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

Rqmt Prov: PA IA

Description: During the investigation conducted on January 27, 2004, it was determined that Valero Refining - Texas, L.P. failed to monitor monthly cooling tower water for Volatile Organic Compounds (VOC) with an approved air stripping system or equivalent for Cooling Tower Nos. 3 and 10 in April 2002 and September 2003.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)(B)

Description: During the investigation conducted on January 27, 2004, it was determined that Valero failed to maintain records that contained sufficient information to demonstrate compliance with all applicable PBR conditions for Cooling Tower

No. 3 for 30 TEX. ADMIN. CODE § 106.261(3), (4), (7), & (8), September 4, 2000.

Date: 09/30/2003 (294515)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 10/31/2003 (294516)

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: 02/28/2002 (155869)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 11/30/2003 (294517)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 12/31/2003 (294518)

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 (351787)

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: 02/24/2004 (257948)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)

Description: Failure to list all individual pollutants of emissions event dated October 9, 2003.

Self Report? NO Classification: Minor

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

Description: Failure to list the estimated total quantities for those compounds or mixtures involved in the emissions event dated October 9, 2003.

Self Report? NO Classification: Minor

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

Description: Failure to enter the final record (pollutants, amounts, updated cause and authorizations) of emissions event dated October 9, 2003 electronically.

Self Report? NO Classification: Moderate

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

Description: Failure to adhere to the permit representations. 100 lbs of carbon black particles were emitted to the atmosphere during this emissions event without obtaining a permit amendment when there was a change in the character of the emissions.

Date: 06/14/2004 (270852)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(8)(A)

Description: Failure to submit PI-7 Form required by 30 TAC 106.261in a timely basis.

Date: 10/16/2002 (9157)

Self Report? NO Classification: Moderate

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

Description: Failure to initially notify the City of Houston, Bureau of Air Quality Control of a reportable upset within 24 hours after the discovery of the upset.

Self Report? NO Classification: Moderate

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

Description: Exceeded the 20% opacity limit, averaged over six-minute periods.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA IA

Description: Exceeded the 20% opacity limit, averaged over six-minute periods.

Date: 10/12/2006 (514788)

Self Report? NO Classification: Moderate

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

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

Rqmt Prov: PERMIT IA

Description: Failure to prevent unauthorized emissions.

Date: 10/31/2004 (351792)

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: 07/31/2006 (519998)

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: 01/07/2002 (143888)

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 3rd progress report.

Date: 08/31/2006 (519999)

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: 08/31/2003 (294513)

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: 08/19/2005 (449391)

Self Report? NO Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 03/31/2004 (261175)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.454(3)(B)[G]

30 TAC Chapter 115, SubChapter E 115.412(1)(A)

Description: The RE failed to close the solvent cleaner cover when parts were not being handled.

Date: 08/31/2005 (402447)

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)

Rqmt Prov: PERMIT IA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Date: 02/28/2006 (468111)

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: 06/21/2006 (509977)

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT IA

Description: Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.

Date: 01/10/2006 (449982)

Self Report? NO Classification: Moderate

Citation: TWC Chapter 26 26.121(a)(1)

Description: Failure to prevent the unauthorized discharge of wastewater. Unauthorized discharges (UD) occurred on 12/15/05 from the aeration basin, temporary pump for the ditch leading to outfall 008, and cooling tower #3. In addition, two UDs were reported from cooling tower #10.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.4

Description: Failure to monitor for Carbonaceous Biochemical Oxygen Demand (CBOD) as required by the permit issued on August 25, 2005.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(e)

Description: Failure to complete the Discharge Monitoring Reports (DMR) correctly. Several effluent values and the frequency of analsysis were reported incorrectly on the DMRs in February 2005, March 2005, May 2005, June 2005, July 2005, August 2005, and September 2005. See attached Table 1.

Self Report? NO Classification: Minor

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

Description: Failure to calculate loading values correctly.

Date: 12/31/2005 (468114)

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: 08/31/2002 (155893)

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: 09/07/2006 (457421)

Self Report? NO Classification: Minor

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to cap open-ended valves or lines.

Self Report? NO Classification: Minor

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

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

Rqmt Prov: OP IA

Description: Failure to perform visible observations on stationary source engines 50GG1925 and 50GG1926.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(e)[G]

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

Description: Failure to submit the required semi-annual report for gas fired engines per 30 TAC 117.219(e).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

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

Rqmt Prov: OP IA

PA IA

Description: Failure to limit visible emissions to a rate of less than 5 minutes over 2 consecutive hours.

Self Report? NO Classification: Minor

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to repair leaking components within 15 days.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to continuously monitor for NOx and CO during the 2nd quarter of 2005.

Self Report? NO Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(2)

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

Rqmt Prov: OP IA

Description: Failure to operate 15 existing junction boxes with tight seals during the second

quarter of 2005.

Self Report? NO Classification: Minor

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(4)

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

Rqmt Prov: OP IA

Description: Failure to repair NSPS Subpart QQQ equipment within 15 days.

Self Report? NO Classification: Moderate

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

40 CFR Part 63, Subpart DDDDD 63.7505(e)

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

Rqmt Prov: OP IA

Description: Failure to develop a Startup, Shutdown and Malfunction Plan (SSMP) for boilers.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to meet the NSR Permit 10 ppmvd ammonia limit for Package Boiler #1.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.729(a)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

Description: Failure to establish the monitoring and testing parameters of 30 TAC Chapter 115.725(a)(2) by the compliance deadline of December 31, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.729(a)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

Description: Failure to establish the written quality assurance plan of 30 TAC Chapter 115.726(a)(1) by the compliance date of December 31, 2005.

Self Report? NO Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-3(a)(5)

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

Rqmt Prov: OP IA

Description: Failure to repair API Separator seal gaps within 15 days.

Self Report? NO Classification: Minor

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to cap open-ended valves or lines in HAP service.

Self Report? NO Classification: Minor

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

30 TAC Chapter 115, SubChapter H 115.783(5)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to cap open-ended valves and lines in HRVOC service.

Date: 07/31/2002 (155890)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 10/26/2004 (333660)

Self Report? NO Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(1)

Description: Failure to submit to the EPA administrator, a semi-annual report containing the all the information specified in paragraphs (d)(2), (d)(3), and (d)(4) of 40 CFR § 63.182.

F. Environmental audits.

N/A

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

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) — *PCW Revision November 17, 2006*

DATES					
Assigned	30-Oct-2006				
PCW	18-Dec-2006	Screening	14-Nov-2006	EPA Due	22-Jul-2007

RESPONDENT/FACILITY INFORMATION

Respondent	Valero Refining-Texas, L.P.		
Reg. Ent. Ref. No.	RN100219310		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	31965	No. of Violations	2
Docket No.	2006-2218-AIR-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Jessica Rhodes
Multi-Media		EC's Team	EnforcementTeam 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$15,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 246% Enhancement — *Subtotals 2, 3, & 7* **$36,900**

Notes: Penalty enhancement due to two 1660-style Agreed Orders, one Findings Order, one Court Order, nine NOVs for the same or similar violations, 28 NOVs for unrelated violations, and one criminal conviction.

Culpability — No — 0% Enhancement — *Subtotal 4* **$0**

Notes: 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 x)

Notes: The Respondent does not meet the good faith criteria.

