

EXECUTIVE SUMMARY - ENFORCEMENT MATTER**DOCKET NO.:** 2007-0023-AIR-E **TCEQ ID:** RN102561925 **CASE NO.:** 32115**RESPONDENT NAME:** The Goodyear Tire & Rubber Company

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: Goodyear Tire & Rubber, Beaumont Chemical Plant, 11241 Interstate Highway 10, Beaumont, Jefferson County</p> <p>TYPE OF OPERATION: Petrochemical manufacturing</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: No complaints were received. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0562-AIR and 2005-1671-AIR-E.</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. Trina Grieco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468 Respondent: Mr. Bradley E. Ioerger, Plant Manager, The Goodyear Tire and Rubber Company, P.O. Box 26003, Beaumont, Texas 77720-6003 Mr. Charlie Mingo, Environmental Section Head, The Goodyear Tire and Rubber Company, P.O. Box 26003, Beaumont, Texas 77720-6003 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 of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: December 1, 2006</p> <p>Date of NOE Relating to this Case: December 20, 2006 (NOE)</p> <p>Background Facts: This was a routine record review. Seven violations were documented.</p> <p>The case was remanded from the September 5, 2007 Commission Agenda for corrections to the Order. The case is not ready for consideration.</p> <p>AIR</p> <p>1) Failed to submit the Annual Compliance Certification ("ACC") on time. On November 30, 2006, Goodyear submitted the ACC for the October 20, 2005 to October 19, 2006 reporting period 12 days late [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), Federal Operating Permit ("FOP") No. 1593, General Terms and Conditions ("GT&C") and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failed to operate a flare with a net heating value ("NHV") of 300 British Thermal Units ("BTU") per standard cubic foot ("scf") or greater. The NHV was below 300 BTU/scf on November 30, 2004, and February 28, 2005, for Flare 3Q-503; on February 1, 2005, for Flare 3Q-502; and on March 25, 2005, for Flare 3Q-504 [30 TEX. ADMIN. CODE §§ 113.260, 116.115(c), and 122.143(4), Air Permit Nos. 1040, SC 3, 9481, SC 5A, and 22110, SC 4A, FOP No. 1593, GT&C and SC 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failed to sample the main cooling tower daily. For three days from January 18 to January 20, 2005, Goodyear failed to monitor main cooling tower EPN 116CT-MAIN [30 TEX. ADMIN. CODE §§ 116.115(c), and 122.143(4), Air Permit No. 56473, SC 3, FOP No. 1593, GT&C and SC 12A, and TEX.</p>	<p>Total Assessed: \$102,564</p> <p>Total Deferred: \$20,512 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$41,026</p> <p>Total Paid to General Revenue: \$41,026</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>Corrective Actions Taken:</p> <p>1) The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. Documentation of removal of extraneous equipment and the rewriting of monthly analysis and sampling procedures to ensure the proper NHV for Flares 3Q-502, 3Q-503, and 3Q-504 was submitted on May 18, 2005;</p> <p>b. Properly plugged approximately 69 open-ended lines during the October 20, 2004 to October 19, 2006 period; and</p> <p>c. Successfully re-tested Turbines 2B-103 and 2B-102 on April 20, 2006, and November 14, 2006, respectively.</p> <p>Ordering Provisions:</p> <p>2) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP) (See SEP Attachment A).</p> <p>3) The Order will require the Respondent to:</p> <p>a. Within 60 days after the effective date of this Agreed Order:</p> <p> i. Complete training to help ensure timely ACC reporting;</p> <p> ii. Complete training to ensure implementing procedures for cooling tower daily and quarterly sampling and monitoring; and</p> <p> iii. Submit correction for the December 1 through June 1, 2006 MACT U report.</p> <p>b. Within 75 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 Nos. 3.a.i through 3.a.iii.</p>

HEALTH & SAFETY CODE § 382.085(b)].

4) Failed to seal openended lines containing hazardous air pollutants ("HAPS"). During the October 20, 2004, to October 19, 2005 period, open-ended valves or lines were not equipped on the following units: 230FPR1, 230F, 280FPR1, 280F, 130F, 130FREGV, 130FNPS, 330F, 470F, 370F, and 116F-BH and during the October 20, 2005, to October 19, 2006 period, open-ended valves or lines were not equipped on the following units: 130F, 130FREGV, 130FNPS, 280F, and 280FPRI [30 TEX. ADMIN. CODE §§ 113.260, 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS §§ 63.167(a)(1) and 63.502(a), Air Permit Nos. 9481, SC 7E, 22110, SC 5E, and 56473, SC 11E, FOP No. 1593, GT&C, SC 1D and 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5) Failed to maintain a permitted limit during a compliance test. During compliance tests the oxides of nitrogen concentration limit of 25 parts per million ("ppm") was exceeded at the 2B-103 Turbine on December 1, 2005 (28.26 ppm) and at the 2B-102 Turbine on September 29, 2006 (26.07 ppm) [30 TEX. ADMIN. CODE §§ 116.115(c), and 122.143(4), Air Permit No. 20040/PSD-TX-801, SC 7, FOP No. 1593, GT&C and SC 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6) Failed to conduct quarterly sampling at a cooling tower. No quarterly sampling was conducted at the 3U-301H Cooling Tower for the June 1, 2006 through August 31, 2006 quarter, as reported on the semiannual deviation report for the period ending October 19, 2006 [30 TEX. ADMIN. CODE §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7) Failed to report a flare outage. A May 29, 2006, flame outage on Flare 3Q-504 was not reported on the Semi-Annual Maximum Achievable Control Technology Subpart U ("MACT U") Report for the December 1, 2005 to June 1, 2006 period as required [30 TEX. ADMIN. CODE §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Attachment A
Docket Number: 2007-0023-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	The Goodyear Tire & Rubber Company
Penalty Amount:	Eighty-Two Thousand Fifty-Two Dollars (\$82,052)
SEP Amount:	Forty-One Thousand Twenty-Six Dollars (\$41,026)
Type of SEP:	Pre-approved
Third-Party Recipient:	Southeast Texas Regional Planning Commission (“SETRPC”) <i>West Port Arthur Home Energy Efficiency Program</i>
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used in accordance with the Supplemental Environmental Project Agreement between SETRPC and the Texas Commission on Environmental Quality for the *West Port Arthur Home Energy Efficiency Program* in Jefferson County. The SETRPC shall use the funds to conduct home energy audits and to assist low income residents in the West Port Arthur area by weatherizing their homes, which will improve their homes' energy efficiency. SEP monies will be used to pay for the cost of caulking and insulating the homes and appliances, as well as for replacing heating and cooling systems and major appliances with new, energy efficient equipment. All dollars contributed will be used solely for the direct cost of the project, and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Implementation of this project will reduce residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter (PM), volatile organic compounds (VOC), and nitrogen oxides (NOx) associated with the combustion of fuel and generation of electricity.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent shall contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Bob Dickinson
Director, Transportation and Environmental Resources
South East Texas Regional Planning Commission
2210 Eastex Freeway
Beaumont, TX 77703

