

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-0131-AIR-E **TCEQ ID:** RN100211663 **CASE NO.:** 32509
RESPONDENT NAME: Valero Refining-Texas, L.P.

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Valero Corpus Christi Refinery East Plant, 1300 Cantwell Lane, Corpus Christi, Nueces County</p> <p>TYPE OF OPERATION: Petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on June 4, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Audra Ruble, Enforcement Division, Enforcement Team 4, MC 149, (361) 825-3126; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896 Respondent: Mr. Dennis Payne, Regional Vice President, Valero Refining-Texas, L.P., P.O. Box 9370, Corpus Christi, Texas 78469-9370 Mr. Joe Almaraz, Manager, Environmental Engineering, Valero Refining-Texas, L.P., 1300 Cantwell Lane, Corpus Christi, Texas 78407 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: September 12, 2006</p> <p>Date of NOE Relating to this Case: December 13, 2006 (NOE)</p> <p>Background Facts: This was a routine record review. One violation was documented.</p> <p>AIR</p> <p>Failed to prevent an unauthorized emissions event that occurred on May 10, 2006. Specifically, approximately 3,297 pounds ("lbs") of sulfur dioxide, 25.48 lbs of carbon monoxide, 33.64 lbs of hydrogen sulfide, and 41.8 lbs of other materials were released during the 2 hour 12 minute event. The emissions are not authorized by the permit. Since the emissions event was avoidable, it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11) [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit Nos. PSD-TX-1023M1 and 2937, Special Condition 1].</p>	<p>Total Assessed: \$10,000</p> <p>Total Deferred: \$2,000 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$8,000</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of the Commission Order, initiate employee training, concerning the Plant standard operating procedures and routine maintenance to minimize and/or avoid the reoccurrence of emission events similar to the May 10, 2006 incident; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p>



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision December 8, 2006

DATES	Assigned	3-Jan-2007	Screening	30-Jan-2007	EPA Due	24-Oct-2007
	PCW	30-Jan-2007				

RESPONDENT/FACILITY INFORMATION			
Respondent	Valero Refining-Texas, L.P.		
Reg. Ent. Ref. No.	RN100211663		
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	32509	No. of Violations	1	
Docket No.	2007-0131-AIR-E	Order Type	1660	
Media Program(s)	Air Quality	Enf. Coordinator	Audra L. Ruble	
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 \$5,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 100% Enhancement Subtotals 2, 3, & 7 \$5,000

Notes: The Respondent has received one Findings Order, one Court Order, one 1660 Order, one NOV for the same or similar violations, and 10 NOVs for non-similar violations in the past five years.

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 effort criteria.

Total EB Amounts 0% Enhancement* Subtotal 6 \$0
 Approx. Cost of Compliance \$113 *Capped at the Total EB \$ Amount
\$1,500

SUM OF SUBTOTALS 1-7 Final Subtotal \$10,000

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 \$10,000

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$10,000

DEFERRAL 20% Reduction Adjustment -\$2,000

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

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY \$8,000

Screening Date 30-Jan-2007

Docket No. 2007-0131-AIR-E

PCW

Respondent Valero Refining-Texas, L.P.

Policy Revision 2 (September 2002)

Case ID No. 32509

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100211663

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	10	20%
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 judgments 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 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) 100%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The Respondent has received one Findings Order, one Court Order, one 1660 Order, one NOV for the same or similar violations, and 10 NOVs for non-similar violations in the past five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 100%

Screening Date 30-Jan-2007

Docket No. 2007-0131-AIR-E

PCW

Respondent Valero Refining-Texas, L.P.

Policy Revision 2 (September 2002)

Case ID No. 32509

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN100211663

Media [Statute] Air Quality

Enf. Coordinator Audra L. Ruble

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), Tex. Health and Safety Code § 382.085(b), and Air Permit Nos. PSD-TX-1023M1 and 2937, Special Condition 1

Violation Description Failed to prevent an unauthorized emissions event that occurred on May 10, 2006, as documented during a record review conducted on September 12, 2006. Specifically, approximately 3,297 lbs of SO2, 25.48 lbs of CO, 33.64 lbs of H2S, and 41.8 lbs of other materials were released during the 2 hour 12 minute event. The emissions are not authorized by the permit. Since the emissions event was avoidable, it does not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222(b)(1-11).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		X		50%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes The emissions event resulted in the release of a significant amount of pollutants which do not exceed levels protective of human health and/or the environment.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$5,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$113

Violation Final Penalty Total \$10,000

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

Economic Benefit Worksheet

Respondent: Valero Refining-Texas, L.P.
Case ID No: 32509
Reg. Ent. Reference No: RN100211663
Media: Air Quality
Violation No: 1

Percent Interest	Years of Depreciation
5.0	15

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

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,500	10-May-2006	11-Nov-2007	1.5	\$113	n/a	\$113

Notes for DELAYED costs

Estimated cost to repair equipment and to implement procedures to prevent reoccurrence. Date required is the date of the event and final date is when compliance is expected to be achieved.