0% Enhancement* — *Subtotal 6* **$0**

**Capped at the Total EB $ Amount*

Total EB Amounts	$175
Approx. Cost of Compliance	$6,000

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$51,900**

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 **$51,900**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$20,000**

DEFERRAL — 0% Reduction — *Adjustment* **$0**

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **$20,000**

EXHIBIT

tabbies

PCW-3

Screening Date	14-Nov-2006	**Docket No.** 2006-2218-AIR-E	**PCW**
Respondent	Valero Refining-Texas, L.P.		*Policy Revision 2 (September 2002)*
Case ID No.	31965		*PCW Revision November 17, 2006*
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Air Quality		
Enf. Coordinator	Jessica Rhodes		

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	*Enter Number Here*	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	9	45%
	Other written NOVs	28	56%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	2	40%
	Any adjudicated final enforcement orders; agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	1	50%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 246%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to two 1660-style Agreed Orders, one Findings Order, one Court Order, nine NOVs for the same or similar violations, 28 NOVs for unrelated violations, and one criminal conviction.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 246%

Screening Date 14-Nov-2006 **Docket No.** 2006-2218-AIR-E **PCW**

Respondent Valero Refining-Texas, L.P.

Policy Revision 2 (September 2002)

Case ID No. 31965

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN100219310

Media [Statute] Air Quality

Enf. Coordinator Jessica Rhodes

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Permit No. 2501A, Special Condition 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, an emissions event occured on September 9, 2006 when a crane contacted a power line and caused a power failure. Over a period of 2 hours and 31 minutes, the FCC Flare (EPN 30FL5) and the Derrick Flare (EPN 30FL1) located within the Combination Crude (Combo) Area and Sulfur Recovery Unit (SRU), emitted 6,466 pounds (lbs) of sulfur dioxide (SO_2), 69 lbs of carbon monoxide (CO), 70 lbs of hydrogen sulfide (H_2S), 10 lbs of nitrogen oxides (NO_x), and 96 lbs of volatile organic compounds (VOC). Permit No. 2501A allows 21.2 pounds per hour (lb/hr) of SO_2, 26.8 lb/hr of CO, 0.2 lb/hr of H_2S, 3.7 lb/hr of NO_x, and 74.8 lb/hr of VOC. Since this emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense as described in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to significant amounts of hazardous air pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $5,000

One single event is reccommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $32

Statutory Limit Test

Violation Final Penalty Total $17,300

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

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P.
Case ID No. 31965
Reg. Ent. Reference No. RN100219310
Media Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	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	$1,000	9-Sep-2006	1-May-2007	0.6	$32	n/a	$32
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: Cost to establish and design procedures to prevent future contact between power lines and heavy machinery. Date Required is based on the date of the emissions event and Final Date is the estimated date of compliance.

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $1,000

TOTAL: $32

Screening Date	14-Nov-2006	**Docket No.** 2006-2218-AIR-E	**PCW**
Respondent	Valero Refining-Texas, L.P.		*Policy Revision 2 (September 2002)*
Case ID No.	31965		*PCW Revision November 17, 2006*
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Air Quality		
Enf. Coordinator	Jessica Rhodes		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 112.3(b), Permit No. 2501A, Special Condition 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions and maintain SO_2 net ground level concentrations below 0.28 part per million volume (ppmv) over a 30-minute period. Specifically, an emissions event occured on October 4, 2006 when isobutane was inadvertently introduced into Storage Tank No. 748 (EPN 22FB748) as the tank was being filled with spent sulfuric acid from the Alkylation Unit. Over a period of 30 minutes, 4,800 lbs of Isobutane and 674 lbs of SO_2 were emitted from Tank No. 748's relief hatch. Permit No. 2501A allows 6.4 lb/hr of VOC emissions. Valero recorded surrounding area SO_2 ground level concentrations at 10 ppmv, 28 ppmv, 38 ppmv, and 62 ppmv. Since this emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense as described in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to significant amounts of air pollutants which exceeded levels protective of human health or environmental receptors as a result of the violation. Valero stated that 109 personnel were treated as a result of this incident.

Adjustment $0

$10,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $10,000

One single event is reccommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $143

Statutory Limit Test

Violation Final Penalty Total $34,600

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

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P.
Case ID No. 31965
Reg. Ent. Reference No. RN100219310
Media Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	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)	$5,000	4-Oct-2006	1-May-2007	0.6	$143	n/a	$143
Notes for DELAYED costs	Cost to establish and design and implement procedures to prevent the introduction of hydrocarbons into tanks during spent sulfuric acid transfer. Date Required is based on the date of the emissions event and Final Date is the estimated date of compliance.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance: $5,000

TOTAL: $143

Compliance History

Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 8.48
Regulated Entity:	RN100219310	VALERO REFINING HOUSTON REFINERY	Classification: AVERAGE	Site Rating: 36.95

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0130C
AIR OPERATING PERMITS	PERMIT	1381
AIR OPERATING PERMITS	PERMIT	1381
AIR NEW SOURCE PERMITS	PERMIT	36395
AIR NEW SOURCE PERMITS	PERMIT	36394
AIR NEW SOURCE PERMITS	PERMIT	36392
AIR NEW SOURCE PERMITS	PERMIT	37103
AIR NEW SOURCE PERMITS	PERMIT	37102
AIR NEW SOURCE PERMITS	PERMIT	37101
AIR NEW SOURCE PERMITS	PERMIT	37694
AIR NEW SOURCE PERMITS	PERMIT	38961
AIR NEW SOURCE PERMITS	PERMIT	40306
AIR NEW SOURCE PERMITS	PERMIT	41495
AIR NEW SOURCE PERMITS	PERMIT	42119
AIR NEW SOURCE PERMITS	PERMIT	42999
AIR NEW SOURCE PERMITS	PERMIT	44387
AIR NEW SOURCE PERMITS	PERMIT	45273
AIR NEW SOURCE PERMITS	PERMIT	45869
AIR NEW SOURCE PERMITS	PERMIT	46784
AIR NEW SOURCE PERMITS	PERMIT	47004
AIR NEW SOURCE PERMITS	PERMIT	47166
AIR NEW SOURCE PERMITS	PERMIT	48166
AIR NEW SOURCE PERMITS	PERMIT	50138
AIR NEW SOURCE PERMITS	PERMIT	50232
AIR NEW SOURCE PERMITS	PERMIT	8483A
AIR NEW SOURCE PERMITS	PERMIT	2501A
AIR NEW SOURCE PERMITS	PERMIT	7144A
AIR NEW SOURCE PERMITS	PERMIT	7158A
AIR NEW SOURCE PERMITS	PERMIT	8092A
AIR NEW SOURCE PERMITS	PERMIT	33933
AIR NEW SOURCE PERMITS	PERMIT	34151
AIR NEW SOURCE PERMITS	PERMIT	34119
AIR NEW SOURCE PERMITS	PERMIT	34094
AIR NEW SOURCE PERMITS	PERMIT	33180
AIR NEW SOURCE PERMITS	PERMIT	33383
AIR NEW SOURCE PERMITS	PERMIT	28324
AIR NEW SOURCE PERMITS	PERMIT	19637
AIR NEW SOURCE PERMITS	PERMIT	19294
AIR NEW SOURCE PERMITS	PERMIT	10580A
AIR NEW SOURCE PERMITS	PERMIT	2507A
AIR NEW SOURCE PERMITS	PERMIT	2498A
AIR NEW SOURCE PERMITS	PERMIT	10471A
AIR NEW SOURCE PERMITS	PERMIT	13020A
AIR NEW SOURCE PERMITS	PERMIT	36390
AIR NEW SOURCE PERMITS	PERMIT	35206
AIR NEW SOURCE PERMITS	PERMIT	71919
AIR NEW SOURCE PERMITS	REGISTRATION	55752
AIR NEW SOURCE PERMITS	PERMIT	48982
AIR NEW SOURCE PERMITS	REGISTRATION	75514
AIR NEW SOURCE PERMITS	AFS NUM	0065
AIR NEW SOURCE PERMITS	PERMIT	70289
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0130C
AIR NEW SOURCE PERMITS	PERMIT	71281
AIR NEW SOURCE PERMITS	REGISTRATION	71680
AIR NEW SOURCE PERMITS	PERMIT	54616
AIR NEW SOURCE PERMITS	PERMIT	54513
AIR NEW SOURCE PERMITS	PERMIT	56205
AIR NEW SOURCE PERMITS	PERMIT	50600
AIR NEW SOURCE PERMITS	PERMIT	54510
AIR NEW SOURCE PERMITS	REGISTRATION	73824
AIR NEW SOURCE PERMITS	REGISTRATION	73869
AIR NEW SOURCE PERMITS	REGISTRATION	73902
AIR NEW SOURCE PERMITS	REGISTRATION	74363
AIR NEW SOURCE PERMITS	REGISTRATION	76694
AIR NEW SOURCE PERMITS	REGISTRATION	78537
AIR NEW SOURCE PERMITS	REGISTRATION	78574
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD053624193
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION #	30520