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due with the notation "SEP Refund" and the docket number of the case, and shall send it to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Attention: Financial Administration Division Revenues, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision December 8, 2006

DATES	Assigned	3-Jan-2007	Screening	4-Jan-2007	EPA Due	16-Sep-2007
	PCW	5-Apr-2007				

RESPONDENT/FACILITY INFORMATION			
Respondent	The Goodyear Tire & Rubber Company		
Reg. Ent. Ref. No.	RN102561925		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	32115	No. of Violations	7
Docket No.	2007-0023-AIR-E	Order Type	1660
Media Program(s)	Air Quality	Enf. Coordinator	Trina Grieco
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* **\$39,600**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History *Subtotals 2, 3, & 7* **\$62,964**

Notes: Enhancement is due to six 1660 orders, three same-or-similar NOV's, and 12 other NOV's, including eight that were self-reported.

Culpability *Subtotal 4* **\$0**

Notes: Respondent does not meet the culpability criteria.

Good Faith Effort to Comply *Subtotal 5* **\$0**

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

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

Total EB Amounts *Subtotal 6* **\$0**

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

SUM OF SUBTOTALS 1-7 *Final Subtotal* **\$102,564**

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 **\$102,564**

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty* **\$102,564**

DEFERRAL *Adjustment* **-\$20,512**

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 **\$82,052**

Screening Date 4-Jan-2007

Docket No. 2007-0023-AIR-E

PCW

Respondent The Goodyear Tire & Rubber Company

Policy Revision 2 (September 2002)

Case ID No. 32115

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102561925

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

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)	3	15%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	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%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 159%

>> 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

Enhancement is due to six 1660 orders, three same-or-similar NOV's, and 12 other NOV's, including eight that were self-reported.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 159%

Screening Date 4-Jan-2007

Docket No. 2007-0023-AIR-E

PCW

Respondent The Goodyear Tire & Rubber Company

Policy Revision 2 (September 2002)

Case ID No. 32115

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102561925

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.146(2), Federal Operating Permit ("FOP") No. 1593, General Terms and Conditions ("GT&C") and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit the Annual Compliance Certification ("ACC") on time. On November 30, 2006, Goodyear submitted the ACC for the October 20, 2005 to October 19, 2006 reporting period 12 days late.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

OR

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	x			25%

Matrix Notes 100% of the rule is not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 12

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$40

Violation Final Penalty Total \$6,475

This violation Final Assessed Penalty (adjusted for limits) \$6,475

Economic Benefit Worksheet

Respondent: The Goodyear Tire & Rubber Company
Case ID No.: 32115
Reg. Ent. Reference No.: RN102561925
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
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$500	18-Nov-2005	1-Jul-2007	1.6	\$40	n/a	\$40
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs of timely reporting training; the date required was the deadline for the ACC report; the final date is the estimated date of training completion.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$500	TOTAL	\$40
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Screening Date 4-Jan-2007 **Docket No.** 2007-0023-AIR-E **PCW**
Respondent The Goodyear Tire & Rubber Company *Policy Revision 2 (September 2002)*
Case ID No. 32115 *PCW Revision December 8, 2006*
Reg. Ent. Reference No. RN102561925
Media [Statute] Air Quality
Enf. Coordinator Trina Grieco

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 113.260, 116.115(c), and 122.143(4), Air Permit Nos. 1040, SC 3, 9481, SC 5A, and 22110, SC 4A, FOP No. 1593, GT&C and SC 12A, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to operate a flare with a net heating value ("NHV") of 300 British Thermal Units ("BTU") per standard cubic foot ("scf") or greater. The NHV was below 300 BTU/scf on November 30, 2004, and February 28, 2005, for Flare 3Q-503; on February 1, 2005, for Flare 3Q-502; and on March 25, 2005, for Flare 3Q-504.

Base Penalty \$10,000

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				10%
Potential			X	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or the environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 4 4 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$4,000

Four single events are recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$17	Violation Final Penalty Total \$10,360
This violation Final Assessed Penalty (adjusted for limits) \$10,360	

Economic Benefit Worksheet

Respondent: The Goodyear Tire & Rubber Company
Case ID No.: 32115
Reg. Ent. Reference No.: RN102561925
Media: Air Quality
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$500	25-Mar-2005	18-May-2005	0.1	\$0	\$5	\$5
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$500	30-Nov-2004	18-May-2005	0.5	\$12	n/a	\$12

Notes for DELAYED costs

Estimated costs of removal of extraneous equipment and implementing corrective procedures to ensure the proper NHV; the dates required are the dates of violations; the final date is the date compliance was documented.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$17

Screening Date 4-Jan-2007

Docket No. 2007-0023-AIR-E

PCW

Respondent The Goodyear Tire & Rubber Company

Policy Revision 2 (September 2002)

Case ID No. 32115

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102561925

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c), and 122.143(4), Air Permit No. 56473, SC 3, FOP No. 1593, GT&C and SC 12A, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to sample the main cooling tower daily. For three days from January 18 to January 20, 2005, Goodyear failed to monitor main cooling tower EPN 116CT-MAIN.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or the environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 3

3 Number of violation days

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$3,000

Three single events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$61

Violation Final Penalty Total \$7,770

This violation Final Assessed Penalty (adjusted for limits) \$7,770

Economic Benefit Worksheet

Respondent: The Goodyear Tire & Rubber Company
Case ID No.: 32115
Reg. Ent. Reference No.: RN102561925
Media: Air Quality
Violation No.: 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$500	18-Jan-2005	1-Jul-2007	2.4	\$61	n/a	\$61
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs of training to properly monitor the cooling tower daily; the date required was the date of the first missed monitoring; the final date is the estimated date of training completion.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$61

