EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0170-AIR-E **TCEQ ID:** RN102555166 **CASE NO.:** 32518

RESPONDENT NAME: Citgo Refining and Chemicals Company, L.P.

ORDER TYPE:		
_X_1660 AGREED ORDER	__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: Citgo Corpus Christi Refinery East Plant, 1801 Nueces Bay Boulevard, Corpus Christi, Nueces County

TYPE OF OPERATION: Petrochemical processing plant

SMALL BUSINESS: ____ **Yes** _X_ **No**

OTHER SIGNIFICANT MATTERS: No complaints were received. There are six additional pending enforcement actions regarding this facility location; the Docket Numbers are: 2004-0057-AIR-E, 2002-1402-IWD-E, 2001-0455-AIR-E, 2002-1109-MLM-E, 2004-1279-AIR-E, 2007-0594-AIR-E

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 June 11, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. John Muennink, Enforcement Division, Enforcement Team 5, R-14, (361) 825-3423; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

Respondent: Mr. Eduardo Assef, Vice President, Corpus Christi Refinery, 1802 Nueces Bay Boulevard, Corpus Christi, Texas 78407; Mr. Mark Cheesman, Environmental Affairs Manager, Citgo Refining and Chemicals Company, L.P., 1802 Nueces Bay Boulevard, Corpus Christi, Texas 78407

Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: ___ Complaint ___ Routine ___ Enforcement Follow-up _X_ Records Review **Date of Complaint Relating to this Case:** None **Date of Investigation Relating to this Case:** September 11, 2006 **Date of NOE Relating to this Case:** January 9, 2007 (NOE) **Background Facts:** This was a routine record review. One violation was documented. **AIR** Failed to prevent unauthorized emissions. Specifically, 20 pounds of the Hazardous Air Pollutant benzene was released from the UDEX Unit Fugitives during an emissions event that began June 21, 2006 and lasted five minutes. Since these emissions were avoidable, Citgo failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(b)(2)(F), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 5418A, General Conditions, Maximum Allowable Emission Rates].	**Total Assessed:** $5,550 **Total Deferred:** $1,110 _X_ Expedited Settlement ___Financial Inability to Pay **SEP Conditional Offset:** $0 **Total Paid to General Revenue:** $4,440 **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	**Corrective Actions Taken:** The Executive Director recognizes that Citgo has implemented the following corrective measures at the Plant: a. The operator was removed from company equipment on June 21, 2006 until the company investigation was completed; and b. The operator was retrained on June 22, 2006 regarding proper vacuum truck procedures and identifying related hazards and documentation in Job Safety Analysis.

Penalty Calculation Worksheet (PCW)

TCEQ

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

DATES					
Assigned	22-Jan-2007				
PCW	2-Feb-2007	Screening	5-Feb-2007	EPA Due	5-Oct-2007

RESPONDENT/FACILITY INFORMATION

Respondent	Citgo Refining and Chemicals Company, L.P.		
Reg. Ent. Ref. No.	RN102555166		
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	32518	No. of Violations	1
Docket No.	2007-0170-AIR-E	Order Type	1660
Media Program(s)	Air Quality	Enf. Coordinator	John Muennink
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* **$2,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 147% Enhancement — *Subtotals 2, 3, & 7* **$3,675**

Notes: Enhancement due to 11 NOVs with same or similar violations, 15 NOVs with unrelated violations (including eight self reported monthly effluent violations), one 1660 Agreed Order, one Findings Order and a Repeat Violator classification. Reduction due to four Notice or Audit letters and two Disclosure of Violations letters.

Culpability — No — 0% Enhancement — *Subtotal 4* **$0**

Notes: Respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 25% Reduction — *Subtotal 5* **$625**

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

Notes: The respondent completed corrective action on June 22, 2006.

0% Enhancement* — *Subtotal 6* **$0**

Total EB Amounts	$0
Approx. Cost of Compliance	$700

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$5,550**

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 **$5,550**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$5,550**

DEFERRAL — 20% Reduction — *Adjustment* **-$1,110**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$4,440**

Screening Date	5-Feb-2007	**Docket No.** 2007-0170-AIR-E	**PCW**
Respondent	Citgo Refining and Chemicals Company, L.P.		*Policy Revision 2 (September 2002)*
Case ID No.	32518		*PCW Revision December 8, 2006*
Reg. Ent. Reference No.	RN102555166		
Media [Statute]	Air Quality		
Enf. Coordinator	John Muennink		

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	15	30%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	4	-4%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	2	-4%
		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) 122%

>> Repeat Violator (Subtotal 3)

Yes

Adjustment Percentage (Subtotal 3) 25%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement due to 11 NOVs with same or similar violations, 15 NOVs with unrelated violations (including eight self reported monthly effluent violations), one 1660 Agreed Order, one Findings Order and a Repeat Violator classification. Reduction due to four Notice or Audit letters and two Disclosure of Violations letters.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 147%

Screening Date 5-Feb-2007 **Docket No.** 2007-0170-AIR-E **PCW**

Respondent Citgo Refining and Chemicals Company, L.P. *Policy Revision 2 (September 2002)*

Case ID No. 32518 *PCW Revision December 8, 2006*

Reg. Ent. Reference No. RN102555166

Media [Statute] Air Quality

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(b)(2)(F), Tex. Health & Safety Code § 382.085(b) and Permit No. 5418A, General Conditions, Maximum Allowable Emission Rates

Violation Description Failed to prevent unauthorized emissions. Specifically, 20 pounds of the Hazardous Air Pollutant benzene was released from the UDEX Unit Fugitives during an emissions event that began June 21, 2006 and lasted five minutes. Since these emissions were avoidable, Citgo failed to meet the demonstrations necessary to present an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to an insignificant amount of pollutants as a result of the violation.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $5,550

This violation Final Assessed Penalty (adjusted for limits) $5,550

Economic Benefit Worksheet

Respondent Citgo Refining and Chemicals Company, L.P.
Case ID No. 32518
Reg. Ent. Reference No. RN102555166
Media 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				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)	$700	21-Jun-2006	22-Jun-2006	0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated expense to implement measures desinged to prevent the reoccurrence of emissions due to similar causes. Date required is the date of the emissions event. Final date is the date that corrective action was completed.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $700