Avoided Costs

ANNUALIZE [1] avoided costs before entering Item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$113

Compliance History

Customer/Respondent/Owner-Operator:	CN600127468 Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 8.47																																																																																																																																																						
Regulated Entity:	RN100211663 VALERO CORPUS CHRISTI REFINERY EAST PLANT	Classification: AVERAGE	Site Rating: 44.63																																																																																																																																																						
ID Number(s):	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">AIR OPERATING PERMITS</td> <td style="width: 20%;">ACCOUNT NUMBER</td> <td style="width: 20%;">NE0043A</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>1231</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>2238</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>2239</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>2250</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>1750</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>ACCOUNT NUMBER</td> <td>NE0476L</td> </tr> <tr> <td>AIR OPERATING PERMITS</td> <td>PERMIT</td> <td>1750</td> </tr> <tr> <td>WASTEWATER</td> <td>PERMIT</td> <td>WQ0000465000</td> </tr> <tr> <td>WASTEWATER</td> <td>PERMIT</td> <td>TX0006904000</td> </tr> <tr> <td>WASTEWATER</td> <td>PERMIT</td> <td>TX0006904</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>ACCOUNT NUMBER</td> <td>NE0043A</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>1084</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>1085</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>1152</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>2937</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>9344</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>10923</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>11456</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>11652</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>13764</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>2180A</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>3477</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>3783</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>5285A</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>5487A</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>5488A</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>16859</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>21656</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>21563</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>22390</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>30275</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>41936</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>PERMIT</td> <td>46768</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>71884</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>75588</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>AFS NUM</td> <td>0018</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>72781</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>EPA ID</td> <td>PSDTX1023</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>EPA ID</td> <td>PSDTX1023M1</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>78472</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>REGISTRATION</td> <td>78481</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>ACCOUNT NUMBER</td> <td>NE0476L</td> </tr> <tr> <td>AIR NEW SOURCE PERMITS</td> <td>AFS NUM</td> <td>0177</td> </tr> <tr> <td>INDUSTRIAL AND HAZARDOUS WASTE GENERATION</td> <td>SOLID WASTE REGISTRATION # (SWR)</td> <td>30530</td> </tr> <tr> <td>INDUSTRIAL AND HAZARDOUS WASTE GENERATION</td> <td>EPA ID</td> <td>TXD008132268</td> </tr> <tr> <td>IHW CORRECTIVE ACTION</td> <td>SOLID WASTE REGISTRATION # (SWR)</td> <td>30530</td> </tr> <tr> <td>INDUSTRIAL AND HAZARDOUS WASTE STORAGE</td> <td>PERMIT</td> <td>50261</td> </tr> <tr> <td>WASTEWATER LICENSING</td> <td>LICENSE</td> <td>WQ0000465000</td> </tr> <tr> <td>INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS</td> <td>PERMIT</td> <td>50261</td> </tr> </table>			AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0043A	AIR OPERATING PERMITS	PERMIT	1231	AIR OPERATING PERMITS	PERMIT	2238	AIR OPERATING PERMITS	PERMIT	2239	AIR OPERATING PERMITS	PERMIT	2250	AIR OPERATING PERMITS	PERMIT	1750	AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0476L	AIR OPERATING PERMITS	PERMIT	1750	WASTEWATER	PERMIT	WQ0000465000	WASTEWATER	PERMIT	TX0006904000	WASTEWATER	PERMIT	TX0006904	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	NE0043A	AIR NEW SOURCE PERMITS	PERMIT	1084	AIR NEW SOURCE PERMITS	PERMIT	1085	AIR NEW SOURCE PERMITS	PERMIT	1152	AIR NEW SOURCE PERMITS	PERMIT	2937	AIR NEW SOURCE PERMITS	PERMIT	9344	AIR NEW SOURCE PERMITS	PERMIT	10923	AIR NEW SOURCE PERMITS	PERMIT	11456	AIR NEW SOURCE PERMITS	PERMIT	11652	AIR NEW SOURCE PERMITS	PERMIT	13764	AIR NEW SOURCE PERMITS	PERMIT	2180A	AIR NEW SOURCE PERMITS	PERMIT	3477	AIR NEW SOURCE PERMITS	PERMIT	3783	AIR NEW SOURCE PERMITS	PERMIT	5285A	AIR NEW SOURCE PERMITS	PERMIT	5487A	AIR NEW SOURCE PERMITS	PERMIT	5488A	AIR NEW SOURCE PERMITS	PERMIT	16859	AIR NEW SOURCE PERMITS	PERMIT	21656	AIR NEW SOURCE PERMITS	PERMIT	21563	AIR NEW SOURCE PERMITS	PERMIT	22390	AIR NEW SOURCE PERMITS	PERMIT	30275	AIR NEW SOURCE PERMITS	PERMIT	41936	AIR NEW SOURCE PERMITS	PERMIT	46768	AIR NEW SOURCE PERMITS	REGISTRATION	71884	AIR NEW SOURCE PERMITS	REGISTRATION	75588	AIR NEW SOURCE PERMITS	AFS NUM	0018	AIR NEW SOURCE PERMITS	REGISTRATION	72781	AIR NEW SOURCE PERMITS	EPA ID	PSDTX1023	AIR NEW SOURCE PERMITS	EPA ID	PSDTX1023M1	AIR NEW SOURCE PERMITS	REGISTRATION	78472	AIR NEW SOURCE PERMITS	REGISTRATION	78481	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	NE0476L	AIR NEW SOURCE PERMITS	AFS NUM	0177	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30530	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008132268	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30530	INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50261	WASTEWATER LICENSING	LICENSE	WQ0000465000	INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50261
AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0043A																																																																																																																																																							
AIR OPERATING PERMITS	PERMIT	1231																																																																																																																																																							
AIR OPERATING PERMITS	PERMIT	2238																																																																																																																																																							
AIR OPERATING PERMITS	PERMIT	2239																																																																																																																																																							
AIR OPERATING PERMITS	PERMIT	2250																																																																																																																																																							
AIR OPERATING PERMITS	PERMIT	1750																																																																																																																																																							
AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0476L																																																																																																																																																							
AIR OPERATING PERMITS	PERMIT	1750																																																																																																																																																							
WASTEWATER	PERMIT	WQ0000465000																																																																																																																																																							
WASTEWATER	PERMIT	TX0006904000																																																																																																																																																							
WASTEWATER	PERMIT	TX0006904																																																																																																																																																							
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	NE0043A																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	1084																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	1085																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	1152																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	2937																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	9344																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	10923																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	11456																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	11652																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	13764																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	2180A																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	3477																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	3783																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	5285A																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	5487A																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	5488A																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	16859																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	21656																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	21563																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	22390																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	30275																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	41936																																																																																																																																																							
AIR NEW SOURCE PERMITS	PERMIT	46768																																																																																																																																																							
AIR NEW SOURCE PERMITS	REGISTRATION	71884																																																																																																																																																							
AIR NEW SOURCE PERMITS	REGISTRATION	75588																																																																																																																																																							
AIR NEW SOURCE PERMITS	AFS NUM	0018																																																																																																																																																							
AIR NEW SOURCE PERMITS	REGISTRATION	72781																																																																																																																																																							
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1023																																																																																																																																																							
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1023M1																																																																																																																																																							
AIR NEW SOURCE PERMITS	REGISTRATION	78472																																																																																																																																																							
AIR NEW SOURCE PERMITS	REGISTRATION	78481																																																																																																																																																							
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	NE0476L																																																																																																																																																							
AIR NEW SOURCE PERMITS	AFS NUM	0177																																																																																																																																																							
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30530																																																																																																																																																							
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008132268																																																																																																																																																							
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30530																																																																																																																																																							
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50261																																																																																																																																																							
WASTEWATER LICENSING	LICENSE	WQ0000465000																																																																																																																																																							
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50261																																																																																																																																																							
Location:	1300 CANTWELL LN, CORPUS CHRISTI, TX, 78407	Rating Date: September 01 06 Repeat Violator: NO																																																																																																																																																							
TCEQ Region:	REGION 14 - CORPUS CHRISTI																																																																																																																																																								
Date Compliance History Prepared:	January 29, 2007																																																																																																																																																								
Agency Decision Requiring Compliance History:	Enforcement																																																																																																																																																								
Compliance Period:	January 29, 2002 to January 29, 2007																																																																																																																																																								