Screening Date 4-Jan-2007

Docket No. 2007-0023-AIR-E

PCW

Respondent The Goodyear Tire & Rubber Company

Policy Revision 2 (September 2002)

Case ID No. 32115

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102561925

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 113.260, 116.115(c), and 122.143(4), 40 Code of Federal Regulations §§ 63.167(a)(1) and 63.502(a), Air Permit Nos. 9481, SC 7E, 22110, SC 5E, and 56473, SC 11E, FOP No. 1593, GT&C, SC 1D and 12A, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to seal open-ended lines containing hazardous air pollutants ("HAPS"). During the October 20, 2004, to October 19, 2005 period, open-ended valves or lines were not equipped on the following units: 230FPR1, 230F, 280FPR1, 280F, 130F, 130FREGV, 130FNPS, 330F, 470F, 370F, and 116F-BH. During the October 20, 2005, to October 19, 2006 period, open-ended valves or lines were not equipped on the following units: 130F, 130FREGV, 130FNPS, 280F, and 280FPRI. See Table One.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			x	25%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 8 Number of violation days 173

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$20,000

Eight quarterly events are recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$687

Violation Final Penalty Total \$51,800

This violation Final Assessed Penalty (adjusted for limits) \$51,800

Economic Benefit Worksheet

Respondent The Goodyear Tire & Rubber Company
Case ID No. 32115
Reg. Ent. Reference No. RN102561925
Media Air Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$5,000	27-Oct-2004	13-Oct-2006	2.0	\$33	\$654	\$687
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs of replacing missing caps, plugs, and flanges; the date required was the date the first open-ended line was found; the final date was the date the last open-ended line was plugged during the October 20, 2004 through October 19, 2006 periods.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$5,000	TOTAL	\$687
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Screening Date 4-Jan-2007

Docket No. 2007-0023-AIR-E

PCW

Respondent The Goodyear Tire & Rubber Company

Policy Revision 2 (September 2002)

Case ID No. 32115

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102561925

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c), and 122.143(4), Air Permit No. 20040/PSD-TX-801, SC 7, FOP No. 1593, GT&C and SC 12A, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to maintain a permitted limit during a compliance test. During compliance tests the oxides of nitrogen concentration limit of 25 parts per million ("ppm") was exceeded at the 2B-103 Turbine on December 1, 2005 (28.26 ppm) and at the 2B-102 Turbine on September 29, 2006 (26.07 ppm).

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 insignificant amounts of pollutants which do not exceed levels that are protective of human health or the environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 3

186 Number of violation days

daily	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$7,500

Three quarterly events are recommended based on Turbines 2B-103 and 2B-102 tests being successfully conducted on April 20, 2006, and November 14, 2006, respectively.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$25

Violation Final Penalty Total \$19,425

This violation Final Assessed Penalty (adjusted for limits) \$19,425

Economic Benefit Worksheet

Respondent The Goodyear Tire & Rubber Company
Case ID No. 32115
Reg. Ent. Reference No. RN102561925
Media Air Quality
Violation No. 5

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
Turbine 2B-102 Test	\$1,000	29-Sep-2006	14-Nov-2006	0.1	\$6	n/a	\$6
Turbine 3B-103 Test	\$1,000	1-Dec-2005	20-Apr-2006	0.4	\$19	n/a	\$19
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs of successful turbine compliance testing; the dates required were the dates of original tests; the final dates were the dates of the re-tests.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$25

Screening Date 4-Jan-2007

Docket No. 2007-0023-AIR-E

PCW

Respondent The Goodyear Tire & Rubber Company

Policy Revision 2 (September 2002)

Case ID No. 32115

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102561925

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to conduct quarterly sampling at a cooling tower. No quarterly sampling was conducted at the 3U-301H Cooling Tower for the June 1, 2006 through August 31, 2006 quarter, as reported on the semiannual deviation report for the period ending October 19, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				25%
Potential		x		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 1

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$27

Violation Final Penalty Total \$6,475

This violation Final Assessed Penalty (adjusted for limits) \$6,475

Economic Benefit Worksheet

Respondent: The Goodyear Tire & Rubber Company
Case ID No.: 32115
Reg. Ent. Reference No.: RN102561925
Media: Air Quality
Violation No.: 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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
Turbine 2B-102 Test				0.0	\$0	n/a	\$0
Training/Sampling	\$500	1-Jun-2006	1-Jul-2007	1.1	\$27	n/a	\$27
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs of training to properly monitor the cooling tower quarterly; the date required is the beginning of the quarterly period; the final date is the estimated date of training completion.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$27

Screening Date 4-Jan-2007

Docket No. 2007-0023-AIR-E

PCW

Respondent The Goodyear Tire & Rubber Company

Policy Revision 2 (September 2002)

Case ID No. 32115

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN102561925

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 7

Rule Cite(s) 30 Tex. Admin. Code §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to report a flare outage. A May 29, 2006, flame outage on Flare 3Q-504 was not reported on the Semi-Annual Maximum Achievable Control Technology Subpart U ("MACT U") Report for the December 1, 2005 to June 1, 2006 period as required.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			x	1%

Matrix Notes: 70% or more of the rule was met.