EXHIBIT

tabbies

CH-3

GENERATION	(SWR)	
WASTEWATER	PERMIT	WQ0000535000
WASTEWATER	PERMIT	TPDES0002976
WASTEWATER	PERMIT	TX0002976
STORMWATER	PERMIT	TXR05K869
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30520

Location: 9701 MANCHESTER ST, HOUSTON, TX, 77012 Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: December 12, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 11, 2001 to December 11, 2006

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

Name: John Barry Phone: (409) 899-8781

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.

ORDER Effective Date: 11/23/2005 COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]
Rqmt Prov: 2501A PA
Description: Failure to comply with the allowable emission limit (SC1) detected during a reference method stack test performed on March 13, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 19637/PSD-TX-767M2, Special Condition 4 PA
Description: Failure to maintain the refinery-gas sulfur content to below the permit allowable limit of 10 grains per 100 dry standard cubic foot.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 2498A, Special Condition 4 PA
Description: Failure to comply with the permitted fuel-gas sulfur content limit of 0.1 grain per dry standard cubic foot as required in TCEQ Permit No. 2498A, Special Condition 4.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206[G]
Description: Failure to comply with the operating restrictions for stationary diesel engines located in the Houston/Galveston ozone nonattaiment area by operating the firewater pumps for testing and maintenance purposes between the restricted hours of 6:00 a.m. and noon.

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)
Description: Failure to include the date(s) of operation and the total hours of operation for each month and for the most recent 12 consecutive months, in the operating records for the firewater pumps.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Rqmt Prov: Special Condition 2 PERMIT
Description: Failure to maintain the fuel-gas hydrogen sulfide content to below the allowable limit of 0.10 grain per dry standard cubic foot.

Classification: Moderate

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)

Description: The open-ended valves next to components 42154, 42115, and 4290 had no cap, blind flange, or second valve and the open-ended line between valve 42101 and 4299 was unsealed.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Part 63, Subpart CC 63.654(h)(1)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include in the August 27, 2002 and February 26, 2003 Refinery MACT Periodic Reports for the Startup, Shutdown and Malfunction Plan, all flare pilot light outages.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(i)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include all valves for which there were leaks and the total valves monitored in the periodic report required by 30 TEX. ADMIN. CODE § 101.20(2), 40 CFR § 63.182(d)(2)(i).

Classification: Moderate

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

Rqmt Prov: Special Condition 4J PERMIT
Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to make records of gas/hydraulic testing on new/reworked piping available upon request to a local air pollution control agency having jurisdiction over the site.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the authorized emissions limitations of 74.8 lbs/hr for volatile organic compounds (VOC), 3.7 lbs/hr for oxides of nitrogen (NOx), and 26.8 lbs/hr for carbon monoxide (CO).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)

Description: Failure to install a continuous monitoring system to measure and record sulfur dioxide emissions from a fuel-gas combustion device.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the authorized emissions limitations of 1.36 lbs/hr for volatile organic compounds (VOC), 0.26 lbs/hr for oxides of nitrogen (NOx), and 1.34 lbs/hr for carbon monoxide (CO).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(B)
Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fludized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking

Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT
Description: Failure to comply with the allowable emission limit detected during a reference method stack test.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:18 a.m. was 45.76%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 10:06 a.m. was 46.03%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 p.m. was 40.15%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 7:06 p.m. was 63.5%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 8:36 p.m. was 42.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic

Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 9:30 p.m. was 53.8%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 11:48 a.m. was 41.3%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 2:30 p.m. was 39.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 5:54 p.m. was 38.65%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 a.m. was 72.72%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 1:12 p.m. was 100%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to prevent more than 20% opacity of emissions, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 [30 TEX. ADMIN. CODE Chapter 116.5(c)].

Classification: Minor

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

Rqmt Prov: 1 PERMIT
Description: Violation of permit special condition.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all acid gas shall be routed to the SRU.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to report the correct facility in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to report the correct facility in the final record.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to report the correct facility in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)[G]
Description: Failure to submit an opacity event notification in a timely manner after an initial maintenance notification's opacity estimate was exceeded.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
Description: Failure to submit an initial notification with the proper authorized emissions limitations.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to indicate the proper authorized limits for the emissions event in the final records submitted to the BAQC.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to list the correct facility for each pollutant released during this emissions event in the initial notification.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to list the proper facility in the final record from which each pollutant originated.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(6)
Description: Failure to have the duration for the excess opacity event in the notification. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(6).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(7)
Description: Failure to submit the correct opacity estimate in the submittal of an excess opacity event. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(7).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A & 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A. For the FCC flare see additional discussion for emissions, limits, dates, and durations, for each incident.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU. This occurred 5 times for a total duration of 4 hours and 56 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20% averaged over a 6-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)). (Section 4)
Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS). The FCC flare, a fuel-gas combustion device combusted fuel gas with a hydrogen sulfide (H2S) content exceeding 0.10 grain (gr) per dry standard cubic foot (dscf). The H2S content was 27.1 grs/dscf for a duration of 4 hours and 56 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No, 2501A & 2507A PA
Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas L.P. identify the authorized emissions limits for the facility involved in the emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A and 2507A PA
Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: 40 CFR 60.104(a)(1) PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Part 63, Subpart CC 63.648(c)

40 CFR Part 63, Subpart H 63.167[G]

Rqmt Prov: 2501A PERMIT
Description: Failure to equip three open-ended valves with a second valve, plug, cap or a blind. Those valves are in organic hazardous air pollutant (HAP) service because they contain or contact a fluid that is

at least 5 percent by weight of total organic HAPs and subject to MACT regulations.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.355(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Part 63, Subpart CC 63.648(c)(1)

40 CFR Part 63, Subpart H 63.180(b)[G]

Rqmt Prov: 2501A PERMIT
Description: Failure to perform fugitive monitoring, at the FCC unit, in accordance with 40 CFR 60, Appendix A, Reference Method 21.