TOTAL $0

Compliance History

Customer/Respondent/Owner-Operator:	CN600127922	Citgo Refining and Chemicals Company, L.P.	Classification: AVERAGE	Rating: 7.13
Regulated Entity:	RN102555166	CITGO CORPUS CHRISTI REFINERY EAST PLANT	Classification: AVERAGE	Site Rating: 35.50

AIR NEW SOURCE PERMITS	PERMIT	17670
AIR NEW SOURCE PERMITS	PERMIT	2494A
AIR NEW SOURCE PERMITS	PERMIT	2695A
AIR NEW SOURCE PERMITS	PERMIT	2696A
AIR NEW SOURCE PERMITS	PERMIT	2697A
AIR NEW SOURCE PERMITS	PERMIT	2699A
AIR NEW SOURCE PERMITS	PERMIT	2700A
AIR NEW SOURCE PERMITS	PERMIT	2703A
AIR NEW SOURCE PERMITS	PERMIT	2704A
AIR NEW SOURCE PERMITS	PERMIT	2705A
AIR NEW SOURCE PERMITS	PERMIT	2706A
AIR NEW SOURCE PERMITS	PERMIT	2707A
AIR NEW SOURCE PERMITS	PERMIT	2708A
AIR NEW SOURCE PERMITS	PERMIT	3119A
AIR NEW SOURCE PERMITS	PERMIT	3123A
AIR NEW SOURCE PERMITS	PERMIT	3390A
AIR NEW SOURCE PERMITS	PERMIT	3857A
AIR NEW SOURCE PERMITS	PERMIT	4728A
AIR NEW SOURCE PERMITS	PERMIT	5418A
AIR NEW SOURCE PERMITS	PERMIT	5946A
AIR NEW SOURCE PERMITS	PERMIT	6722A
AIR NEW SOURCE PERMITS	PERMIT	8653A
AIR NEW SOURCE PERMITS	PERMIT	9604A
AIR NEW SOURCE PERMITS	PERMIT	17670A
AIR NEW SOURCE PERMITS	PERMIT	10733A
AIR NEW SOURCE PERMITS	PERMIT	12005A
AIR NEW SOURCE PERMITS	PERMIT	2709A
AIR NEW SOURCE PERMITS	PERMIT	4979A
AIR NEW SOURCE PERMITS	PERMIT	19044
AIR NEW SOURCE PERMITS	PERMIT	19623
AIR NEW SOURCE PERMITS	PERMIT	20156
AIR NEW SOURCE PERMITS	PERMIT	21303
AIR NEW SOURCE PERMITS	PERMIT	21358
AIR NEW SOURCE PERMITS	PERMIT	21706
AIR NEW SOURCE PERMITS	PERMIT	22312
AIR NEW SOURCE PERMITS	PERMIT	22418
AIR NEW SOURCE PERMITS	PERMIT	23834
AIR NEW SOURCE PERMITS	PERMIT	28092
AIR NEW SOURCE PERMITS	PERMIT	30099
AIR NEW SOURCE PERMITS	PERMIT	42533
AIR NEW SOURCE PERMITS	PERMIT	46637
AIR NEW SOURCE PERMITS	PERMIT	46641
AIR NEW SOURCE PERMITS	PERMIT	46640
AIR NEW SOURCE PERMITS	PERMIT	46642
AIR NEW SOURCE PERMITS	PERMIT	47656
AIR NEW SOURCE PERMITS	PERMIT	49265
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	NE0027V
AIR NEW SOURCE PERMITS	PERMIT	5418
AIR NEW SOURCE PERMITS	PERMIT	6748
AIR NEW SOURCE PERMITS	PERMIT	10309
AIR NEW SOURCE PERMITS	AFS NUM	0003
AIR NEW SOURCE PERMITS	REGISTRATION	56720
AIR NEW SOURCE PERMITS	PERMIT	PSDTX831
AIR NEW SOURCE PERMITS	REGISTRATION	71021
AIR NEW SOURCE PERMITS	PERMIT	53921
AIR NEW SOURCE PERMITS	PERMIT	54775
AIR NEW SOURCE PERMITS	PERMIT	72654
AIR NEW SOURCE PERMITS	EPA ID	PSDTX653M1
AIR NEW SOURCE PERMITS	REGISTRATION	74376
AIR NEW SOURCE PERMITS	PERMIT	74515
AIR NEW SOURCE PERMITS	REGISTRATION	75017
AIR NEW SOURCE PERMITS	REGISTRATION	75340
AIR NEW SOURCE PERMITS	REGISTRATION	76737
AIR NEW SOURCE PERMITS	REGISTRATION	76742
AIR NEW SOURCE PERMITS	EPA ID	PSDTX831
AIR NEW SOURCE PERMITS	REGISTRATION	76880
AIR NEW SOURCE PERMITS	REGISTRATION	76883
AIR NEW SOURCE PERMITS	REGISTRATION	76930
AIR NEW SOURCE PERMITS	REGISTRATION	77050
AIR NEW SOURCE PERMITS	REGISTRATION	77066
AIR NEW SOURCE PERMITS	REGISTRATION	77094
AIR NEW SOURCE PERMITS	REGISTRATION	77680
AIR NEW SOURCE PERMITS	REGISTRATION	78081
AIR NEW SOURCE PERMITS	REGISTRATION	78195
AIR NEW SOURCE PERMITS	REGISTRATION	78541
AIR NEW SOURCE PERMITS	REGISTRATION	78522
AIR NEW SOURCE PERMITS	REGISTRATION	78851
AIR NEW SOURCE PERMITS	REGISTRATION	78850
AIR NEW SOURCE PERMITS	REGISTRATION	79234
AIR NEW SOURCE PERMITS	REGISTRATION	79760
AIR NEW SOURCE PERMITS	REGISTRATION	80521
AIR NEW SOURCE PERMITS	REGISTRATION	80564