Adjustment \$9,900

\$100

Violation Events

	1	1	Number of violation days
mark only one with an x	daily		Violation Base Penalty \$100
	monthly		
	quarterly		
	semiannual		
	annual		
single event	x		

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$25

Violation Final Penalty Total \$259

This violation Final Assessed Penalty (adjusted for limits) \$259

Economic Benefit Worksheet

Respondent: The Goodyear Tire & Rubber Company
Case ID No.: 32115
Reg. Ent. Reference No.: RN102561925
Media: Air Quality
Violation No.: 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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)	\$500	1-Jul-2006	1-Jul-2007	1.0	\$25	n/a	\$25

Notes for DELAYED costs

Estimated costs of correcting MACT U report; the date required is the date report originally due, the final date is the estimated date of correction.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$25

TABLE ONE - THE GOODYEAR TIRE & RUBBER COMPANY - Docket No. 2007-0023-AIR-E

Violation 4: Open-Ended Lines (Repaired/Replaced)

PARTS/UNITS	DATES	QUANTITY	Components
280FPR1/280F	2/17-3/29/05	20	Missing plugs
	3/30-4/7/05	1	Missing cap
	2/21/2005	1	Missing flange bolts
	6/15/2005	4	Missing plugs
	12/6/2005	1	Missing plug
	1/20/2006	2	Missing plugs
	5/1/2006	1	Missing plug
230FPR1/230F	3/1/2005	1	Missing cap
	3/1/2005	1	Missing plug
	4/4/2005	1	Missing plug
130F/130FREGV/130FNPS	10/27-28/04	1	Missing plug
	1/10/2005	1	Missing plug
	1/12-13/05	1	Missing plug
	1/13-14/05	1	Missing plug
	1/18-19/05	1	Missing plug
	7/8/2005	2	Missing plugs
	8/1/2005	3	Missing plugs and cap
	4/6-4/19/06	1	open ended line
	4/20/2006	2	Missing plugs
	7/19/2006	1	Missing plug
	9/26-27/06	1	Missing plug
	10/12-13/06	2	Missing plugs
	330F	2/28/2005	2
470F	2/7-8/05	2	Missing plugs on 6F511& 514
370F	1/26-27/05	2	Missing plugs on Pumps 7G2101D & 7M3001D
	1/26-27/05	2	Missing caps on Pump 7G3302 & Steam 11 Sample Board
	2/8-4/20/05	2	Missing plugs
	4/6/2005	1	Missing plug on Pump 7G3103A
	4/7/2005	1	Missing cap on Stream 11 Sample Board
	4/7/2005	2	Missing plugs on 7D301C & 7M3001E
	7/15/2005	2	Missing plugs
	7/21/2005	1	Missing plug
116F-BH	4/6/2005	1	Missing plug on North side of B-104 Boiler
	7/6/2005	1	Missing plug South of E-204
TOTAL		69	

Compliance History

Customer/Respondent/Owner-Operator:	CN600616049	The Goodyear Tire & Rubber Company	Classification: AVERAGE	Rating: 3.24
Regulated Entity:	RN102561925	GOODYEAR TIRE & RUBBER BEAUMONT CHEMICAL PLANT	Classification: AVERAGE	Site Rating: 10.56
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID		TXD008077190
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)		30012
	INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT		50379
	AIR NEW SOURCE PERMITS	PERMIT		1040
	AIR NEW SOURCE PERMITS	PERMIT		3522
	AIR NEW SOURCE PERMITS	PERMIT		7858
	AIR NEW SOURCE PERMITS	PERMIT		9481
	AIR NEW SOURCE PERMITS	PERMIT		15198
	AIR NEW SOURCE PERMITS	PERMIT		15501
	AIR NEW SOURCE PERMITS	PERMIT		16052
	AIR NEW SOURCE PERMITS	PERMIT		20040
	AIR NEW SOURCE PERMITS	PERMIT		22110
	AIR NEW SOURCE PERMITS	PERMIT		32349
	AIR NEW SOURCE PERMITS	PERMIT		35402
	AIR NEW SOURCE PERMITS	PERMIT		38755
	AIR NEW SOURCE PERMITS	PERMIT		39089
	AIR NEW SOURCE PERMITS	PERMIT		44284
	AIR NEW SOURCE PERMITS	PERMIT		45078
	AIR NEW SOURCE PERMITS	PERMIT		47289
	AIR NEW SOURCE PERMITS	PERMIT		48286
	AIR NEW SOURCE PERMITS	PERMIT		47218
	AIR NEW SOURCE PERMITS	PERMIT		49684
	AIR NEW SOURCE PERMITS	PERMIT		49769
	AIR NEW SOURCE PERMITS	PERMIT		50003
	AIR NEW SOURCE PERMITS	PERMIT		50166
	AIR NEW SOURCE PERMITS	PERMIT		50108
	AIR NEW SOURCE PERMITS	PERMIT		50257
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		JE0039N
	AIR NEW SOURCE PERMITS	PERMIT		51694
	AIR NEW SOURCE PERMITS	PERMIT		53698
	AIR NEW SOURCE PERMITS	REGISTRATION		72058
	AIR NEW SOURCE PERMITS	REGISTRATION		72103
	AIR NEW SOURCE PERMITS	PERMIT		55427
	AIR NEW SOURCE PERMITS	REGISTRATION		75848
	AIR NEW SOURCE PERMITS	AFS NUM		0016
	AIR NEW SOURCE PERMITS	REGISTRATION		56840
	AIR NEW SOURCE PERMITS	REGISTRATION		70115
	AIR NEW SOURCE PERMITS	REGISTRATION		70230
	AIR NEW SOURCE PERMITS	PERMIT		70645
	AIR NEW SOURCE PERMITS	REGISTRATION		70684
	AIR NEW SOURCE PERMITS	PERMIT		56478
	AIR NEW SOURCE PERMITS	PERMIT		52770
	AIR NEW SOURCE PERMITS	PERMIT		52545
	AIR NEW SOURCE PERMITS	PERMIT		52447
	AIR NEW SOURCE PERMITS	PERMIT		54372
	AIR NEW SOURCE PERMITS	PERMIT		50664
	AIR NEW SOURCE PERMITS	PERMIT		53063
	AIR NEW SOURCE PERMITS	PERMIT		53927
	AIR NEW SOURCE PERMITS	PERMIT		53364
	AIR NEW SOURCE PERMITS	PERMIT		53791
	AIR NEW SOURCE PERMITS	PERMIT		51600
	AIR NEW SOURCE PERMITS	PERMIT		53766
	AIR NEW SOURCE PERMITS	REGISTRATION		73651
	AIR NEW SOURCE PERMITS	REGISTRATION		74015
	AIR NEW SOURCE PERMITS	REGISTRATION		74991
	AIR NEW SOURCE PERMITS	REGISTRATION		75152
	AIR NEW SOURCE PERMITS	REGISTRATION		76700
	AIR NEW SOURCE PERMITS	REGISTRATION		70810
	AIR NEW SOURCE PERMITS	REGISTRATION		77192
	AIR NEW SOURCE PERMITS	PERMIT		50379