Classification: Minor

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

40 CFR Part 63, Subpart CC 63.654(d)(1)

40 CFR Part 63, Subpart H 63.182(d)[G]

Rqmt Prov: 2501A PERMIT
Description: Failure to report two leaking pumps as delay of repair components in the MACT Subpart CC semi-annual report dated January 27, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
Description: Failure to meet initial notification requirements that Valero Refining - Texas L.P. submit the initial notification as soon as practicable, but not later than 24 hours after the discovery of an emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failure to meet final record requirements that Valero Refining - Texas L.P. submit the final record as soon as practicable, but not later than two weeks after the end of an emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Permit Air Nos. 2501A and 2507A for the Fluid Catalytic Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.
Classification: Moderate

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel

gas containing over 0.1 grains per standard cubic foot of hydrogen sulfide at the FCC Flare (EPN 30 FL 5).

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PERMIT
Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to FCC Flare (EPN 30 FL 5) instead of processing it in the sulfur recovery unit.

Classification: Moderate

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Moderate

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to submit authorization (rule or permit number) in the final record of emissions event that occurred on February 23, 2004.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 12, 2004 and lasted for five hours and ten minutes from the MEA Regenerator and the FCC Flare, EPN 30FL5.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 12, 2004.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 19, 2004 and lasted for one hour and 14 minutes from the MEA Regenerator and the FCC Flare and one hour and 28 minutes from the Sour Water Stripper,

EPN 30FL5.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 19, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)
Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(5)
Description: Failure to submit the correct time for an excess opacity event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)
Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Moderate

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

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.
Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit Nos. 2501A and 2507A for the Fluidized Catalytic Cracking Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.
Classification: Minor

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to comply with applicable New Source Performance Standards (NSPS) and TCEQ Air Permit No. 2501A by combusting fuel gas containing 27.1 grains per standard cubic foot of hydrogen sulfide at the FCC flare (EPN 30FL5). See additional discussion for fuel gas hydrogen sulfide limits.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to the FCC Flare (EPN 30FL5) instead of processing it in the sulfur recovery unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to correctly submit the final record by facility.

Classification: Minor

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

Description: The regulated entity failed to identify the common name of the facility experiencing the emissions event and the common emissions point name in the initial notifications.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common emissions point name in the final records.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for carbon monoxide, hydrogen sulfide, nitrogen oxides and sulfur dioxide.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA
Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of the air contaminants. See additional discussion for emissions, limits, and duration.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
Description: Failure to meet the initial notification by not including a common name for the facility.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to meet the final reporting requirements by not including the common name of the facility.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor

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

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

Rqmt Prov: SC No. 2 PA
Description: The regulated entity exceeded the authorized opacity limit of 20 percent by more than the reportable quantity of 15 additional percentage points averaged over a six-minute period at the FCCU regenerator stack.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for sulfur dioxide and hydrogen sulfide.
Classification: Minor

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

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common name of the emissions point in the initial notifications.
Classification: Minor

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify the common name of the facility which incurred the emissions event in the final record.
Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 2 PERMIT
Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate

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

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

Rqmt Prov: Special Condtion No. 2 PERMIT
Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 2 PERMIT
Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits and duration.
Classification: Moderate

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

30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions No. 4 E., 6 and 8 PERMIT
Description: Failure to equip an open ended valve in organic Hazardous Air Pollutants (HAP) service with

a second valve, plug, cap or blind flange.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions No. 4E. and 6 PERMIT
Description: Failure to equip an open ended valve in VOC service with a second valve, plug, cap or blind flange.

1660 Effective Date: 03/14/2004 ADMINORDER 2003-0519-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to comply with emission limits stated in the Air Permit No. 2501A, the Maximum Allowable Emission Rate Table (MAERT) at EPN 30FL5 on December 10, 2002 and February 10, 2003.

Classification: Moderate

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

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

Rqmt Prov: SC 1 PERMIT
Description: Failed to comply with emission limits stated in the Air Permit No. 2507A, the MAERT limits at EPN 30FL5 and EPN 46CB6301 on December 10, 2002 and February 10, 2003.

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 4 PERMIT
Description: Failure to route the refinery acid gas to the Sulfur Recovery Unit before emitting the gas from Flare EPN 30FL5 on December 10, 2002 and February 10, 2003.

FINDINGS Effective Date: 08/28/2006 ADMINORDER 2006-0532-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

Description: Valero failed to submit a separate report for each facility involved in the emissions event.
Classification: Moderate

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

Rqmt Prov: No. 2501A, Special Condition No. 1 PERMIT
No. 2507A, Special Condition No. 1 PERMIT

Description: Failure to prevent an unplanned boiler shutdown resulting in unauthorized emissions.
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]

Description: Failure to comply with the emissions event reporting requirements.
Classification: Moderate

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

Rqmt Prov: No, 2507A Special Condition No. 1 PERMIT
No. 2501A Special Condition No. 1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions.
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failed to submit a notification for facility that experienced a reportable emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit 2501A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.
Classification: Moderate

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

Rqmt Prov: TCEQ Permit 2501A, Special Condition 1 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2507A, SC6 PERMIT
Description: Failure to comply with TCEQ Air Permit No. 2507A, Special Condition No. 6.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT
Description: Failure to prevent the release of unauthorized emissions during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit 2501A, Special Condition 2 PERMIT
Description: Exceeded opacity limit during an avoidable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: failed to prevent unauthorized emissions

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to prevent emissions

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to prevent emissions event

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to submit emissions reports in a timely manner.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failed to comply with permitted limits

Classification: Moderate

Citation: 2A TWC Chapter 7, SubChapter A 7.051[G]
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to prevent nuisance conditions

1660 Effective Date: 07/03/2003 ADMINORDER 2001-0852-AIR-E

Classification: Moderate

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

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

Rqmt Prov: SC 2 PERMIT
Description: Failure to limit visible emissions to 20% averaged over any six-minute period during soot blowing at the Fluidized Catalytic Cracking Unit's catalyst regenerator stack and vent, EPN 42CB2001 on 7/12/99, 6/15/00, and 1/1/01.

Classification: Moderate

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

Description: Failure to submit a notification for a reportable opacity upset that occurred on 7/12/99 at the FCCU catalyst regenerator stack.
Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to equip an external floating roof tank (90FB004) roof drain with a slotted membrane fabric that covers at least 90% of the drain opening.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(2)

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

Description: Failed to make a first attempt at repair within 5 calendar days of discovery of leaks for two valves in volatile organic compound service.
Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor valves in HAP and light liquid service (Combination Crude Unit) at least quarterly or each calendar quarter using Method 21 in 40 CFR 60 Appendix A.
Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354[G]
30 TAC Chapter 115, SubChapter D 115.356(1)(D)

30 TAC Chapter 115, SubChapter D 115.357(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to record and maintain monitoring dates of components which contact a process fluid containing VOCs having a true vapor pressure equal or less than 0.44 psia at 68 degrees F that are inspected visually rather than with a hydrocarbon analyzer.
Classification: Moderate

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

Rqmt Prov: SC 10 PERMIT
Description: Failed to maintain a continuous emissions monitoring system to measure and record in-stack concentration of oxides of nitrogen and sulfer dioxide from the FCCU regenerator stack, EPN 42CB2001 during Sept, Oct, Nov 99 and June, July 2000.