Name: Audra Ruble Phone: 361-825-3126

Site Compliance History Components

- 1. Has the site been in existence and/or operation for the full five year compliance period? Yes
- 2. Has there been a (known) change in ownership of the site during the compliance period? Yes
- 3. If Yes, who is the current owner? Valero Refining-Texas, L.P.
- 4. If Yes, who was/were the prior owner(s)? Coastal Refining and Marketing Inc
- 5. When did the change(s) in ownership occur? 11/08/2004

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: 11/16/2003 ADMINORDER 2002-1055-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: SC 1 PERMIT
Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.11 for emissions resulting from an upset event 11/2/01.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
Description: Failure to prevent visible emissions from a gas flare for a duration of less than five minutes in a two hour period during an upset event on 11/2/01
- Effective Date: 11/23/2005 COURTOORDER
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)[G]
Description: Fail. meet 24 hr. reporting req. for aupset event (CRMI incident #00-143R) that occurred 7/2/00 - 7/7/00.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT
Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset event that occurred 7/2/00 - 7/7/00.
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Fail. maintain complete records regarding upset event that occurred on 9/8/2000.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT
Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset events that occurred on 7/2/00 thru 7/7/00.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT
Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset that occurred on 9/26/00.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT
Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset event that occurred on 9/26/00.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset event that occurred on 10/4/00.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.7(c)[G]
Description: Fail. maintain complete records regarding maintenance event on 2/18/01.
Classification: Moderate

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

Rqmt Prov: GC8 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from maintenance event that occurred on 2/18/01.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10[G]

Description: Fail. include upset emissions from CO boiler & collapse of roof of storage vessel #352 in EIU for calendar yr. 1999.

Classification: Moderate

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

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

Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from 20 upset events at crude & vacuum unit.

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

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

Description: Fail. maintain flare observation log for 4 flares for may & june 2000 & for east plt. main flare for december 2000.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(b)(2)

30 TAC Chapter 115, SubChapter B 115.114(b)(3)

30 TAC Chapter 115, SubChapter B 115.114(b)(4)

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

Description: Fail. visually inspect or physically measure secondary seal gaps of vessels numbered 84, 98, 100, 151, 153, 355 & 358 at least once every 12 months during calendar yr. 2000.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.322(5)

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

Description: Fail. mark applicable pipeline valves & pressure relief valves in gaseous VOC serv. in manner readily obvious to monitoring personnel.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.324(1)(C)

30 TAC Chapter 115, SubChapter D 115.326(2)[G]

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

Description: Fail. measure emissions from all affected process drains on yearly basis.