AIR NEW SOURCE PERMITS	REGISTRATION	77850
AIR NEW SOURCE PERMITS	REGISTRATION	78238
AIR NEW SOURCE PERMITS	REGISTRATION	79310
AIR NEW SOURCE PERMITS	REGISTRATION	80196
WASTEWATER	PERMIT	WQ0000519000
WASTEWATER	PERMIT	TPDES0005061
WASTEWATER	PERMIT	TX0005061
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0039N
AIR OPERATING PERMITS	PERMIT	1593
AIR OPERATING PERMITS	PERMIT	2294
WASTEWATER LICENSING	LICENSE	WQ0000519000

Location: 11241 IH 10, BEAUMONT, TX, 77713 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: January 03, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 03, 2002 to January 03, 2007

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

Name: John Barry Phone: (409) 899-8781

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

Effective Date: 07/14/2006 ADMINORDER 2005-2074-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit initial notification within 24 hours from the discovery date for a reportable emissions event

Classification: Moderate

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

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

Rqmt Prov: 22110, Special Condition 1 PERMIT

Description: Failed to maintain a solenoid on the water valve causing the flare to blow out which caused release of emissions that exceeded permit limits

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to maintain visible emissions below the 30 percent opacity limit, for any six-minute period.

Effective Date: 03/31/2003 ADMINORDER 2002-0879-AIR-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: SC3A PERMIT

Description: Failure to comply with permitted nitrogen oxide emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 117, SubChapter B 117.205(f)(1)

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

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with permitted nitrogen oxide and carbon monoxide emission limits.

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 Part 60, Subpart Db 60.48b(c)
40 CFR Part 60, Subpart Db 60.48b(e)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT
SC13 PERMIT

Description: Failure to record NOx CEMS emissions data.

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT
SC14C PERMIT

SC14D PERMIT

Description: Failure to perform stack sampling to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to prevent unauthorized emissions from entering the atmosphere.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to prevent unauthorized emissions from entering the atmosphere.

Effective Date: 01/30/2005 ADMINORDER 2004-0393-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to prevent the emission of an air contaminant that will contribute to air pollution.

Effective Date: 01/26/2006 ADMINORDER 2005-0676-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

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

Rqmt Prov: MAERT OP
MAERT PERMIT

Description: Failed to maintain emission rates below allowable limit and failed to prevent unauthorized emissions.

Classification: Minor

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

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

Description: Failed to include all required information on the initial report of an emission event

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(5)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include all required information on the final reports for emission events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly report to the regional office a maintenance activity which occurred July 6-9, 2004.

Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter U 106.476
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to meet the conditions of a Permit By Rule and prevent unauthorized emissions.
Effective Date: 05/09/2005 ADMINORDER 2004-0802-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Reactor Unit on January 19, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the Natsyn Unit on February 3, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the 880 Unit on February 26, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Unit on April 15, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the 880 Budene Unit on May 30, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the Utilities area on July 14-15, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Tiba Tank Farm on October 17, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on November 22, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the Unit 821 Old Loading Rack on August 31, 2003, November 6, 2003, January 7, 2004, and January 25, 2004.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Unit on February 2, 2004.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on February 2, 2004.

Classification: Moderate

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

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

Rqmt Prov: 9481 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the Crumb Tank Vent Condenser from January 1, 2002 to February 19, 2003.

Classification: Moderate

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

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

Rqmt Prov: 38755 and N016 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the 850 Unit on March 2, 2003.

Classification: Moderate

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

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

Rqmt Prov: 38755 and N016 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the 850 Unit on May 31, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain an emission rate below the allowable emission limit at the 850 Finishing Building on January 12-13, 2003, April 16-17, 2003, May 4-5, 2003, July 25-31, 2003, and September 19-20, 2003.

Classification: Moderate

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

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

Rqmt Prov: 9481, SC 1 PERMIT
9481, SC 5B PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Budene Unit on October 1, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on October 25, 2003.

Classification: Moderate

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

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

Rqmt Prov: 38755 and N016 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the Budene 850 Unit on December 1, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Budene Unit pipe rack on January 9, 2004.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on January 11, 2004.

Classification: Moderate

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

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

Rqmt Prov: 1040, SC 1 PERMIT
1040, SC 3 PERMIT

22110, SC 1 PERMIT
22110, SC 4B PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on February 2-3, 2004.

Effective Date: 10/24/2005

ADMINORDER 2005-0124-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

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

Description: Failed to obtain a permit prior to the release of emissions.

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	01/11/2002	(129614)
2	08/27/2002	(8432)
3	02/07/2003	(19387)
4	10/15/2002	(12553)
5	10/31/2003	(253397)
6	11/21/2002	(16333)
7	08/25/2003	(295295)
8	10/04/2004	(336372)
9	10/20/2004	(292090)
10	12/30/2003	(258239)
11	03/23/2005	(351195)
12	02/22/2006	(468357)
13	08/30/2005	(401255)
14	03/27/2003	(26346)
15	09/22/2003	(295298)
16	01/07/2004	(259027)
17	03/13/2006	(468358)
18	12/20/2006	(533147)
19	12/20/2006	(519278)
20	04/17/2006	(468359)
21	02/25/2002	(157863)
22	07/27/2004	(352027)
23	11/28/2005	(468360)
24	03/30/2004	(264485)
25	01/13/2003	(19863)
26	02/26/2003	(157864)
27	05/31/2005	(393287)
28	12/21/2005	(468361)
29	10/24/2003	(295300)
30	02/28/2006	(455554)
31	01/27/2006	(468362)
32	01/11/2002	(138145)
33	11/21/2003	(295301)
34	01/11/2002	(138144)
35	08/26/2004	(352028)
36	03/26/2002	(157866)
37	12/29/2003	(295302)
38	12/30/2003	(258248)
39	03/31/2003	(157867)
40	01/26/2004	(295303)
41	05/04/2006	(461223)
42	05/05/2006	(458334)
43	05/04/2006	(461197)
44	08/16/2006	(520161)
45	08/20/2002	(4138)
46	09/14/2006	(520162)
47	09/20/2004	(352029)