AIR NEW SOURCE PERMITS	PERMIT	80407
AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0027V
AIR OPERATING PERMITS	PERMIT	1423
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD051161990
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30532
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50160
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50160
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50160
WASTEWATER	PERMIT	WQ0000467000
WASTEWATER	PERMIT	TPDES0006211
WASTEWATER	PERMIT	TX0006211
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30532
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50160

ID Number(s):

Location: 1801 NUECES BAY BLVD, CORPUS CHRISTI, TX, 78407 Rating Date: September 01 06 Repeat Violator: YES

TCEQ Region: REGION 14 - CORPUS CHRISTI

Date Compliance History Prepared: January 31, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 31, 2002 to January 31, 2007

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

Name: John Muennink Phone: (361) 825-3423

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? Yes
3. If Yes, who is the current owner? Citgo Refining and Chemicals Company, L.P.
   Champlin Refining Company
   Citgo Petroleum Corporation
4. If Yes, who was/were the prior owner(s)? Citgo Refining and Chemicals Company, L.P.
5. When did the change(s) in ownership occur? 09/25/2002

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: 08/22/2002 ADMINORDER 1999-0057-AIR-E

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special condition 5 PERMIT
Description: Failed to maintain results of outer floating roof seal inspections on Tank Nos. 5005, 5006, and 5007

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC 3 and 6 PERMIT
Description: Failed to maintain records of monthly and year-to-date throughput for Tank Nos. 5001 through 5008

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 2494A PERMIT
Description: Failed to operate storage tank Nos. 5006 and 5008 within the temperature limits represented in permit application for Permit No. 2494A

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)[G]
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to provide notification of Tank No. 1016 startup date, maintain records of internal floating roof tank inspections, and failed to submit a report describing control equipment and certifying control equipment meets specifications.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: GP 5 PERMIT
SP 3 PERMIT
Description: Failed to maintain records and provide, as requested, the annual throughput of each diesel storage tank in Area 91, ie., Tanks Nos.4001, 4002, and 4003

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC 16D PERMIT
Description: Failed to provide seal inspection records to verify seal integrity on Storage Tank No. 1027 and failed to provide notification of tank seal inspections for Tank No. 1027.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 16G PERMIT
Description: Failed to maintain records which include the monthly and year-to-date VOC throughput for Tank #s 13,14,20,40,41,42,50,929 and 930 and failed to maintain accurate calculated emissions for these tanks and Tank Nos 4, 1023, and 1027.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: GP 6D PERMIT
Description: Failed to maintain records of the annual floating roof seal inspections on Tank Nos. 57, 82, 83, 201, 202, 211, 212, 222, 223, 301, 402, 403, 1011, 1014, 1029, 1030, & 1031.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 9604A, SP 1 PERMIT
Description: Failed to comply with the emissions limitations set forth in the MAER table in Permit No. 9604A for Storage Tank No. 202.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.324(1)(C)
30 TAC Chapter 115, SubChapter D 115.325(1)
30 TAC Chapter 115, SubChapter D 115.326(2)[G]
30 TAC Chapter 116, SubChapter B 116.115(b)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Unknown PERMIT
Description: Failed to properly conduct fugitive monitoring in accordance with 40 CFR Part 60, Appendix A, Method 21 and by failing to monitor on an annual basis, with a hydrocarbon gas analyzer, the emissions from all process drains.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to comply with the 3 % limitation of total number of valves designated as difficult-to-monitor or hard-to- monitor (HTM) in the SOCMI and Petroleum Refinery Units.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.322(5)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to mark pipeline and pressure relief valves in gaseous VOC service in a manner readily obvious to monitoring personnel.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to provide notification of actual date of initial startup of Boiler B, failed to notify the TNRCC in the change in the type of fuel used in Boiler B within 60 days prior to making the change, and failed to notify the TNRCC of the date of construction.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.42[G]
40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.43[G]
40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.44[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to conduct a performance test on Boiler B as required by 40 CFR 60 Subpart D

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT
Description: Failed to comply with the maximum hourly NOx emission rate listed in the MAER Table for the CO Boiler Stack on October 21, 1997 for at least five hours.

Classification: Moderate

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

Rqmt Prov: SC 6 PERMIT
Description: Failed to install, calibrate, and maintain a continuous emission monitoring system (CEMS) to measure and record the in-stack concentration of NOx from the CO Boiler Stack within 12 months of the permit renewal date.

Classification: Moderate

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

Rqmt Prov: 5946A, SC 8 PERMIT
Description: Failed to comply with the combined total fuel consumed limit of 438 MMBtu/hr for Boilers 60-B-1C, 61-B-1B on March 31, 1997

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 1 and 3 PERMIT
Description: Failed to comply with the 25.60 PPH emission limit for NOx as stated in the MAER table of Permit 22312 for Boiler E.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 10D PERMIT
Description: Failed to report, within 24 hours of detection, all equipment malfunctions for Boiler E for the second quarter of 1997 through the second quarter of 1998.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 12 PERMIT
Description: Failed to submit a complete report, on a qrtly basis, regarding Boiler E for the first quarter of 1996, the third and fourth quarters of 1997, and the 1st quarter of 1998.

Classification: Moderate

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

Rqmt Prov: 9604A, GP 6G PERMIT
Description: Failed to maintain monthly VOC emission records for its loading operations at the tanker truck loading station, also known as the truck rack (EPN 521) from 1/1/97 thru 5/98.

Classification: Moderate

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

Rqmt Prov: SC 2 PERMIT
Description: Failed to comply with the maximum firing rate of 34.3 MMBtu/hr for the ADP Heater (17-H-1) by operating at a rate of 40.8 on 6/30/97

Classification: Moderate

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

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

Rqmt Prov: 6722A, SC 12&13 PERMIT
Description: Failed to maintain, from January 1, 1997 thru May 12, 1998, cumene production records, denoted as cumulative BPY as required by Special condition 12 to ensure continuous compliance with the annual limit of 4,467,965 barrels.