Classification: Moderate

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

Rqmt Prov: SC2 PERMIT

Description: Failure to comply with permitted limit established in the MAERT for SO2 at the SRU Tail Gas Incinerator.

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

Conviction Date: 4/18/2005 12:00:00AM Type of Action: COURTORDER

Classification: Major

Rqmt Prov:

Citation: 2A TWC Chapter 7, SubChapter A 7.147[G]

Description: Unauthorized discharge of a pollutant.

C. Chronic excessive emissions events.

N/A

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

1	10/25/2002	(9350)
2	07/18/2003	(155887)
3	07/22/2002	(155886)
4	08/30/2002	(6762)
5	12/27/2002	(17852)
6	11/24/2003	(147980)
7	10/15/2002	(9157)
8	05/30/2003	(37977)
9	02/07/2003	(22590)
10	06/26/2003	(155883)
11	08/26/2003	(149864)
12	04/22/2003	(24982)
13	06/20/2002	(155882)
14	08/04/2003	(119955)
15	08/29/2003	(150288)
16	05/31/2006	(480495)
17	11/11/2004	(291133)
18	07/07/2003	(62086)
19	11/07/2006	(516134)
20	08/19/2003	(143885)
21	03/05/2003	(19917)
22	03/04/2004	(260962)
23	05/18/2004	(294506)
24	12/17/2002	(18292)
25	08/26/2004	(285903)
26	08/29/2003	(150294)
27	11/06/2006	(514699)
28	01/31/2005	(349063)
29	07/25/2006	(488197)
30	05/20/2003	(155879)
31	04/24/2006	(497980)
32	07/11/2006	(484212)
33	04/04/2006	(460600)
34	06/14/2004	(294508)
35	07/12/2006	(485707)
36	09/04/2003	(247684)
37	05/21/2002	(155878)
38	08/29/2003	(150286)
39	04/04/2006	(450259)
40	08/29/2003	(150300)
41	05/25/2006	(497981)
42	09/18/2003	(126946)
43	12/05/2003	(255456)
44	08/04/2003	(119954)
45	03/24/2006	(455235)
46	08/15/2003	(143026)
47	05/25/2006	(467406)
48	06/23/2006	(497982)
49	08/25/2003	(146803)
50	08/22/2003	(294511)
51	11/05/2003	(249523)
52	10/18/2004	(336800)
53	05/27/2004	(269564)
54	09/24/2004	(351786)
55	11/04/2004	(293252)
56	08/29/2003	(150290)

57	09/23/2003	(294513)
58	04/21/2003	(155875)
59	10/30/2003	(147976)
60	02/25/2006	(457037)
61	04/09/2003	(246481)
62	04/22/2002	(155874)
63	10/17/2003	(294515)
64	01/07/2002	(143888)
65	03/31/2003	(25810)
66	07/16/2004	(351787)
67	11/22/2004	(293279)
68	11/11/2004	(290143)
69	10/23/2006	(510591)
70	11/10/2006	(494149)
71	11/13/2003	(294516)
72	08/29/2003	(150287)
73	04/28/2004	(257215)
74	03/23/2004	(258540)
75	10/11/2004	(333468)
76	12/16/2003	(294517)
77	05/28/2004	(264798)
78	03/21/2003	(155870)
79	10/25/2006	(516346)
80	11/12/2004	(334809)
81	12/29/2004	(341784)
82	07/29/2004	(278713)
83	08/01/2005	(394168)
84	09/23/2003	(294518)
85	07/14/2003	(140758)
86	07/20/2006	(487229)
87	12/05/2003	(255457)
88	03/22/2002	(155869)
89	04/12/2004	(257214)
90	01/06/2005	(341788)
91	08/30/2004	(280526)
92	08/26/2004	(278395)
93	07/24/2006	(487951)
94	11/08/2006	(513557)
95	08/19/2004	(351788)
96	02/28/2006	(457238)
97	11/07/2003	(152532)
98	08/31/2004	(285881)
99	04/25/2006	(457910)
100	11/26/2002	(17092)
101	02/21/2003	(155867)
102	04/30/2003	(29974)
103	11/11/2004	(292771)
104	07/17/2006	(467191)
105	07/25/2003	(35349)
106	06/05/2006	(481197)
107	12/05/2003	(255459)
108	06/23/2004	(275361)
109	09/24/2004	(351789)
110	02/25/2002	(155866)
111	08/31/2004	(292423)
112	04/22/2005	(419479)
113	05/13/2005	(419480)
114	04/28/2004	(260954)
115	09/23/2004	(351790)
116	08/16/2004	(273862)
117	05/25/2006	(467410)
118	10/25/2004	(351791)
119	10/19/2004	(335816)
120	08/26/2003	(149666)
121	05/25/2005	(374927)
122	12/07/2006	(532001)
123	03/20/2003	(27376)
124	08/29/2003	(150295)
125	09/07/2006	(457421)
126	04/07/2004	(261524)
127	11/23/2004	(351792)
128	08/18/2003	(146444)
129	08/30/2005	(406150)

130	02/25/2004	(257948)
131	10/12/2006	(514788)
132	12/05/2003	(255460)
133	11/10/2006	(489514)
134	02/28/2006	(449951)
135	11/15/2002	(16232)
136	05/27/2004	(269566)
137	02/27/2006	(457158)
138	03/18/2005	(347744)
139	08/11/2003	(142966)
140	08/31/2005	(402136)
141	07/11/2006	(484217)
142	01/05/2005	(338615)
143	12/04/2006	(531849)
144	07/07/2003	(62111)
145	05/27/2004	(269560)
146	07/24/2006	(487838)
147	08/29/2003	(150298)
148	08/21/2006	(519997)
149	04/17/2006	(455285)
150	08/21/2006	(519998)
151	07/07/2004	(272779)
152	08/28/2003	(147452)
153	08/31/2005	(402447)
154	09/19/2006	(519999)
155	12/19/2002	(16306)
156	10/26/2004	(333660)
157	07/11/2006	(485431)
158	10/20/2006	(520000)
159	12/17/2002	(18243)
160	12/30/2004	(341786)
161	08/31/2005	(402449)
162	11/10/2006	(490256)
163	08/19/2005	(449391)
164	05/13/2004	(266477)
165	07/11/2006	(485211)
166	05/25/2006	(467411)
167	04/04/2006	(484501)
168	02/03/2005	(349551)
169	06/14/2004	(270852)
170	05/30/2003	(29605)
171	02/20/2003	(22703)
172	01/16/2003	(155909)
173	08/24/2006	(509977)
174	01/23/2002	(155908)
175	08/02/2004	(270510)
176	02/20/2003	(23695)
177	08/29/2003	(150291)
178	08/15/2003	(143867)
179	07/07/2003	(61454)
180	04/18/2005	(511002)
181	09/17/2003	(517131)
182	11/17/2004	(336148)
183	06/28/2005	(376330)
184	05/20/2004	(260968)
185	12/17/2002	(18617)
186	12/09/2002	(155905)
187	11/10/2006	(489909)
188	01/27/2006	(450186)
189	12/19/2001	(155904)
190	11/19/2004	(270763)
191	03/06/2006	(440402)
192	12/22/2003	(254339)
193	11/04/2004	(517133)
194	05/25/2006	(467413)
195	06/18/2003	(35482)
196	08/19/2003	(143927)
197	06/30/2006	(466897)
198	05/03/2002	(IE0001138007001)
199	12/22/2004	(341311)
200	11/20/2003	(281094)
201	02/28/2006	(449830)
202	06/14/2004	(274705)