48	04/22/2002	(157871)
49	10/12/2006	(520163)
50	04/21/2003	(157872)
51	09/15/2006	(520164)
52	07/30/2004	(284505)
53	02/10/2006	(449822)
54	10/20/2004	(352030)
55	06/03/2005	(393156)
56	05/05/2006	(461465)
57	06/03/2005	(381386)
58	01/13/2003	(19856)
59	05/20/2004	(266811)
60	05/28/2002	(157875)
61	05/23/2003	(157876)
62	05/31/2005	(393084)
63	05/05/2006	(458422)
64	08/20/2002	(8590)
65	02/28/2006	(454886)
66	06/24/2002	(157879)
67	05/06/2005	(372977)
68	06/26/2003	(157880)
69	03/23/2005	(351073)
70	08/01/2002	(4937)
71	05/29/2003	(246539)
72	12/22/2006	(532306)
73	08/22/2002	(6552)
74	12/07/2005	(436010)
75	06/16/2005	(394991)
76	04/26/2005	(419656)
77	06/21/2006	(464306)
78	05/03/2005	(379563)
79	12/12/2005	(434977)
80	02/07/2002	(246538)
81	05/24/2005	(419657)
82	07/23/2002	(157883)
83	06/21/2005	(419658)
84	08/17/2004	(290283)
85	10/17/2003	(250603)
86	02/26/2003	(157884)
87	07/26/2004	(284568)
88	12/18/2002	(18802)
89	12/29/2003	(258619)
90	11/15/2005	(436481)
91	08/22/2003	(134113)
92	12/16/2005	(436674)
93	08/26/2002	(157887)
94	01/09/2005	(339077)
95	07/26/2004	(284582)
96	02/14/2002	(281248)
97	03/23/2005	(348563)
98	06/03/2005	(393130)
99	04/04/2002	(141006)
100	03/30/2004	(264124)
101	09/23/2002	(157890)
102	10/22/2004	(290284)
103	03/23/2005	(351192)
104	12/29/2003	(258630)
105	07/25/2005	(440796)
106	08/23/2005	(440797)
107	08/05/2004	(274526)
108	09/19/2005	(440798)
109	06/17/2004	(270331)
110	08/09/2004	(277704)
111	10/21/2005	(440799)
112	07/26/2004	(284587)
113	12/30/2003	(258271)
114	11/22/2004	(290285)
115	05/31/2005	(393132)
116	08/01/2002	(5923)
117	11/25/2002	(157896)
118	08/31/2005	(337086)

119 12/27/2004 (344086)
 120 06/16/2005 (394994)
 121 11/16/2006 (515476)
 122 10/15/2002 (12451)
 123 12/30/2002 (157900)
 124 03/01/2004 (295285)
 125 08/30/2005 (406535)
 126 05/31/2005 (392738)
 127 01/13/2003 (18807)
 128 01/11/2002 (124729)
 129 01/23/2002 (157903)
 130 05/01/2006 (461205)
 131 01/11/2002 (124728)
 132 06/22/2004 (272522)
 133 03/26/2004 (295287)
 134 05/26/2004 (263609)
 135 01/30/2004 (261356)
 136 02/25/2005 (381821)
 137 12/20/2006 (519272)
 138 08/30/2005 (406353)
 139 01/27/2003 (157904)
 140 03/21/2005 (381822)
 141 04/22/2004 (295288)
 142 05/17/2006 (498150)
 143 12/29/2003 (258266)
 144 06/19/2006 (498151)
 145 12/18/2002 (18780)
 146 02/28/2006 (455901)
 147 11/30/2004 (381823)
 148 07/18/2006 (498152)
 149 10/29/2006 (515490)
 150 12/20/2004 (381824)
 151 01/13/2003 (19852)
 152 11/10/2004 (338350)
 153 01/26/2005 (381825)
 154 02/24/2005 (345426)
 155 05/25/2004 (295290)
 156 05/04/2006 (461228)
 157 06/22/2004 (295292)
 158 08/09/2004 (277706)
 159 07/31/2006 (489267)
 160 03/24/2006 (452002)
 161 01/11/2002 (129615)
 162 03/23/2005 (351066)
 163 03/14/2006 (453724)

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

Date: 01/31/2006 (468357)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2003 (157867)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/31/2004 (352028)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/31/2006 (520161)
 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: 06/30/2003 (157884)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 05/29/2003 (246539)
 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: 02/07/2002 (246538)
 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: 08/22/2003 (134113)
 Self Report? NO Classification: Moderate
 Rqmt Prov: OP IA
 Description: Failure by Goodyear Beaumont Chemical Plant to prevent the unauthorized discharge of wastewater.
 Self Report? NO Classification: Moderate
 Rqmt Prov: OP IA
 Description: Failure by Goodyear Beaumont Chemical Plant to prevent the discharge of foam and floating solids in other than trace amounts.
 Self Report? NO Classification: Minor
 Rqmt Prov: OP IA
 Description: Failure by Goodyear Beaumont Chemical Plant to ensure that test procedures for the analysis of pollutants comply with procedures specified in 30 TAC 319.11-319.12.
 Self Report? NO Classification: Moderate
 Rqmt Prov: OP IA
 Description: Failure by Goodyear Beaumont Chemical Plant to prevent the unauthorized discharge of wastewater.
 Self Report? NO Classification: Moderate
 Rqmt Prov: OP IA
 Description: Failure by Goodyear Beaumont Chemical Plant to prevent the unauthorized discharge of wastewater.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: OP IA
 Description: Failure by Beaumont Chemical Plant to prevent the unauthorized discharge of wastewater.
 Date: 08/06/2004 (274526)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.260
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT IA
 Description: Failure to perform a first attempt at repair within 5 calendar days.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.260
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT IA
 Description: Failure to properly seal the end of a line containing Hazardous Air Pollutants (HAPs).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.260
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA
PERMIT IA

Description: Failure to properly seal the end of a line containing HAPs.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.260
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP IA
PERMIT IA

Description: Failure to comply with the 5 and 15 day requirements for 3 leaking connectors.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.260
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP IA
PERMIT IA

Description: Failure to submit the 40 CFR 63, Subpart U, Periodic Reports in a timely manner.

Date: 02/10/2006 (449822)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(II)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP IA

Description: Failure to complete the daily notation of the flare operation log for at least 98% of the required observations.

Date: 04/04/2002 (141006)

Self Report? NO Classification: Moderate

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

Description: Failure to submit 9th Report of Progress.