Classification: Moderate

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

Rqmt Prov: SC 16 PERMIT
Description: Failed to maintain, from 1/1/97 thru 5/12/98, cyclohexane production records denoted as cumulative BPY, to ensure continuous compliance with the emission limits of TNRCC Permit No. 20156.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
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: SC 4 PERMIT
Description: Failed to control the H2S concentration in the refinery fuel gas to a concentration below 230 milligrams per day dry standard cubic meters (0.10 grains per dry standard cubic foot).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to maintain a daily record of the average coke burn-off rate, in thousands of kiograms per hour, and the hours of operation for the FCCU catalyst regenerator at FCCU #2 from 1/1/97 thru 5/12/98.

Classification: Moderate

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

Rqmt Prov: GP 7 PERMIT
Description: Failed to vent all carbon compound waste gases, including those from the relief valves other than those for "fire only" emergency purposes, to a flare.

Classification: Major

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

Description: Failed to obtain permit authorization from May 12, 1998 through the present to operate the Cumene Flare as a process flare.

Classification: Moderate

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

Description: Failed to maintain a flare operation log since January 1, 1997 for both the Cumene Flare and the Corrugated Plate Interceptor Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(6)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(7)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.13(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(iii)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(d)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to conduct performance tests or request waivers from testing on the Cumene Flare, the Fluor Flare, and the CPI Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.10(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.10(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to install controls on the desalter before the termination of the waiver period, i.e. Jan 7, 1995, and failed to provide change of information, as related to the desalter and CPI separator, to the Administrator within 30 days

after the change.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete Total Annual Benzene (TAB) reports containing the information listed in 40 CFR 61.357(a)(1) thru 61.347(a)(6) as required by 40 CFR 61.357(d)(2) and quarterly certifications as required from 1st qtr 95 thru 1st qtr 98.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit on schedule a Notification of Compliance Status report as required by Subparts G and H of 40 CFR ch 63 for the new MTBE Unit and failed to submit on schedule an NCS report as required by Subpart H of 40 CFR ch 63 for Aromatic Units.

Classification: Moderate

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

Rqmt Prov: SC 3 PERMIT
Description: Exceeded the crude oil throughput limit for Storage Tank No. 5008.

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

Rqmt Prov: SC 8D and 10D PERMIT
1D PERMIT
5D and 7D PERMIT
6722A, SC 9D PERMIT
GP 7D PERMIT
SC 11D, 12D, 13D PERMIT
SC 1D and 2D PERMIT
SC 1D PERMIT
SC 2D PERMIT
SC 4D PERMIT
SC 5D and 7D PERMIT
SC 6D PERMIT
SC 7D PERMIT
SC 8D PERMIT

Description: Failed to maintain a list of non-accessible valves for each permit as stated in the fugutive monitoring special conditions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.7[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 5 PERMIT
Description: Failed to notify TNRCC of needed maintenance on visible openings on Tank Nos. 5001, 5002, and 5008 in the seal or seal fabric or record the corrective action taken.

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

Rqmt Prov: SC 2 PERMIT
Description: Exceeded the Crude Heater (11-H-1) fired duty maximum rate of 440 MMBtu/hour on three days, June 30, 1998(441.MMBtu/hr) 9/30/98 (444 MMBtu/hr) and 7/29/99 (447 MMBtu/hr).

Classification: Minor

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

Rqmt Prov: SC 3 PERMIT
Description: Exceeded the Vacuum Heater (11-H-2) fired duty maximum rate of 132 MMBtu/hour on 7/29/99.

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: 5946A, SC 6 PERMIT
6722A, SC 7 PERMIT
9604A, SP 2 PERMIT
SC 1 PERMIT
SC 2 and 4 PERMIT
SC 3 and 4 PERMIT
SC 4 and 7 PERMIT
SC 4 PERMIT

SC 5 PERMIT
SC 7 PERMIT
SP 4 PERMIT

Description: Exceeded, from 3/13/99 thru 3/23/99 the hydrogen sulfide concentration limit of 230 mg/dscm (0.10 grain per dry standard cubic foot) in refinery fuel gas which serves combustion devices in the East Plant.

Classification: Moderate

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

Rqmt Prov: SC 9 PERMIT

Description: Failed to implement fugitive monitoring in the preheat train and pump suction areas wtihin 180 days after the issuance of the permit amendments.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(d)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 11F PERMIT
5946A - SC 6, 6722A - SC 7 PERMIT
8653A - SC5F PERMIT
GP 7F PERMIT
SC 10F and 10G PERMIT
SC 1F PERMIT
SC 2F PERMIT
SC 4F PERMIT
SC 6F PERMIT
SC 7F PERMIT
SC 8F PERMIT

Description: Failed to properly conduct fugitive monitoring in accordance with 40 CFR Part 60, Appendix A, Method 21. Gas analyzer Bacharach TLV KK0530 was placed in service on April 22, 1998 without conducting the required precision test.

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: GC 8, SC 11 PERMIT

Description: Exceeded the short term VOC emission rate for the Crude and Vaccum Heaters, 11-H-1 and 11-H-2 and failed to conduct stack sampling within 90 days from completion of construction. Stack testing was required on or before February 22, 1998.

Classification: Moderate

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

Rqmt Prov: 2A PERMIT
6722A -SC 9A PERMIT
SC 12A and 13A PERMIT
SC 1A PERMIT
SC 2A PERMIT
SC 5A and 7A PERMIT
SC 6A PERMIT
SC 8A and 10A PERMIT
SC 8A PERMIT

Description: Failed to maintain a list of equipment from the fugitive monitoring program due to vapor pressure or size limitations.

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)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Exceeded the 250 ppm in-stack dioxide (SO2) concentration limit for the Shell Claus Off-gas Treating unit tail gas incincerator.

Classification: Moderate

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

Rqmt Prov: SC 5 PERMIT

Description: Exceeded the gasoline loading throughput limit of 720,000 barrels of gasoline per year at the No. 2 barge dock.