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

30 TAC Chapter 115, SubChapter D 115.325(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)

Rqmt Prov: SC 11 & 12 PERMIT

SC 13F PERMIT

SC 16F & 16G PERMIT

SC 1F & 1G PERMIT

SC 3F & 3G PERMIT

SC 5 & 6 PERMIT

SC 5F, 5G & 6 PERMIT

SC 6 PERMIT

SC4 PERMIT

Description: Fail. properly conduct test method 21.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.326(1)

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

Description: Fail. submit monitoring program plan which includes list of refinery units & quarter in which they will be monitored copy of log book format & make & model of monitoring equip. to be used.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.327(4)

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

Description: Fail. submit required compliance plan & start up notification before #2 reformer at Quintana plt. was re-started in 1/2001.

Classification: Minor

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

Rqmt Prov: SC13 PERMIT
SC29E PERMIT

Description: Fail. submit accurate summ.rpt. for SRU#1 for 3rd qurtr. cal. yr. 1999(3Q99)&for SRU#1 &SRU #2 for 2Q00 &fail. to submit CMS EER for 1Q97,2Q97,4Q98 &2Q99 for fuel gas hydrogen sulfide content 3Q00 SRU#1 SO2 emissions,3Q97 &1Q00 co-gen.unit NOX emiss.

Classification: Minor

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

Description: Fail. submit rpt. at least semi-annual cert. indicating whether any changes were made in opers. SRU#1 & SRU#2 emission control system when SO2 data wasn't available from CEMS.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Part 60, Subpart NNN 60.663(b)(2)

Description: Fail. install flow Indicator on deisopentainizer column vent stream & TBA stripper column vent stream.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Part 60, Subpart NNN 60.665(a)
40 CFR Part 60, Subpart NNN 60.665(d)

Description: Fail. submit notification indicating method of compliance w/ 40CFR60.662 & fail. provide records of flow rates & semi-annual rpts. as required.

Classification: Minor

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

Rqmt Prov: SC11A PERMIT
SC13A PERMIT
SC16A PERMIT
SC3A PERMIT
SC4A PERMIT
SC5A & 6A PERMIT

Description: Fail. provide records of throughput and service and emission control tanks repairs/replacements.

Classification: Moderate

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

Rqmt Prov: SC11F PERMIT
SC16F PERMIT
SC4F PERMIT
SC6F PERMIT
SCF5 PERMIT

Description: Fail. utilize directed maintenance program to monitor accessble valves.

Classification: Minor

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

Rqmt Prov: SP 8D,8E &8F PERMIT

Description: Fail. maintain record of semi-annual & yr.-to-date emissions calculations for annual & short-term emissions for vessels.

Classification: Moderate

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

Rqmt Prov: GC8 PERMIT

Description: Fail. maintain VOC emissions at or below allowable emission limits for tanks 323, 324, 350 & 354 for calendar yr. 1999 & fail. maintain emissions at or below allowable emission limits for tanks 323, 324, 350, 354 & 355 for calendar yr. 2000.

Classification: Moderate

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

Rqmt Prov: GC1 PERMIT

Description: Fail to produce, upon request, proper records of CO emissions.

Classification: Minor

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

Rqmt Prov: SC4 PERMIT

Description: Fail. properly notify TNRCC of change in serv. on or about 7/1/98 for tanks 334, 335, 351, 357 & 358.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC8 PERMIT
Description: Failed to include emissions from the CO boiler and the collapse of the roof of storage vessel no. 352 in teh EIU for calendar year 1999.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of CO, VOC & PM at or below allowable emission limits for reactor heater 3-H-3 for calendar yr. 2000.

Classification: Moderate

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

Rqmt Prov: SC3 PERMIT

Description: Fail. comply w/ required fuel rate limit for reactor heater 3-H-3 from 10/1999 - 6/2000 & 8/2000

Classification: Minor

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

Rqmt Prov: SC8A PERMIT

Description: Fail. properly maintain records of fuel throughput for reactor heater 3-H-3.

Classification: Minor

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

Rqmt Prov: SC7 PERMIT

Description: Fail. report results of annual test runs to confirm accuracy of weekly sampling procedures of SC4 of TNRCC air permit #3784A for 1999 & 2000.

Classification: Moderate

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

Rqmt Prov: SC8 PERMIT

Description: Fail. conduct audio, visual & olfactory checks for leaks at proper frequency.

Classification: Moderate

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

Rqmt Prov: SP1 PERMIT

Description: Fail. maintain emissions of VOC, NOx & CO at or below allowable emission limits for #2 reformer flare REF2FL1 for calendar yrs. 1999 & 2000 and misrepresentation of these emissions in 1/22/92 permit app..

Classification: Minor

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

Rqmt Prov: SC5 PERMIT

Description: Fail. maintain records of daily avg. fuel gas usage for heater QL-10.

Classification: Moderate

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

Rqmt Prov: GC8 PERMIT

Description: Fail. maintain emissions of CO at or below allowable emission limits for heater QH-125 for calendar yrs. 1999 & 2000.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of VOC at or below allowable emission limits for heater Q10-H-1 for calendar yr. 2000.

Classification: Moderate

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

Rqmt Prov: SC6 PERMIT

Description: Fail. comply w/ required feed rate limit for heater Q10-H-1 for 12/1999.