Date: 02/28/2005 (381822)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

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

Date: 11/30/2004 (381824)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

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

Date: 07/10/2002 (4138)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.260
30 TAC Chapter 115, SubChapter D 115.352(2)

Description: Failure to repair nine leaking, fugitive components within fifteen calendar days after they were detected leaking in the 840 and 880 Units.

Date: 05/31/2004 (295292)

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

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
THE GOODYEAR TIRE & RUBBER
COMPANY
RN102561925**

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

AGREED ORDER DOCKET NO. 2007-0023-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 The Goodyear Tire & Rubber Company ("Goodyear") 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 Goodyear appear before the Commission and together stipulate that:

1. Goodyear owns and operates a petrochemical manufacturing plant at 11241 Interstate Highway 10 in Beaumont, Jefferson 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 Goodyear agree that the Commission has jurisdiction to enter this Agreed Order, and that Goodyear is subject to the Commission's jurisdiction.
4. Goodyear received notice of the violations alleged in Section II ("Allegations") on or about December 25, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Goodyear of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of One Hundred Two Thousand Five Hundred Sixty-Four Dollars (\$102,564) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Goodyear has paid Forty-One Thousand Twenty-Six Dollars

- (\$41,026) of the administrative penalty and Twenty Thousand Five Hundred Twelve Dollars (\$20,512) is deferred contingent upon Goodyear'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 Goodyear fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Goodyear to pay all or part of the deferred penalty. Forty-One Thousand Twenty-Six Dollars (\$41,026) shall be conditionally offset by Goodyear's completion of a Supplemental Environmental Project ("SEP").
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 Goodyear 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 Goodyear has implemented the following corrective measures at the Plant:
 - a. Documentation of removal of extraneous equipment and the rewriting of monthly analysis and sampling procedures to ensure the proper net heating values ("NHV") for Flares 3Q-502, 3Q-503, and 3Q-504 was submitted on May 18, 2005;
 - b. Properly plugged approximately 69 open-ended lines during the October 20, 2004 to October 19, 2006 period; and
 - c. Successfully re-tested Turbines 2B-103 and 2B-102 on April 20, 2006, and November 14, 2006, respectively.
 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 Goodyear 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, Goodyear is alleged to have:

1. Failed to submit the Annual Compliance Certification ("ACC") on time, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), Federal Operating Permit ("FOP") No. 1593, General Terms and Conditions ("GT&C") and TEX. HEALTH & SAFETY CODE § 382.085(b), as

documented during a record review conducted on December 1, 2006. On November 30, 2006, Goodyear submitted the ACC for the October 20, 2005 to October 19, 2006 reporting period 12 days late.

2. Failed to operate a flare with a NHV of 300 British Thermal Units ("BTU") per standard cubic foot ("scf") or greater, in violation of 30 TEX. ADMIN. CODE §§ 113.260, 116.115(c), and 122.143(4), Air Permit Nos. 1040, SC 3, 9481, SC 5A, and 22110, SC 4A, FOP No. 1593, GT&C and SC 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on December 1, 2006. The NHV was below 300 BTU/scf on November 30, 2004, and February 28, 2005, for Flare 3Q-503; on February 1, 2005, for Flare 3Q-502; and on March 25, 2005, for Flare 3Q-504.
3. Failed to sample the main cooling tower daily, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), and 122.143(4), Air Permit No. 56473, SC 3, FOP No. 1593, GT&C and SC 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on December 1, 2006. For three days from January 18 to January 20, 2005, Goodyear failed to monitor main cooling tower EPN 116CT-MAIN.
4. Failed to seal open-ended lines containing hazardous air pollutants ("HAPS"), in violation of 30 TEX. ADMIN. CODE §§ 113.260, 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS §§ 63.167(a)(1) and 63.502(a), Air Permit Nos. 9481, SC 7E, 22110, SC 5E, and 56473, SC 11E, FOP No. 1593, GT&C, SC 1D and 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 1, 2006. During the October 20, 2004, to October 19, 2005 period, open-ended valves or lines were not equipped on the following units: 230FPR1, 230F, 280FPR1, 280F, 130F, 130FREGV, 130FNSPS, 330F, 470F, 370F, and 116F-BH and during the October 20, 2005, to October 19, 2006 period, open-ended valves or lines were not equipped on the following units: 130F, 130FREGV, 130FNSPS, 280F, and 280FPRI.
5. Failed to maintain a permitted limit during a compliance test, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), and 122.143(4), Air Permit No. 20040/PSD-TX-801, SC 7, FOP No. 1593, GT&C and SC 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 1, 2006. During compliance tests the oxides of nitrogen concentration limit of 25 parts per million ("ppm") was exceeded at the 2B-103 Turbine on December 1, 2005 (28.26 ppm) and at the 2B-102 Turbine on September 29, 2006 (26.07 ppm).
6. Failed to conduct quarterly sampling at a cooling tower, in violation of 30 TEX. ADMIN. CODE §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 1, 2006. No quarterly sampling was conducted at the 3U-301H Cooling Tower for the June 1, 2006 through August 31, 2006 quarter, as reported on the semiannual deviation report for the period ending October 19, 2006.
7. Failed to report a flare outage, in violation of 30 TEX. ADMIN. CODE §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 1, 2006. A May 29, 2006, flame outage on Flare 3Q-504 was not reported on the Semi-Annual Maximum Achievable Control

Technology Subpart U ("MACT U") Report for the December 1, 2005 to June 1, 2006 period as required.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Goodyear pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Goodyear'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: The Goodyear Tire & Rubber Company, Docket No. 2007-0023-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. Goodyear shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Forty-One Thousand Twenty-Six Dollars (\$41,026) of the assessed administrative penalty shall be offset with the condition that Goodyear implement the SEP defined in Attachment A, incorporated herein by reference. Goodyear's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that Goodyear shall undertake the following technical requirements:
 - a. Within 60 days after the effective date of this Agreed Order:
 - i. Complete training to help ensure timely ACC reporting;
 - ii. Complete training to ensure implementing procedures for cooling tower daily and quarterly sampling and monitoring; and
 - iii. Submit correction for the December 1 through June 1, 2006 MACT U report.
 - b. Within 75 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 Nos. 3.a.i through 3.a.iii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

Air Quality Section, Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. The provisions of this Agreed Order shall apply to and be binding upon Goodyear. Goodyear 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.
5. If Goodyear 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, Goodyear's failure to comply is not a violation of this Agreed Order. Goodyear shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Goodyear shall notify the Executive Director within seven days after Goodyear becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. 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 Goodyear shall be made in writing to the Executive Director. Extensions are not effective until Goodyear receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

7. This Agreed Order, issued by the Commission, shall not be admissible against Goodyear 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.
8. 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.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Goodyear, or three days after the date on which the Commission mails notice of the Order to Goodyear, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

The Goodyear Tire & Rubber Company
DOCKET NO. 2007-0023-AIR-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date 10/3/07

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.