Classification: Moderate

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

Rqmt Prov: SC 2 PERMIT

Description: Exceeded the ADP Heater (17-H-1) maximum fired duty rate of 34.3 MMbtu/hour on 12/31/98.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(a)
Rqmt Prov: 9604A - GP 6D PERMIT
Description: Failed to maintain complete annual floating seal inspection records on Tanks Nos. 57, 82, 83, 201, 202, 211, 212, 221-223, 301, 402,403,1011, 1014,1029 and 1031 for 1998.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC 11E and 12E PERMIT
Description: Failed to submit, on a quarterly basis, a certification statement signed by the permit holder that the records of fuel supplier certification submitted represent all of the fuel supplied or combusted during the quarter.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to submit timely and/or complete reportable upset notifications.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6(b)[G]
30 TAC Chapter 101, SubChapter A 101.7(c)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to create complete records of reportable and non-reportable by-pass upsets, maintenance, start-ups, and shutdowns with unauthorized emissions as soon as practicable, but no later than two weeks after upsets occurred.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to include excess emissions occurring during maintenance, startups, shutdowns, upsets, and downtime in the Annual Emissions Inventory Update submitted on March 15, 1999.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.327(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to notify the executive director of the shutdown, as it occurred, of the Aromatics Disproportionation Unit when it was brought off-line in June 98 and the old Methyl T-Butyl Ether (MTBE) Unit which was brought off-line around August 1994.

Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to comply with the three percent limitation of total number of valves designated as difficult-to-monitor/hard-to- monitor in the SOCMI Units and Petroleum Refinery Units.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(f)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to maintain an up-to-date, complete, and readily accessible log for the fugitive monitoring program.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(e)(2)(i)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Exceeded the 6.0 Megagrams (Mg) of benzene yearly limit for facility waste, for the years 1998 thru 2000.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(5)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to submit a complete Total Annual Benzene report for 1998.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 3119A, GC8 PERMIT
Description: Exceeded the SO2 hourly maximum allowable emission rate of 26.44 pounds per hour.

Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Emitted unauthorized VOC and benzene emissions and had excessive opacity

Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Emitted unauthorized VOC and benzene emissions from the BTX wastewater stripper on March 8 through March 19, 1999 for a total of 262 hours and from the CPI flare pilot light outages on 8/9 thru 8/15/98.

Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121[G]
Rqmt Prov: - PERMIT
Description: Failed to comply with the maximum daily average limit of 10 milligrams per liter for total Fluoride for Nov 98, Jan 99, and Feb 99.

Effective Date: 03/05/2004 ADMINORDER 2001-1469-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 20156 PERMIT
Description: Failed to limit emissions released from the Hydrar Unit to the levels allowed.

Classification: Major
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 101, SubChapter A 101.27(a)[G]
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 116, SubChapter B 116.110(a)[G]
30 TAC Chapter 116, SubChapter B 116.116(a)[G]
40 CFR Chapter 52, SubChapter C, PT 52, SubPT A 52.21
Description: Failed to obtain appropriate regulatory authority for sour water and acid gas flares as installed and operated at the East and West Plants and to pay emissions fees or maintain flare logs for these flares.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 3390A PERMIT
Description: Failed to limit emissions released from the Unibon Unit to the levels allowed.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201[G]
30 TAC Chapter 101, SubChapter F 101.211[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to submit notifications of upset emissions in a timely manner; to provide proper notification for maintenance events; and to maintain complete records regarding emission events.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(b)[G]
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: 3119A PERMIT
Description: Failed to comply with emissions limits applicable to the East and West Plant sulfur recovery units.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(2)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.102(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 9604A PERMIT
GP PERMIT
Description: Failed to comply with limits on emissions from Fluid Catalytic Cracking units.

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)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to prevent fuel gas burned in combustion devices from containing excess hydrogen sulfide.

Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)[G]
30 TAC Chapter 335, SubChapter C 335.69(a)(3)
30 TAC Chapter 335, SubChapter C 335.69(d)(1)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)
Rqmt Prov: II.B.9 PERMIT

IV.B.1 PERMIT

Description: Failed to submit notification of hazardous waste (HW) management areas, to comply with the accumulation time requirements, to properly label drums of HW, maintain a container of HW closed, mark containers with an accumulation start date, timely submit certification of waste minimization and limit HW to permitted wastes

Classification: Moderate

Citation: 30 TAC Chapter 327 327.5(a)[G]
30 TAC Chapter 335, SubChapter A 335.4[G]
TWC Chapter 26 26.121

Description: Failure to prevent the unauthorized discharge of industrial or other waste and to initiate response actions.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121[G]
30 TAC Chapter 319, SubChapter A 319.11[G]
30 TAC Chapter 319, SubChapter A 319.7[G]

Rqmt Prov: Effluent limitations PERMIT
Description: Failure to comply with TPDES permits, including failure to properly operate process wastewater and stormwater collection systems, limit effluent characteristics, use proper sample collection & storage procedures, to record all required information for storm water collection, to record QA/QC data for pH & Cl.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2[G]
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-5[G]
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(b)
40 CFR Part 60, Subpart QQQ 60.692-3(a)

Description: Failed to meet the requirements of 40 CFR, Part 60, Subpart QQQ, including failure to prevent oil carryover from oil-water (o/w) separators, to equip o/w storage vessels with fixed roofs & o/w tank with closed vent system and control devices, to submit reports or conduct inspection; operated the CPI sep without flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(e)(2)(ii)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343[G]
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346[G]
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351[G]
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(2)

Description: Failed to meet NESHAP req. for benzene wastes, including failure to conduct inspections of drain systems, equip tanks, submit complete total annual benzene report & determine quantity from each waste stream, determine the flow-weighted annual avg appropriately, limit the benzene quantity of uncontrolled waste streams.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.120(b)(3)
40 CFR Part 63, Subpart G 63.120(b)(4)
40 CFR Part 63, Subpart G 63.122(a)[G]

Description: Failed to comply with the requirements for external floating roof tank seal gap repair and reporting.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 60, Subpart A 60.18

Rqmt Prov: Not specified PERMIT
Description: Failure to comply with the flare pilot operation requirements applicable to the Fluor flare or to obtain regulatory authority for uncombusted emissions from that flare.