Classification: Moderate

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

Rqmt Prov: GC8 PERMIT

Description: Fail. maintain emissions of CO at or below allowable emission limits for heaters Q11-H-301 & Q11-H-3002 for calendar yr. 2000.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of CO at or below allowable emission limits for heaters 8-H-5 & 8-H-6 for calendar yr. 1999 & fail. maintain emissions of CO at or below allowable limits for heater 8-H-5 for calendar yr. 2000.

Classification: Moderate

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

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

Rqmt Prov: SC4 PERMIT

Description: Fail. comply w/ required hourly firing rate limit for heater 8-H-6 from 1/1 to 5/27, 6/3 to 6/18, 7/3 to 7/6 & 7/21 to 9/9, 1999; and fail. comply w/ required hourly firing rate limit for heaters 8-H-3 & 8-H-5 for 17 hrs. between 1/22 & 4/21, 1999.

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: SC11E PERMIT

Description: Fail. manually switch CEMS monitor between stacks cogen-1 & cogen-2 every 3 months during calendar yrs. 1999 & 2000.

Classification: Moderate

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

Rqmt Prov: SC10 PERMIT

Description: Fail. maintain SO2 concentration at or below allowable concentration limit for tail gas incinerators SRU1-INCIN & SRU2-INCIN for 1099 & 3Q00.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions VOC at or below allowable emission limits for coker heater 7-H-2 for cal. yr. 1999 & fail. maintain emissions VOC, CO & PM of 10 microns or less (PM 10) at or below allowable emission limits for coker heater 7-H-2 for cal. yr. 2000

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]

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

Description: Fail. obtain regulatory auth. for west plt. flare (WP-flare) from 4/1997 to present & misrepresentation of this process unit in 9/28/1993 permit app..

Classification: Moderate

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

Rqmt Prov: SC18 PERMIT

Description: Fail. conduct cooling water VOC leak detection sampling as required.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8[G]

40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.664

40 CFR Part 60, Subpart A 60.18

Description: Fail. conduct performance test on east plt. main flare & #2 reformer flare w/in 180 days after initial startup in 1987.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7[G]

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8[G]

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349[G]

40 CFR Part 60, Subpart A 60.18

Description: Fail. conduct performance test on west plant flare, which is in 40CFR part 61, subpart FF serv., w/in 180 days after initial startup.

Classification: Moderate

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

Description: Failure to provide notification of reportable emissions, released as a result of emissions events at the Vacuum Jet Compressor on September 21, 2002 and February 7, 2003, within 24 hours of discovery.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit 6797 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from, compliance limitations, emissions involving the Vacuum Jet Compressor during eleven emissions events.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Rqmt Prov: TCEQ Permit 6797 PA
Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Ingersoll Rand (IR) Compressor during an emissions event on June 27, 2002.

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 Permit 21655 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Sulfur Recovery Unit Incinerator during an emissions event which started on June 20, 2002 and ended on June 24, 2002.

Classification: Minor

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

Description: Failure to provide rule required information in the notification of a reportable emissions, released as a result of emissions events at the Vacuum Jet Compressor on September 23, 2003, to the commission's regional office within 24 hours of discovery.

Classification: Moderate

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

Rqmt Prov: General Conditions PA

Description: Failure to obtain regulatory authority for, or satisfy all demonstration criteria to exempt from compliance limitations, the emissions (including approximately 3 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during an emissions event on September 23, 2003.

Classification: Moderate

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

Rqmt Prov: 6797 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and (c) and obtain regulatory authority for the emissions (including approximately 89 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during emissions events and scheduled activities.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter B 112.31

Description: Failure to prevent emissions of hydrogen sulfide from a source or sources operated on a property or multiple sources operated on contiguous properties from exceeding a net ground level concentration of 0.80 parts per million averaged over a 30-minute period.

Classification: Moderate

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

Rqmt Prov: SC 1 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and obtain regulatory authority for the emissions (including approximately 6.3 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during an emissions event on or about May 5, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: Failure to notify the TCEQ Corpus Christi Region Office within twenty four hours after the discovery of a reportable emissions event.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to satisfy all demonstrations criteria in 30 TAC §101.222(b) and gain an affirmative defense for the unauthorized emissions that were released during TCEQ incident 37739.

Effective Date: 12/30/2005

ADMINORDER 2001-1023-AIR-E

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset event that occurred 7/2/00 - 7/7/00.

Classification: Minor

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

Description: Fail. maintain complete records regarding upset event that occurred on 9/8/2000.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset events that occurred on 7/2/00 thru 7/7/00.

Classification: Moderate

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

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT
Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset that occurred on 9/26/00.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT
Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset event that occurred on 9/26/00.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT
Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from 20 upset events at crude & vacuum unit.
Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(II)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. maintain flare observation log for 4 flares for may & june 2000 & for east plt. main flare for december 2000.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.114(b)(2)
30 TAC Chapter 115, SubChapter B 115.114(b)(3)
30 TAC Chapter 115, SubChapter B 115.114(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. visually inspect or physically measure secondary seal gaps of vessels numbered 84, 98, 100, 151, 153, 355 & 358 at least once every 12 months during calendar yr. 2000.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.322(5)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. mark applicable pipeline valves & pressure relief valves in gaseous VOC serv. in manner readily obvious to monitoring personnel.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.324(1)(C)
30 TAC Chapter 115, SubChapter D 115.326(2)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. measure emissions from all affected process drains on yearly basis.
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
30 TAC Chapter 115, SubChapter D 115.325(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)

Rqmt Prov: SC 11 & 12 PERMIT
SC 13F PERMIT
SC 16F & 16G PERMIT
SC 1F & 1G PERMIT
SC 3F & 3G PERMIT
SC 5 & 6 PERMIT
SC 5F, 5G & 6 PERMIT
SC 6 PERMIT
SC4 PERMIT

Description: Fail. properly conduct test method 21.
Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.326(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. submit monitoring program plan which includes list of refinery units & quarter in which they will be monitored copy of log book format & make & model of monitoring equip. to be used.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.327(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. submit required compliance plan & start up notification before #2 reformer at Quintana

plt. was re-started in 1/2001.