203	04/04/2006	(455290)
204	02/24/2006	(468110)
205	06/28/2005	(380360)
206	06/23/2005	(440631)
207	05/01/2006	(463424)
208	03/27/2006	(468111)
209	08/16/2004	(273873)
210	07/07/2003	(62089)
211	12/15/2003	(253102)
212	07/25/2005	(440632)
213	08/29/2003	(150297)
214	05/25/2006	(479192)
215	09/01/2005	(440633)
216	11/19/2002	(155900)
217	12/02/2005	(468112)
218	09/28/2005	(440634)
219	11/21/2006	(531593)
220	12/27/2005	(468113)
221	08/25/2003	(146710)
222	04/07/2004	(261175)
223	10/24/2005	(440635)
224	05/17/2006	(462752)
225	09/19/2005	(440636)
226	06/02/2006	(466664)
227	07/07/2003	(62098)
228	04/21/2003	(28674)
229	11/20/2003	(517135)
230	12/07/2006	(533208)
231	01/10/2006	(449982)
232	10/21/2002	(155896)
233	06/20/2006	(481339)
234	09/24/2003	(248196)
235	08/31/2004	(286662)
236	01/27/2006	(468114)
237	04/08/2005	(350433)
238	06/02/2006	(449745)
239	08/31/2004	(289712)
240	10/15/2004	(285900)
241	05/30/2006	(480185)
242	05/06/2004	(265188)
243	10/19/2004	(335907)
244	12/05/2003	(251452)
245	03/17/2006	(456074)
246	07/25/2003	(114197)
247	09/20/2002	(155893)
248	01/26/2004	(257136)
249	04/26/2005	(378333)
250	07/03/2003	(35450)
251	08/29/2003	(150299)
252	08/06/2003	(139366)
253	08/30/2005	(398453)
254	05/17/2006	(462534)
255	08/24/2005	(405569)
256	02/17/2004	(294501)
257	02/12/2004	(257706)
258	07/28/2005	(380007)
259	01/10/2005	(342683)
260	11/21/2002	(16529)
261	08/23/2002	(155890)
262	09/01/2006	(497507)
263	03/28/2005	(381681)
264	07/11/2006	(484218)
265	11/10/2006	(497338)
266	06/21/2004	(294503)
267	03/22/2005	(381682)
268	04/22/2004	(294504)
269	12/28/2004	(381683)
270	12/22/2004	(293301)
271	06/13/2006	(457562)
272	07/25/2003	(119402)

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

N/A

Date: 03/31/2004 (294504)

DMR 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

SS Date: 12/17/2002 (18617)

Self Report? NO Classification: Minor

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

Description: Failure to include the authorized opacity limit in a notification of an excess opacity event.

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)

Rqmt Prov: PA IA

Description: Failure to maintain opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) regenerator stack within the authorized limit of 20%, averaged over a six-minute period.

SS Date: 05/19/2004 (260968)

Self Report? NO Classification: Moderate

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

Description: Failure to keep the allowed opacity of emissions from the Sulfur Recovery Unit Incinerator Stack (Emissions Point Number 46CB6301) from exceeding 20

percent averaged over a six-minute period. The opacity that exceeded the limit was 45% over a duration of 3 hours.

Date: 04/30/2004 (294506)

DMR Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 03/31/2006 (497980)

DMR 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

DMR Date: 05/31/2004 (294508)

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

NS Date: 04/09/2003 (246481)

Self Report? NO Classification: Moderate

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

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

DMR Date: 04/30/2006 (497981)

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

DMR Date: 05/31/2006 (497982)

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

SS Date: 08/31/2005 (402449)

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)

Rqmt Prov: PERMIT IA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

NS Date: 04/09/2004 (261524)

Self Report? NO Classification: Minor

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

Rqmt Prov: PA IA

Description: During the investigation conducted on January 27, 2004, it was determined that Valero Refining - Texas, L.P. failed to monitor monthly cooling tower water for Volatile Organic Compounds (VOC) with an approved air stripping system or equivalent for Cooling Tower Nos. 3 and 10 in April 2002 and September 2003.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)(B)

Description: During the investigation conducted on January 27, 2004, it was determined that Valero failed to maintain records that contained sufficient information to demonstrate compliance with all applicable PBR conditions for Cooling Tower No. 3 for 30 TEX. ADMIN. CODE § 106.261(3), (4), (7), & (8), September 4, 2000.

DMR Date: 09/30/2003 (294515)

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

DMR Date: 10/31/2003 (294516)

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

DMR Date: 02/28/2002 (155869)

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

DMR Date: 11/30/2003 (294517)

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

DMR Date: 12/31/2003 (294518)

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

DMR Date: 06/30/2004 (351787)

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

SS Date: 02/24/2004 (257948)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)

Description: Failure to list all individual pollutants of emissions event dated October 9, 2003.

Self Report? NO Classification: Minor

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

Description: Failure to list the estimated total quantities for those compounds or mixtures involved in the emissions event dated October 9, 2003.

Self Report? NO Classification: Minor

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

Description: Failure to enter the final record (pollutants, amounts, updated cause and authorizations) of emissions event dated October 9, 2003 electronically.

Self Report? NO Classification: Moderate

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

Description: Failure to adhere to the permit representations. 100 lbs of carbon black particles were emitted to the atmosphere during this emissions event without obtaining a permit amendment when there was a change in the character of the emissions.

SS Date: 06/14/2004 (270852)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(8)(A)

Description: Failure to submit PI-7 Form required by 30 TAC 106.261in a timely basis.

SS Date: 10/16/2002 (9157)

Self Report? NO Classification: Moderate

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

Description: Failure to initially notify the City of Houston, Bureau of Air Quality Control of a reportable upset within 24 hours after the discovery of the upset.

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)
Rqmt Prov: PA IA
Description: Exceeded the 20% opacity limit, averaged over six-minute periods.

SS Date: 10/12/2006 (514788)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA

Description: Failure to prevent unauthorized emissions.

DMR Date: 10/31/2004 (351792)
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

DMR Date: 07/31/2006 (519998)
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

NS Date: 01/07/2002 (143888)
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 3rd progress report.

DMR Date: 08/31/2006 (519999)
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

DMR Date: 08/31/2003 (294513)
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

NS Date: 08/19/2005 (449391)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

SS Date: 03/31/2004 (261175)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter T 106.454(3)(B)[G]
30 TAC Chapter 115, SubChapter E 115.412(1)(A)
Description: The RE failed to close the solvent cleaner cover when parts were not being handled.

SS Date: 08/31/2005 (402447)
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)
Rqmt Prov: PERMIT IA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Date: 02/28/2006 (468111)

DMR 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

NS Date: 06/21/2006 (509977)

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT IA

Description: Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.