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT
Description: Filure to comply with emission limits during vessel loading operations.

Classification: Moderate

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

Rqmt Prov: 46642 PERMIT
Description: Failure to demonstrate initial compliance with emission tests of Compressor Nos. 1A, 1B, and 1C (EPNs 062, 063, and 064).

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	01/06/2003	(158913)
2	04/04/2003	(246547)
3	01/28/2003	(158917)
4	05/24/2004	(272559)
5	06/30/2004	(352239)
6	07/22/2004	(352240)
7	08/30/2004	(352241)
8	12/20/2004	(352242)
9	07/18/2005	(393465)
10	10/29/2004	(352243)
11	06/16/2005	(395438)
12	10/18/2006	(515782)
13	11/23/2004	(352244)
14	02/24/2006	(468521)
15	07/07/2005	(395347)
16	11/19/2004	(339890)
17	10/25/2005	(468522)
18	01/04/2007	(516900)
19	10/30/2003	(252796)
20	10/11/2005	(434051)
21	11/28/2005	(468523)
22	11/22/2004	(341305)
23	01/08/2007	(512157)
24	12/22/2005	(468524)
25	08/11/2003	(149101)
26	01/24/2006	(468525)
27	03/01/2004	(264188)
28	08/15/2003	(147279)
29	06/05/2006	(466364)
30	09/15/2004	(298570)
31	11/19/2004	(336845)
32	08/21/2006	(489885)
33	12/30/2004	(342227)
34	05/28/2004	(272866)
35	08/31/2004	(291703)
36	01/21/2005	(345684)
37	08/24/2006	(482569)
38	10/16/2006	(515256)
39	09/23/2002	(284321)
40	06/13/2003	(33932)
41	07/24/2006	(520275)
42	11/16/2005	(405717)
43	08/17/2006	(520276)
44	08/21/2006	(520277)
45	09/25/2006	(520278)
46	03/04/2002	(158875)
47	03/08/2006	(458417)
48	03/03/2003	(158876)
49	01/31/2002	(142325)
50	04/13/2006	(459661)
51	08/11/2003	(149496)
52	03/27/2002	(158878)
53	04/26/2005	(419743)
54	03/07/2002	(142326)
55	03/31/2003	(158879)
56	05/23/2002	(142327)
57	05/23/2005	(419744)
58	05/23/2002	(142328)
59	04/06/2006	(459050)
60	03/28/2005	(374190)
61	06/23/2005	(419745)
62	06/10/2002	(142329)
63	10/12/2006	(514095)
64	06/10/2002	(142330)
65	06/12/2002	(142331)
66	01/30/2003	(22329)
67	06/12/2002	(142332)
68	03/07/2006	(454499)
69	07/22/2005	(440879)
70	02/02/2004	(261589)
71	06/21/2002	(142333)
72	08/26/2005	(440880)
73	04/22/2002	(158883)
74	09/30/2002	(12547)
75	09/20/2005	(440881)
76	09/28/2004	(283343)
77	04/28/2003	(158884)
78	08/22/2006	(487181)
79	10/30/2003	(249984)
80	01/02/2006	(450793)
81	05/10/2004	(270683)

82	05/20/2002	(158887)
83	03/24/2005	(373888)
84	12/21/2006	(534104)
85	05/22/2003	(158888)
86	01/02/2006	(450794)
87	10/30/2003	(252955)
88	02/09/2004	(256114)
89	11/19/2004	(341541)
90	02/23/2004	(295705)
91	06/24/2004	(269190)
92	11/30/2004	(341912)
93	03/27/2004	(283414)
94	01/29/2004	(258191)
95	11/17/2005	(436667)
96	07/02/2002	(158891)
97	03/25/2004	(295709)
98	06/24/2003	(158892)
99	07/01/2004	(278271)
100	06/23/2004	(276515)
101	04/28/2004	(295710)
102	04/18/2006	(455371)
103	05/25/2004	(295712)
104	06/13/2003	(28894)
105	07/21/2006	(484425)
106	11/15/2006	(516860)
107	08/02/2002	(158895)
108	03/08/2005	(453246)
109	06/13/2003	(28895)
110	07/22/2003	(158896)
111	06/03/2005	(393464)
112	10/12/2006	(514897)
113	08/19/2003	(295716)
114	09/19/2003	(295718)
115	08/26/2002	(158899)
116	04/13/2006	(459665)
117	08/18/2005	(405799)
118	07/01/2004	(278139)
119	10/30/2003	(295720)
120	11/21/2003	(295722)
121	03/24/2005	(374168)
122	12/29/2003	(295723)
123	09/26/2002	(158902)
124	03/27/2006	(459448)
125	06/13/2003	(62480)
126	03/20/2006	(498260)
127	03/11/2005	(372798)
128	09/16/2004	(334411)
129	10/18/2006	(510953)
130	05/06/2005	(378559)
131	01/27/2004	(295725)
132	04/24/2006	(498261)
133	10/30/2003	(250829)
134	09/13/2006	(510995)
135	05/23/2006	(498262)
136	02/09/2006	(453193)
137	06/23/2006	(498263)
138	02/09/2004	(256568)
139	12/29/2006	(534672)
140	08/22/2005	(402137)
141	11/19/2004	(336653)
142	10/30/2002	(158905)
143	02/09/2004	(256569)
144	06/03/2005	(392988)
145	04/15/2004	(266190)
146	12/01/2005	(435829)
147	11/29/2006	(512162)
148	07/19/2004	(268646)
149	11/19/2004	(339919)
150	02/03/2005	(348348)
151	11/15/2006	(518976)
152	08/31/2006	(483126)
153	02/23/2005	(381900)
154	03/28/2005	(381901)
155	10/30/2002	(15118)
156	12/20/2004	(381902)
157	12/09/2002	(158909)
158	01/24/2005	(381903)
159	10/12/2004	(335820)
160	03/01/2004	(264223)
161	10/12/2006	(514878)
162	02/21/2006	(451197)
163	06/06/2006	(467393)
164	05/24/2006	(467417)

165 07/19/2006 (482242)

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

Date: 04/04/2003 (246547)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 11/30/2002 (158913)

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 (249984)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)[G]
Description: Failure to provide initial notification of an emissions event within 24 hours of discovery.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)(1)
Rqmt Prov: PERMIT Air Permit No. 3390A
PERMIT VERP No. 46641
Description: Failure to obtain regulatory authority for, or satisfy all criteria of 30 Texas Admin. Code §101.222 to exempt from compliance limitations, the emissions released during an emissions event.