Classification: Minor

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

Rqmt Prov: SC13 PERMIT
SC29E PERMIT

Description: Fail. submit accurate summ. rpt. for SRU#1 for 3rd qurtr. cal. yr. 1999(3Q99) & for SRU#1 & SRU #2 for 2Q00 & fail. to submit CMS EER for 1Q97, 2Q97, 4Q98 & 2Q99 for fuel gas hydrogen sulfide content 3Q00 SRU#1 SO2 emissions, 3Q97 & 1Q00 co-gen. unit NOX emiss.

Classification: Minor

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

Description: Fail. submit rpt. at least semi-annual cert. indicating whether any changes were made in opers. SRU#1 & SRU#2 emission control system when SO2 data wasn't available from CEMS.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Part 60, Subpart NNN 60.665(a)
40 CFR Part 60, Subpart NNN 60.665(d)

Description: Fail. submit notification indicating method of compliance w/ 40CFR60.662 & fail. provide records of flow rates & semi-annual rpts. as required.

Classification: Minor

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

Rqmt Prov: SC11A PERMIT
SC13A PERMIT
SC16A PERMIT
SC3A PERMIT
SC4A PERMIT
SC5A & 6A PERMIT

Description: Fail. provide records of throughput and service and emission control tanks repairs/replacements.

Classification: Moderate

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

Rqmt Prov: SC11F PERMIT
SC16F PERMIT
SC4F PERMIT
SC6F PERMIT
SCF5 PERMIT

Description: Fail. utilize directed maintenance program to monitor accessible valves.

Classification: Minor

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

Rqmt Prov: SP 8D, 8E & 8F PERMIT

Description: Fail. maintain record of semi-annual & yr.-to-date emissions calculations for annual & short-term emissions for vessels.

Classification: Moderate

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

Rqmt Prov: GC1 PERMIT

Description: Fail to produce, upon request, proper records of CO emissions.

Classification: Minor

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

Rqmt Prov: SC8 PERMIT

Description: Failed to include emissions from the CO boiler and the collapse of the roof of storage vessel no. 352 in teh EIU for calendar year 1999.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of CO, VOC & PM at or below allowable emission limits for reactor heater 3-H-3 for calendar yr. 2000.

Classification: Moderate

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

Rqmt Prov: SC3 PERMIT

Description: Fail. comply w/ required fuel rate limit for reactor heater 3-H-3 from 10/1999 - 6/2000 & 8/2000

Classification: Minor

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

Rqmt Prov: SC8A PERMIT

Description: Fail. properly maintain records of fuel throughput for reactor heater 3-H-3.

Classification: Minor

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

Rqmt Prov: SC7 PERMIT

Description: Fail. report results of annual test runs to confirm accuracy of weekly sampling procedures of SC4 of TNRCC air permit #3784A for 1999 & 2000.

Classification: Moderate

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

Rqmt Prov: SP1 PERMIT

Description: Fail. maintain emissions of VOC, NOx & CO at or below allowable emission limits for #2 reformer flare REF2FL1 for calendar yrs. 1999 & 2000 and misrepresentation of these emissions in 1/22/92 permit app.

Classification: Minor

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

Rqmt Prov: SC5 PERMIT

Description: Fail. maintain records of daily avg. fuel gas usage for heater QL-10.

Classification: Moderate

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

Rqmt Prov: GC8 PERMIT

Description: Fail. maintain emissions of CO at or below allowable emission limits for heater QH-125 for calendar yrs. 1999 & 2000.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of VOC at or below allowable emission limits for heater Q10-H-1 for calendar yr. 2000.

Classification: Moderate

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

Rqmt Prov: SC6 PERMIT

Description: Fail. comply w/ required feed rate limit for heater Q10-H-1 for 12/1999.

Classification: Moderate

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

Rqmt Prov: SC4 PERMIT

Description: Fail. comply w/ required hourly firing rate limit for heater 8-H-6 from 1/1 to 5/27, 6/3 to 6/18, 7/3 to 7/6 & 7/21 to 9/9, 1999; and fail. comply w/ required hourly firing rate limit for heaters 8-H-3 & 8-H-5 for 17 hrs. between 1/22 & 4/21, 1999.

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: SC11E PERMIT

Description: Fail. manually switch CEMS monitor between stacks cogen-1 & cogen-2 every 3 months during calendar yrs. 1999 & 2000.