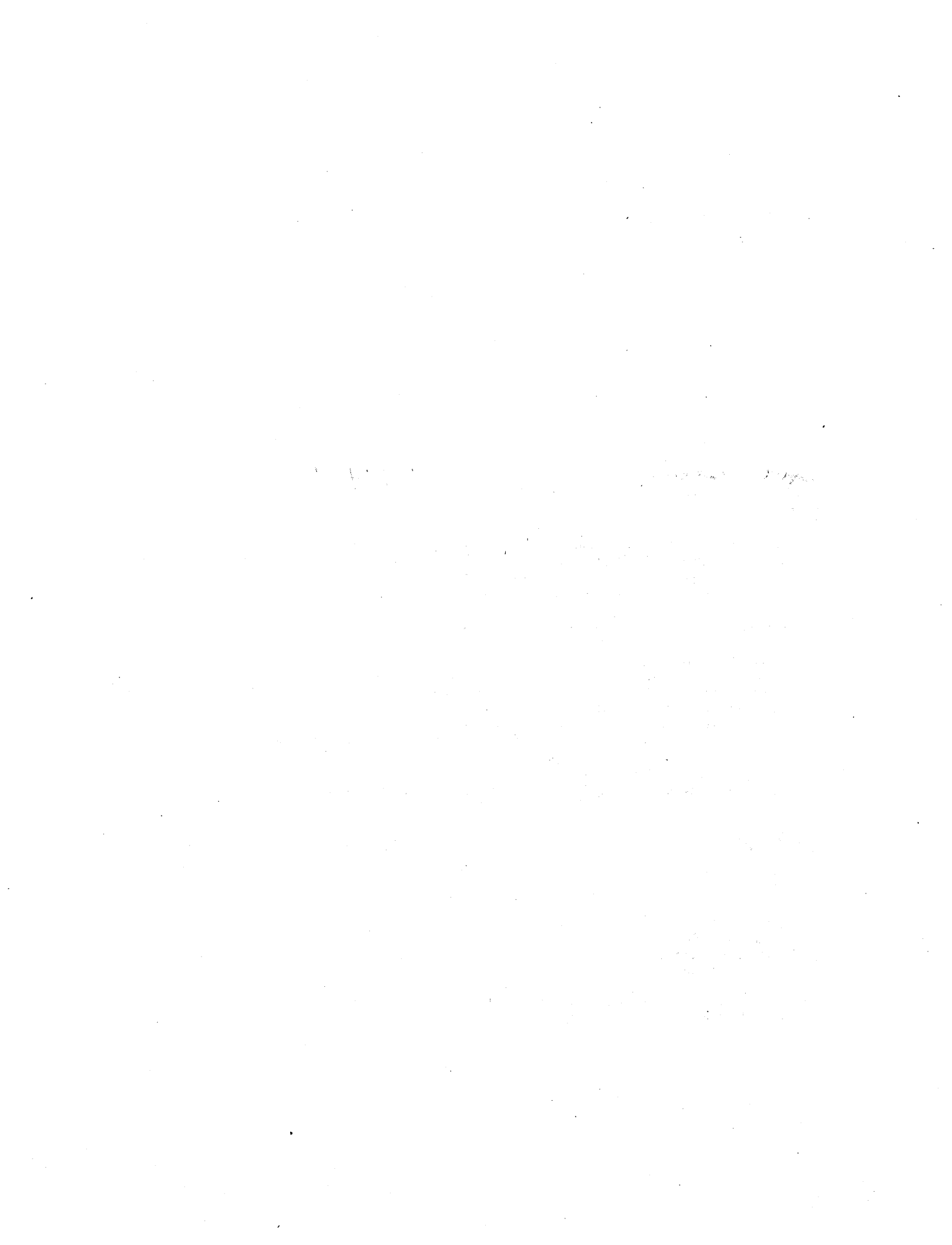
Signature

Date 9/4/07

Bradley E. Joerger
Name (Printed or typed)
Authorized Representative of
The Goodyear Tire & Rubber Company

Plant Manager
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.



Attachment A
Docket Number: 2007-0023-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: **The Goodyear Tire & Rubber Company**

Penalty Amount: **Eighty-Two Thousand Fifty-Two Dollars (\$82,052)**

SEP Amount: **Forty-One Thousand Twenty-Six Dollars (\$41,026)**

Type of SEP: **Pre-approved**

Third-Party Recipient: **Southeast Texas Regional Planning Commission (“SETRPC”)
*West Port Arthur Home Energy Efficiency Program***

Location of SEP: **Jefferson County**

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used in accordance with the Supplemental Environmental Project Agreement between SETRPC and the Texas Commission on Environmental Quality for the *West Port Arthur Home Energy Efficiency Program* in Jefferson County. The SETRPC shall use the funds to conduct home energy audits and to assist low income residents in the West Port Arthur area by weatherizing their homes, which will improve their homes' energy efficiency. SEP monies will be used to pay for the cost of caulking and insulating the homes and appliances, as well as for replacing heating and cooling systems and major appliances with new, energy efficient equipment. All dollars contributed will be used solely for the direct cost of the project, and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Implementation of this project will reduce residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter (PM), volatile organic compounds (VOC), and nitrogen oxides (NOx) associated with the combustion of fuel and generation of electricity.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent shall contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Bob Dickinson
Director, Transportation and Environmental Resources
South East Texas Regional Planning Commission
2210 Eastex Freeway
Beaumont, TX 77703

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due with the notation "SEP Refund" and the docket number of the case, and shall send it to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Attention: Financial Administration Division Revenues, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