Date: 05/21/2004 (272559)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
Rqmt Prov: PA 3119A
Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222 for emissions involving the SRU during an emissions event which began on January 5, 2004.

Date: 08/24/2006 (482569)

Self Report? NO Classification: Moderate

Citation: TWC Chapter 26 26.121(a)(1)
Rqmt Prov: PERMIT TPDES Permit No. WQ0000467-001
Description: Failure to prevent an unauthorized discharge of approximately 6 barrels of slop oil into the Corpus Christi Inner Harbor.

Date: 12/31/2005 (468525)

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: 04/15/2004 (266190)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
Description: Failure to meet the demonstration criteria of 30 TAC 101.222.

Date: 12/29/2004 (342227)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
Description: Failure to submit all additional or more detailed information requested for TCEQ STEERS No. 39028 within the time frame established in the request. Information requested to be submitted by September 22, 2004 was received on November 24,2004.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(12)
Description: All additional information necessary to evaluate the emissions event (TCEQ STEERS No. 39028) which occurred on or about May 4, 2004 was not provided in the final record.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
Description: Failure to submit in writing an analysis of the probable cause of an emissions event (TCEQ STEERS No. 39028) within 60 days from the date of the request.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
Description: Failure to prevent the occurrence of visible emissions with an opacity of greater than 20% averaged over a six- minute period for emissions released from the No. 2 FCCU during an emissions event (TCEQ STEERS No. 39028) that occurred on or about May 4, 2004.

Self Report? NO 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 60.102(a)(2)
Description: Failure to maintain compliance with applicable requirements specified in New Source Performance Standards (NSPS) for Petroleum Refineries 40 Code of Federal Regulations (CFR) Part 60 Subpart J.

Date: 03/31/2005 (419743)

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: 02/06/2004 (256569)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT 9604A
Description: Failure to operate the Cumene Flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Rqmt Prov: PERMIT 9604A
Description: Failure to maintain the Cumene Flare in good working order.

Date: 08/31/2006 (483126)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)[G]
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)
Description: Failure to meet accumulation time limits as required for storage of hazardous waste without a permit.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
30 TAC Chapter 335, SubChapter E 335.112(a)(8)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174
Description: Failure to inspect all container storage areas as required.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: OP PP III.D.
Description: Failure to inspect Permitted Units as per permit requirements.

Date: 11/19/2004 (341305)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition No. 3
Description: Failure to satisfy all demonstrations criteria as listed under 30 Tex. Admin. Code § 101.222 and gain authority for emissions released from an event that occurred on April 14, 2004, TCEQ incident No. 37963.

Date: 04/30/2003 (158888)
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: 02/06/2004 (256114)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]
Rqmt Prov: PERMIT 3123A
Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222(b)(2), (b)(3), (b)(6), and (b)(9), for reportable emissions resulting from an emissions event.

Date: 07/18/2005 (393465)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT TPDES Permit No. 00467-003
Description: Failure to comply with the 0.5 mg/l daily maximum permit limit for BTEX.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.4
Rqmt Prov: PERMIT TPDES Permit No. 00467-003
Description: Failure to meet minimum self-monitoring requirements for sample collection and laboratory analysis.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT TPDES Permit No. 00467-001
Description: Failure to comply with the maximum pH permit limit of 9.0 su (standard units).

Date: 04/30/2004 (295712)
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: 06/30/2002 (158895)
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: 11/29/2004 (341912)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 327 327.3(b)
Description: The regulated entity failed to notify the TCEQ of a reportable incident as soon as possible, but no later than 24 hours. The CASA Line Filter at CITGO East in Corpus Christi, Texas released approx. 10 barrels of 2-Oil to the ground on 09/18/04, however, CITGO personnel did not notify

the TCEQ until 09/28/04.

Date: 08/31/2004 (291703)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.162(a)

Rqmt Prov: PA 5418A & 20156

Description: Failure to demonstrate compliance with the fugitive emission standards for all components in HON service at the BTX and Hydrar Units as directed by § 63.162(a) and (f).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.166[G]

Description: Failure to equip process sampling stations with a closed-purge, closed-loop, or closed-vent system

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.167[G]

Rqmt Prov: PA 5418A & 20156

Description: Failure to equip applicable each open-ended valve or line with a cap, blind flange, plug, or a second valve.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.325(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.180(b)[G]

Rqmt Prov: PA 5418A & 20156

Description: Failure to demonstrate that fugitive monitoring was being performed in accordance with Method 21 of 40 CFR part 60, appendix A.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.182(d)[G]

Description: Failure to submit an accurate and complete HON semiannual report due on or about July 2003 for the reporting period of January through June 2003.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.182(d)[G]

Description: Failure to include in the BTX and Hydrar Unit HON semiannual reports the number and percent of connectors leaking, and the total number of connectors monitored. Additionally, the number and percent of valves leaking and the total number of valves monitored are incorrect.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA 5418A & 20156

Description: Failure to maintain and provide, upon request, lists of equipment excluded from fugitive emission monitoring requirements due to vapor pressure, operating pressure and/or size. Additionally, the operator failed to demonstrate that the weekly AVO inspections of connectors and/or flanges are being conducted.