NS Date: 01/10/2006 (449982)

Self Report? NO Classification: Moderate

Citation: TWC Chapter 26 26.121(a)(1)

Description: Failure to prevent the unauthorized discharge of wastewater. Unauthorized discharges (UD) occurred on 12/15/05 from the aeration basin, temporary pump for the ditch leading to outfall 008, and cooling tower #3. In addition, two UDs were reported from cooling tower #10.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.4

Description: Failure to monitor for Carbonaceous Biochemical Oxygen Demand (CBOD) as required by the permit issued on August 25, 2005.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(e)

Description: Failure to complete the Discharge Monitoring Reports (DMR) correctly. Several effluent values and the frequency of analsysis were reported incorrectly on the DMRs in February 2005, March 2005, May 2005, June 2005, July 2005, August 2005, and September 2005. See attached Table 1.

Self Report? NO Classification: Minor

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

Description: Failure to calculate loading values correctly.

Date: 12/31/2005 (468114)

DMR 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: 08/31/2002 (155893)

DMR 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

SS Date: 09/07/2006 (457421)

Self Report? NO Classification: Minor

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to cap open-ended valves or lines.

Self Report? NO Classification: Minor

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

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

Rqmt Prov: OP IA

Description: Failure to perform visible observations on stationary source engines 50GG1925 and 50GG1926.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(e)[G]

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

Description: Failure to submit the required semi-annual report for gas fired engines per 30 TAC 117.219(e).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

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

Rqmt Prov: OP IA

PA IA

Description: Failure to limit visible emissions to a rate of less than 5 minutes over 2 consecutive hours.

Self Report? NO Classification: Minor

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to repair leaking components within 15 days.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to continuously monitor for NOx and CO during the 2nd quarter of 2005.

Self Report? NO Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(2)

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

Rqmt Prov: OP IA

Description: Failure to operate 15 existing junction boxes with tight seals during the second quarter of 2005.

Self Report? NO Classification: Minor

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(4)

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

Rqmt Prov: OP IA

Description: Failure to repair NSPS Subpart QQQ equipment within 15 days.

Self Report? NO Classification: Moderate

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

40 CFR Part 63, Subpart DDDDD 63.7505(e)

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

Rqmt Prov: OP IA

Description: Failure to develop a Startup, Shutdown and Malfunction Plan (SSMP) for boilers.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to meet the NSR Permit 10 ppmvd ammonia limit for Package Boiler #1.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.729(a)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

Description: Failure to establish the monitoring and testing parameters of 30 TAC Chapter

115.725(a)(2) by the compliance deadline of December 31, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.729(a)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

Description: Failure to establish the written quality assurance plan of 30 TAC Chapter 115.726(a)(1) by the compliance date of December 31, 2005.

Self Report? NO Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-3(a)(5)

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

Rqmt Prov: OP IA

Description: Failure to repair API Separator seal gaps within 15 days.

Self Report? NO Classification: Minor

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

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to cap open-ended valves or lines in HAP service.

Self Report? NO Classification: Minor

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

30 TAC Chapter 115, SubChapter H 115.783(5)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PA IA

Description: Failure to cap open-ended valves and lines in HRVOC service.

DMR Date: 07/31/2002 (155890)

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

SS Date: 10/26/2004 (333660)

Self Report? NO Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(1)

Description: Failure to submit to the EPA administrator, a semi-annual report containing the all the information specified in paragraphs (d)(2), (d)(3), and (d)(4) of 40 CFR § 63.182.

F. Environmental audits.

N/A

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 VALERO REFINING-TEXAS, L.P., RN100219310	§ § § § §	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2006-2218-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 Valero Refining-Texas, L.P. ("Valero") 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 Valero, presented this agreement to the Commission.

Valero 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, Valero 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 Valero.

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

FINDINGS OF FACT

1. Valero owns and operates a petroleum refinery located at 9701 Manchester Street, Houston, Harris 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 an investigation on May 17, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to comply with emission limits specified in the Maximum Allowable Emissions Rate table on NSR Permit 2501A. Specifically, an upset condition occurred on May 1, 2006 when a loss of power to units in Complex One and Complex Two resulted in the release of 9,538 pounds of sulfur dioxide ("SO_2"), 5,810 pounds of volatile organic compounds ("VOCs"), 3,182 pounds of carbon monoxide ("CO"), 763 pounds of particulate matter ("PM"), 472 pounds of nitrogen oxides ("NOx"), and an excess opacity of 70% at the Fluidized Catalytic Cracking Unit ("FCCU"). The duration of this emissions event was fourteen hours and forty-eight minutes. Because this emissions event could have been avoided by better operation practices, the emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222(b)(2) and (b)(3) and are not subject to an affirmative defense.

4. During an investigation on June 6, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to comply with emissions limits in the Maximum Allowable Emissions Rate table of NSR Permit 2501A. Specifically, on March 12, 2006 a malfunction of the Uninterrupted Power Supply ("UPS") system resulted in the shutdown of the Sats Gas Compressor causing the release of the following contaminants: 1,451 pounds of SO_2, 183 pounds of VOCs, 107 pounds of CO, and 15 pounds NOx. The duration of the emissions event was one hour and fifteen minutes. Because this emissions event could have been avoided by better operation and maintenance practices, the emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222(b) and are not subject to an affirmative defense.

5. During an investigation on June 6, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to provide additional information on an emissions event, which occurred on March 12, 2006, as requested. Specifically, two requests were made by regional staff for additional information on the cause of the UPS system failure and no information was received.

6. During an investigation on February 28, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to comply with emissions limits in the Maximum Allowable Emissions Rate table of NSR Permit 2501A. Specifically, an emissions event occurred on December 21, 2005 at the FCCU when excessive backpressure in the Sulfur Recovery Unit ("SRU") resulted in the release of the following unauthorized emissions from the FCC Flare: 21,635 pounds of SO_2 and 235 pounds of hydrogen sulfide ("H_2S"). The duration of this emissions event was three hours and thirty minutes. Since this emissions event was determined to be excessive, the demonstrations of 30 TEX. ADMIN. CODE § 101.222 are not applicable.

7. During a records review on September 1, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to prevent unauthorized emissions. During a July 27, 2006 emissions event approximately 23,396 pounds of SO_2 and 264 pounds of H_2S were released from the FCCU flare. The duration of the emissions event was three hours and

thirty minutes. Since this emissions event was deemed excessive and avoidable, and not reported properly, Valero failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

8. During a records review on September 1, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to submit a final emissions report no later than fourteen days after the event. The emissions event ended on July 27, 2006. The final report was not submitted until August 21, 2006.

9. During a records review on December 5, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to prevent unauthorized emissions. During a September 27, 2006 emissions event approximately 2,923 pounds of unauthorized SO_2 was released through the FCCU Flare during a five hour and twenty minute period. Since the emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

10. During a records review on December 5, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to route acid gas to the SRU. During a September 27, 2006 emissions event, acid gas was routed to the FCCU Flare, not to the SRU as required by permit.