Classification: Moderate

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

Rqmt Prov: SC1 OP

Description: Failure to produce on request records of VOC emission levels for for Coker Heater 7-H-2 for calendar year 1999 and for emission levels of VOCs, PM and CO for calendar year 2000

Classification: Moderate

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

Description: misrepresented the West Plant Flare as an emergency flare instead of a process flare

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC18 OP
Description: failed to complete all samples required for cooling water VOC leak detection sampling

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	05/20/2003	(159889)
2	05/20/2002	(159888)
3	04/17/2003	(159885)
4	04/23/2002	(159884)
5	07/20/2005	(430049)
6	04/15/2004	(258186)
7	06/30/2004	(277545)
8	04/11/2005	(350299)
9	03/19/2003	(159880)
10	04/21/2003	(33898)
11	12/28/2004	(345193)
12	03/26/2004	(265025)
13	03/21/2002	(159879)
14	08/22/2006	(483293)
15	06/25/2003	(36014)
16	08/18/2006	(520356)
17	07/07/2006	(485108)
18	02/17/2003	(159877)
19	07/09/2005	(397621)
20	02/18/2004	(296104)
21	09/19/2006	(520357)
22	02/19/2002	(159876)
23	08/28/2003	(29654)
24	04/11/2003	(31132)
25	03/19/2004	(296107)
26	10/16/2006	(511059)
27	12/20/2006	(511278)
28	04/22/2004	(296108)
29	08/29/2006	(488424)
30	10/25/2005	(432976)
31	05/18/2004	(296110)
32	05/17/2004	(265353)
33	06/21/2004	(296112)
34	05/08/2003	(36029)
35	02/10/2005	(342544)
36	08/19/2005	(440955)
37	08/27/2004	(289772)
38	06/06/2006	(480816)
39	09/19/2005	(440956)
40	08/18/2003	(296115)
41	10/24/2005	(440957)
42	02/17/2004	(332781)
43	09/22/2003	(296117)
44	08/19/2005	(405862)
45	06/07/2004	(274416)
46	10/21/2003	(296119)
47	07/20/2004	(352431)
48	11/30/2004	(342556)
49	08/19/2004	(352432)
50	06/22/2004	(270344)
51	11/21/2003	(296120)
52	09/13/2004	(352433)
53	12/22/2003	(296121)
54	11/30/2004	(342509)

55 10/21/2004 (352434)
56 11/23/2004 (352435)
57 01/20/2004 (296123)
58 10/21/2004 (334534)
59 06/27/2002 (246569)
60 04/18/2003 (33903)
61 06/02/2005 (394325)
62 06/30/2004 (277770)
63 04/15/2005 (373717)
64 02/20/2003 (246568)
65 11/30/2006 (531095)
66 07/10/2006 (462991)
67 06/19/2006 (465775)
68 12/16/2003 (147906)
69 06/02/2005 (394464)
70 08/29/2006 (509898)
71 12/06/2006 (532499)
72 10/07/2004 (292867)
73 11/17/2005 (403617)
74 01/21/2003 (159918)
75 06/19/2003 (114250)
76 12/17/2002 (159914)
77 02/22/2006 (468635)
78 01/26/2007 (534329)
79 06/27/2005 (375543)
80 03/20/2006 (468637)
81 08/30/2005 (418769)
82 04/24/2006 (498341)
83 11/21/2005 (468638)
84 05/23/2006 (498342)
85 12/21/2005 (468639)
86 06/21/2006 (498343)
87 11/25/2002 (159910)
88 01/23/2006 (468640)
89 07/20/2006 (498344)
90 01/06/2004 (251552)
91 06/15/2004 (269771)
92 05/25/2006 (479708)
93 08/31/2004 (267107)
94 01/08/2007 (533142)
95 01/19/2007 (532903)
96 10/18/2002 (159906)
97 01/28/2006 (453260)
98 09/17/2002 (159903)
99 07/15/2005 (397268)
100 05/08/2006 (465221)
101 08/30/2006 (509065)
102 08/19/2002 (159900)
103 12/17/2003 (258116)
104 04/19/2006 (462919)
105 07/19/2006 (481002)
106 07/05/2005 (397974)
107 12/06/2004 (342868)
108 02/22/2005 (381978)
109 07/24/2003 (159897)
110 12/05/2006 (532536)
111 03/18/2005 (381979)
112 12/21/2005 (439798)
113 07/22/2002 (159896)
114 03/26/2004 (265011)
115 12/22/2004 (381980)
116 09/13/2006 (510965)
117 01/14/2005 (381981)
118 03/28/2006 (458315)
119 02/08/2006 (453776)
120 10/14/2005 (433213)
121 06/16/2003 (159893)
122 04/19/2005 (430046)

123 06/24/2002 (159892)
124 05/23/2005 (430047)
125 05/08/2006 (464657)
126 08/24/2005 (402929)
127 06/21/2005 (430048)

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

Date: 08/19/2004 (289772)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
Description: Failure to prevent visible emissions from the flare (EPN: EP-FLARE1) from exceeding the required limit, as reported on January 21, 2004 in incident 33605.

Date: 03/11/2003 (26414)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.6(a)
Description: Valero failed to notify the executive director by electronic notification of nonhazardous industrial solid waste disposal activities.

Date: 04/23/2003 (31132)
Self Report? NO Classification: Minor
Rqmt Prov: PERMIT IA
Description: Failure to maintain a record of calibration activities for the flow meter at Outfall 001.