Date: 08/18/2003 (147279)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT WQ0000467-000

Description: Failure to limit the effluent characteristics to those specified in the permit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)[G]

Rqmt Prov: PERMIT WQ0000467-000

Description: Failure to maintain required records for each measurement or sample collected and analyzed at the facility.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)[G]
30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT WQ0000467-000

Description: Failure to maintain a record of quality assurance/quality control (QA/QC) data for the analysis of total residual chlorine.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)[G]
30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT WQ0000467-000

Description: Failure to monitor and record temperatures inside ovens used in the analysis of Total Suspended Solids (TSS).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: PERMIT WQ0000467-000

Description: Failure to use the appropriate reagent for the analysis of total residual chlorine.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT WQ0000467-000

Description: Failure to properly operate and maintain the storm water collection system.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT WQ0000467-000

Description: Failure to properly operate and maintain the clarifier at the East Plant.

Date: 08/31/2002 (158902)

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: 02/06/2004 (256568)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to obtain regulatory authority for, or satisfy all criteria of 30 Texas Admin. Code §101.222(b), to exempt from compliance limitations, the emissions released during an emissions event.

Date: 09/30/2002 (158905)
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: 11/28/2006 (512162)
Self Report? NO Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 335, SubChapter A 335.4
Description: Failure to prevent discharge of industrial or other waste into or adjacent to any water in the state.

Date: 06/23/2004 (276515)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PA 9604A
Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222 for emissions involving the Fluor Flare during an emissions event which began on March 3, 2004.

Date: 02/03/2004 (258191)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
Description: Failure to provide required information in the notification of a reportable emissions, released as a result of emissions events at the Vacuum Unit on November 18, 2003, to the commission's regional office within 24 hours of discovery.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
Description: Failure to provide required information in the final record of a reportable emissions, released as a result of emissions events at the Vacuum Unit on November 18, 2003, to the commission's regional office no later than two weeks after the end of the emission event.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Rqmt Prov: PA Permit 2695A - General Conditions
Description: Failure to obtain regulatory authority for the emissions released from the 11-H2 Vacuum Heater facility during an emissions event on November 18, 2003. Specifically, all criteria identified in §101.222(b) were not satisfied as required.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to obtain regulatory authority for the opacity based emissions released from the 11-H2 Vacuum Heater facility during an emissions event on November 18, 2003. Specifically, all criteria identified in §101.222(b) were not satisfied as required.

F. Environmental audits.

Notice of Intent Date: 07/07/2004 (334350)
No DOV Associated

Notice of Intent Date: 06/24/2004 (334400)
Disclosure Date: 12/21/2004 12:00:00 AM
Viol. Classification: Major
Citation: 30 TAC Chapter 101, SubChapter F
Description: Failure to report emission events.

Notice of Intent Date: 06/02/2005 (403329)
Disclosure Date: 12/1/2005 12:00:00 AM
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
Description: Failed to control 63 open-ended lines by cap, plug, blind, or double block valves.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
Description: Failure to maintain records of weekly visual inspections documenting inspection of non-leaking pumps.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT R
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to properly complete DOR forms.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H

Description: Failure to submit monitoring reports on time and Reports did not contain all information required by the regulations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H

Description: Failure to tag components in the ADP and BTX units.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H

Description: The 5 to 15 day report submitted in July 2005 generated by the fugitive software had inaccurate or not probable dates that reported excessive deviations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H

Description: Failure to identify compressor leaks in semi-annual report for 2004 MACT or HON units.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to include complete downtime information in several MACT reports for the East Plant.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H

Description: Failure to include reason for delay of repair on the 2004 HON and MACT semiannual reports.

Notice of Intent Date: 07/27/2004 (509717)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

IN THE MATTER OF AN	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	**TEXAS COMMISSION ON**
CITGO REFINING AND CHEMICALS	§	
COMPANY, L.P.	§	
RN102555166	§	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2007-0170-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Citgo Refining and Chemicals Company, L.P. ("Citgo") under the authority OF TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Citgo appear before the Commission and together stipulate that:

1. Citgo owns and operates a petroleum and petrochemical processing plant at 1801 Nueces Bay Boulevard in Corpus Christi, Nueces County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. The Commission and Citgo agree that the Commission has jurisdiction to enter this Agreed Order, and that Citgo is subject to the Commission's jurisdiction.

4. Citgo received notice of the violations alleged in Section II ("Allegations") on or about January 14, 2007.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Citgo of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Five Thousand Five Hundred Fifty Dollars ($5,550) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Citgo has paid Four Thousand Four Hundred Forty Dollars ($4,440) of the administrative penalty

and One Thousand One Hundred Ten Dollars ($1,110) is deferred contingent upon Citgo's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Citgo fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Citgo to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

8. The Executive Director of the TCEQ and Citgo have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.

9. The Executive Director recognizes that Citgo has implemented the following corrective measures at the Plant:

   a. The operator was removed from company equipment on June 21, 2006 until the company investigation was completed; and

   b. The operator was retrained on June 22, 2006 regarding proper vacuum truck procedures and identifying related hazards and documentation in Job Safety Analysis.

10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Citgo has not complied with one or more of the terms or conditions in this Agreed Order.

11. 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.

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, Citgo is alleged to have failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 5418A, General Conditions, Maximum Allowable Emission Rates, as documented during a record review conducted on September 11, 2006. Specifically, 20 pounds of the Hazardous Air Pollutant benzene was released from the UDEX Unit Fugitives during an emissions event that began June 21, 2006 and lasted five minutes. Since these emissions were avoidable, Citgo failed to meet the demonstrations necessary to present an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

Citgo generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Citgo pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Citgo's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Citgo Refining and Chemicals Company, L.P., Docket No. 2007-0170-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. The provisions of this Agreed Order shall apply to and be binding upon Citgo. Citgo is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

3. This Agreed Order, issued by the Commission, shall not be admissible against Citgo 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.

4. 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.

5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Citgo, or three days after the date on which the Commission mails notice of the Order to Citgo, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

_____
For the Commission

_____ 7/12/07
For the Executive Director Date

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

I also understand that 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.

_____ April 3, 2007
Signature Date

Eduardo Assef V.P. Corpus Christi Refinery
Name (Printed or typed) Title
Authorized Representative of
Citgo Refining and Chemicals Company, L.P.

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