11. During an investigation on September 13, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to prevent unauthorized emissions. Specifically, an emissions event occurred on September 9, 2006 when a crane contacted a power line and caused a power failure. Over a period of two hours and thirty-one minutes, the FCC Flare (EPN 30FL5) and the Derrick Flare (EPN 30FL1) located within the Combination Crude Area and SRU, emitted 6,466 pounds of SO_2, 69 pounds of CO, 70 pounds H_2S, 10 pounds NOx, and 96 pounds of VOCs. NSR Permit No. 2501A allows 21.2 pounds per hour ("lbs/hr") of SO_2, 26.8 lbs/hr of CO, 0.2 lbs/hr of H_2S, 3.7 lbs/hr of NOx, and 74.8 lbs/hr of VOCs. Since the emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

12. During an investigation on October 5, 2006, a TCEQ Houston Regional Office investigator documented that Valero failed to prevent unauthorized emissions and maintain SO_2 net ground level concentrations below 0.28 parts per million volume ("ppmv") over a thirty minute period. Specifically, an emissions event occurred on October 4, 2006 when isobutane was inadvertently introduced in Storage Tank No. 748 (EPN 22FB748) as the tank was being filled with spent sulfuric acid from the Alkylation Unit. Over a period of thirty minutes, 4,800 pounds of isobutane and 674 pounds of SO_2 were emitted from Tank No. 748's relief hatch. NSR Permit No. allows 6.4 lbs/hr VOC emissions. Valero recorded surrounding area SO_2 ground level concentrations at 10 ppmv, 28 ppmv, 38 ppmv, and 62 ppmv. Since the emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

13. Valero received notices of the violations on June 7, 2006, June 18, 2006, July 5, 2006, October 25, 2006, November 7, 2006, December 8, 2006, and December 12, 2006.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, Valero is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE § 382.085(b) and the rules of the Commission.

2. As evidenced by Finding of Fact No. 3, Valero failed to comply with emission limits specified in the Maximum Allowable Emissions Rate table on NSR Permit 2501A, Special Conditions 1 and 2, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 111.111(a)(1)(B); NSR Permit No. 2501A; and TEX. HEALTH & SAFETY CODE § 382.085(b). Because this emissions event could have been avoided by better operation practices, the emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222(b)(2) and (b)(3) and are not subject to an affirmative defense.

3. As evidenced by Finding of Fact No. 4 Valero failed to comply with emissions limits in the Maximum Allowable Emissions Rate table of NSR Permit 2501A, in violation of 30 TEX. ADMIN. CODE § 116.115(c); NSR Permit No. 2501A, Special Condition 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Because this emissions event could have been avoided by better operation and maintenance practices, the emissions do not meet the demonstrations in 30 TEX. ADMIN. CODE § 101.222(b) and are not subject to an affirmative defense.

4. As evidenced by Finding of Fact No. 5, Valero failed to provide additional information on an emissions event, which occurred on March 12, 2006, as requested, in violation of 30 TEX. ADMIN. CODE § 101.201(f) and TEX. HEALTH & SAFETY CODE § 382.085(b).

5. As evidenced by Finding of Fact No. 6, Valero failed to comply with emissions limits in the Maximum Allowable Emissions Rate table of NSR Permit 2501A, in violation of 30 TEX. ADMIN. CODE § 116.115(c); NSR Permit No. 2501A, Special Condition 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was determined to be excessive, the demonstrations of 30 TEX. ADMIN. CODE § 101.222 are not applicable.

6. As evidenced by Finding of Fact No. 7, Valero failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c); Air Permit No. 2501A, Special Condition 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was deemed excessive and avoidable, and not reported properly, Valero failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

7. As evidenced by Finding of Fact No. 8, Valero failed to submit a final emissions report no later than fourteen days after the event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b).

8. As evidenced by Finding of Fact No. 9, Valero failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c); Air Permit Nos. 2501A and 2507A, Special Condition 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

9. As evidenced by Finding of Fact No. 10, Valero failed to route acid gas to the SRU, in violation of 30 TEX. ADMIN. CODE § 116.115(c); AIR Permit No. 2507A, Special Condition 6; and TEX. HEALTH & SAFETY CODE § 382.085(b).

10. As evidenced by Finding of Fact No. 11, Valero failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c); NSR Permit No. 2501A, Special Condition 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was deemed avoidable, and not reported properly, Valero failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

11. As evidenced by Finding of Fact No. 12, Valero failed to prevent unauthorized emissions and maintain SO_2 net ground level concentrations below 0.28 ppmv over a thirty minute period, in violation of 30 TEX. ADMIN. CODE §§ 112.3(b) and 116.115(c); NSR Permit No. 2501A, Special Condition 1; and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was deemed avoidable, and not reported properly, Valero failed to meet the demonstrations for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

12. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Valero 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.

13. An administrative penalty in the amount of seventy-five thousand six hundred dollars ($75,600.00) 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. Valero has paid eighty-five thousand six hundred dollars ($75,600.00) of the administrative penalty.

ORDERING PROVISIONS

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

1. Valero is assessed an administrative penalty in the amount of seventy-five thousand six hundred dollars ($75,600.00) as set forth in Conclusion of Law No. 13 for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Valero'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: Valero Refining-Texas, L.P.; Docket No. 2006-2218-AIR-E" to:

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

2. Valero shall undertake the following technical requirements:

a. Within 30 days after the effective date of this Agreed Order, Valero shall:

i. Submit additional information regarding the UPS system failure for the emissions event that occurred on March 12, 2006;

ii. Implement measures designed to prevent the recurrence of the emissions events due to the same causes which resulted in the emissions events of December 21, 2005, March 12, 2006, and May 1, 2006;

iii. Implement training of personnel to help ensure timely reporting of events;

iv. Implement procedures and practices to help prevent interruption of natural gas supply to the SRU;

v. Modify equipment and procedures to help prevent emissions events like the one that occurred on September 27, 2006 by ensuring direction of acid gas to the SRU;

vi. Design and implement procedures to prevent future contact between power lines and heavy machinery;

vii. Design and implement improvements to procedures to prevent the introduction of hydrocarbons into tanks during spent sulfuric acid transfer; and

b. Within 45 days after the effective date of this Agreed Order, Valero shall submit written certification, as described below in Ordering Provision 2.g., including supporting documentation to demonstrate compliance with Ordering Provision Nos. 2.a.i. through 2.a.vii.;

c. Within 60 days after the effective date of this Agreed Order, Valero shall comply with the TCEQ request dated December 8, 2006 for the submittal of a corrective action plan ("CAP") to address the excessive emissions event that occurred July 27, 2006 in accordance with 30 TEX. ADMIN. CODE § 101.223(a)(1);

d. Valero shall respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP within 15 days after the date of such requests, or by other deadline specified in writing;

e. Upon Commission approval, Valero shall implement the CAP in accordance with the approved schedule;

f. Upon completion of CAP implementation, Valero shall submit written certification, as described below in Ordering Provision 2.g., to demonstrate compliance with Ordering Provision Nos. 2.c. through 2.e.; and

g. Valero shall submit the certification required by Ordering Provision Nos. 2.b. and 2.f. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

With a copy to:

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

3. The provisions of this Agreed Order shall apply to and be binding upon Valero. Valero 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 Valero 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, Valero's failure to comply is not a violation of this Agreed Order. Valero has the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Valero shall notify the Executive Director within seven days after Valero 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 Valero shall be made in writing to the Executive Director. Extensions are not effective until Valero 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 Valero if the Executive Director determines that Valero 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 Valero 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 Valero, or three days after the date on which the Commission mails notice of the Order to Valero, 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 Valero Refining-Texas, L.P. I represent that I am authorized to agree to the attached Agreed Order on behalf of Valero Refining-Texas, L.P., 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, Valero Refining-Texas, L.P. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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

Signature

2/5/07
Date

Rich J. Walsh
Name (printed or typed)
Authorized Representative
Valero Refining-Texas, L.P.

Assistant General Counsel and Vice President
Title