Date: 03/11/2003 (25137)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.4(1)
TWC Chapter 26 26.121(a)(1)
Description: Failure to prevent the discharge of industrial waste from entering "waters of the state" (ground water).

Date: 02/17/2004 (332781)
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: 06/27/2002 (246569)
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: 02/20/2003 (246568)
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: 08/29/2006 (509065)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
Rqmt Prov: OP IA
Description: Failure to visually inspected initially and quarterly thereafter to ensure that all containers are closed and gasketed properly.

Date: 08/29/2006 (509898)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.132(b)(1)
Rqmt Prov: OP IA
Description: The Regulated Entity failed to keep the gauging and sampling devices vapor-tight except during gauging or sampling, citing 30 TAC § 115.132(b)(1) / FOP No. O-01231 Permit Provision No. 13 for the reporting period covering, 10/11/2005 to 10/17/2005.

Date: 01/31/2006 (468635)
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: 08/29/2006 (509898)
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
Rqmt Prov: OP IA
Description: Failure to submit a complete deviation report for Title V Federal Operating Permit No. O-02238 for the semi-annual reporting periods of April 19, 2005 through October 18, 2005 and October 19, 2005 through April 18, 2006. Specifically, the deviation reports were inadequate as the probable cause was

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

Rqmt Prov: OP IA

Description: Failure to conduct visual inspections of vacuum trucks during the third quarter (July 1, 2005 through September 30, 2005) as required by applicable federal rule.

Date: 08/23/2006 (488424)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(i)

Description: Failure to maintain records as required by applicable federal rule.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

Description: Failure to conduct required monthly monitoring of six pumps.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

Rqmt Prov: OP IA

Description: Failure to conduct visual inspections as required by federal rule.

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.
RN100211663

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2007-0131-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 Valero Refining-Texas, L.P. ("Valero") 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 Valero appear before the Commission and together stipulate that:

1. Valero owns and operates a petroleum refinery located at 1300 Cantwell Lane 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 Valero agree that the Commission has jurisdiction to enter this Agreed Order, and that Valero is subject to the Commission's jurisdiction.
4. Valero received notice of the violations alleged in Section II ("Allegations") on or about December 18, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Valero of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Valero has paid Eight Thousand Dollars (\$8,000) of the administrative penalty and Two Thousand Dollars (\$2,000) is deferred contingent upon Valero'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 Valero fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Valero 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 Valero have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
 9. 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 Valero has not complied with one or more of the terms or conditions in this Agreed Order.
 10. 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.
 11. 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, Valero is alleged to have failed to prevent an unauthorized emissions event that occurred on May 10, 2006, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit Nos. PSD-TX-1023M1 and 2937, Special Condition 1, as documented during a record review conducted on September 12, 2006. Specifically, approximately 3,297 pounds ("lbs") of sulfur dioxide, 25.48 lbs of carbon monoxide, 33.64 lbs of hydrogen sulfide, and 41.8 lbs of other materials were released during the 2 hour 12 minute event. The emissions are not authorized by the permit. Since the emissions event was avoidable, it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11).

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Valero pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Valero'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: Valero Refining-Texas, L.P., Docket No. 2007-0131-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. It is further ordered that Valero shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of the Commission Order, initiate employee training concerning the Plant standard operating procedures and routine maintenance to minimize and/or avoid the reoccurrence of emission events similar to the May 10, 2006 incident; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

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

The following information is provided for your reference. It is intended to be a summary of the key points discussed during the meeting. The information is not intended to be a substitute for the full meeting minutes.

The meeting was held on October 27, 2023, at 10:00 AM. The meeting was attended by the following individuals: [List of attendees]. The meeting was chaired by [Name].

The meeting agenda included the following items: [List of agenda items].

The following information was discussed during the meeting: [Summary of discussion points].

1. [Topic 1]

2. [Topic 2]

3. [Topic 3]

4. [Topic 4]

5. [Topic 5]

The meeting concluded at 11:30 AM. The next meeting is scheduled for [Date and Time].

The following information is provided for your reference. It is intended to be a summary of the key points discussed during the meeting. The information is not intended to be a substitute for the full meeting minutes.

The meeting was held on October 27, 2023, at 10:00 AM. The meeting was attended by the following individuals: [List of attendees]. The meeting was chaired by [Name].

The meeting agenda included the following items: [List of agenda items].

The following information was discussed during the meeting: [Summary of discussion points].

The meeting concluded at 11:30 AM. The next meeting is scheduled for [Date and Time].

Meeting Minutes

1. [Topic 1]

2. [Topic 2]

3. [Topic 3]

4. [Topic 4]

5. [Topic 5]

6. [Topic 6]

7. [Topic 7]

8. [Topic 8]

9. [Topic 9]

10. [Topic 10]

3. The provisions of this Agreed Order shall apply to and be binding upon Valero. Valero is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If 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 shall have 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. 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.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), 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. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

6/28/07

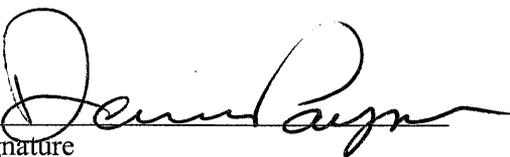
Date

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.



Signature

3/23/07

Date

Dennis Payne

Name (Printed or typed)
Authorized Representative of
Valero Refining-Texas, L.P.

Regional Vice President

Title

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

