

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-1218-AIR-E TCEQ ID: RN100211879 CASE NO.: 34213
RESPONDENT NAME: SHELL CHEMICAL LP

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: 5900 Highway 225, Deer Park, Harris County</p> <p>TYPE OF OPERATION: Chemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are nine pending enforcement actions regarding this facility location, Docket Nos. 2008-0635-AIR-E; 2008-0283-AIR-E; 2008-0079-AIR-E; 2007-2001-AIR-E; 2007-1789-AIR-E; 2001-1472-AIR-E; 2007-0837-AIR-E; 2007-0121-AIR-E and 2006-0328-MLM-E.</p> <p>INTERESTED PARTIES: Environment Texas and Sierra Club ("the Citizen Groups") have expressed an interest in this matter. The Citizen Groups sent a Notice of Intent to file a lawsuit to Shell in a letter dated October 10, 2007. On January 1, 2008, the Citizen Groups filed a citizen suit against Shell in the United States District Court Southern District of Texas, Houston Division for alleged violations of the Clean Air Act.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on June 9, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST:</p> <p>TCEQ Attorney: Ms. Laurencia Fasoyiro, Litigation Division, MC R-12, (713) 422-8914 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873</p> <p>SEP Coordinator: Ms. Sharon Blue, Litigation Division, MC 175, (512) 239-2223</p> <p>TCEQ Enforcement Coordinator: Ms. Kimberly Morales, Air Enforcement Section, MC R-12 (713) 422-8938</p> <p>TCEQ Regional Contact: Ms. Linda Vasse, Houston Regional Office, MC R-12, (713) 767-3637</p> <p>Respondent: Mr. Steven Hansen, Manager Regulatory Affairs, Shell Chemical LP, 5900 Highway 225, Deer Park, Texas, 77536</p> <p>Respondent's Attorney: Mr. Arnoldo Medina, Sr. Legal Counsel, Shell Legal US – Regulatory Matters, One Shell Plaza OSP 4860, 910 Louisiana Street, PO Box 2463, Houston, TX 77002</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date of Complaints Relating to this Case: None</p> <p>Dates of Investigation Relating to this Case: May 25, 2007 and June 4, 2007</p> <p>Dates of NOEs Relating to this Case: June 26, 2007 and July 6, 2007</p> <p>Background Facts:</p> <p>The EDPRP was filed January 22, 2008. On March 17, 2008, Litigation mailed a proposed Agreed Order to the Respondent. On March 25, 2008, the Respondent signed and returned the Agreed Order.</p> <p>AIR</p> <p>1. Failed to prevent unauthorized emissions. Specifically, 1,695 pounds ("lbs") of benzene, a hazardous air pollutant, were released when Shell exceeded the initial estimate for benzene emissions submitted to the agency for a scheduled air shutdown by more than the reportable quantity, thereby making it a reportable emissions event, which began on March 12, 2007, and lasted for 443 hours (Incident No. 87494). Since this emissions event was not reported within 24 hours of discovery, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B), 116.115(c), Air Permit No. 9334, Special Condition No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2. Failed to notify the TCEQ when the actual benzene emissions exceeded the estimate provided in the initial shutdown notification by more than the reportable quantity (Incident No. 87494) [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$31,540</p> <p>Total Deferred: \$15,770 <input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input checked="" type="checkbox"/> SEP Conditional Offset</p> <p>Total Paid to General Revenue: \$15,770</p> <p>The Respondent has paid \$15,770 of the administrative penalty. The remainder \$15,770 shall be conditionally offset by the Respondent's completion of a Supplement Environment Project (SEP).</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 1, 2002</p>	<p>Ordering Provisions</p> <p>1. The Respondent shall implement and complete a SEP. (See attachment A).</p> <p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures:</p> <p>1. On March 16, 2007, replaced the defective plug which had corroded and caused the emissions event to occur on March 15, 2007 (Incident No. 88419).</p> <p>2. On May 10, 2007, equipment repair procedures, changes in equipment files and specific repair cards for the pumps relating to Incident No. 88419 were completed.</p> <p>3. On July 11, 2007, training was conducted to ensure that the notifications to the agency are submitted within the required time frame and the emission estimates for maintenance and shutdown activities are not underestimated (Incident No. 87494).</p>

3. Failed to prevent unauthorized emissions. Specifically, 35 lbs of isopropyl alcohol, 955 lbs of propane, 600 lbs of propylene, 1,078 lbs of carbon monoxide and 149 lbs of nitrogen oxides were released when Shell failed to install a plug with the correct metallurgy which led to the plug's corrosion, resulting in an emissions event that occurred on March 15, 2007, and lasted for 26 hours (Incident No.88419). Since this emissions event was avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met] [30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 3173, Special Condition No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Attachment A
Docket Number: 2007-1218-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Shell Chemical LP

Penalty Amount: Thirty-one thousand five hundred forty dollars (\$31,540)

SEP Amount: Fifteen thousand seven hundred seventy dollars (\$15,770)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston Area Emission Reduction Credit Organization ("AERCO") *Clean Cities/Clean Vehicles Program*

Location of SEP: Harris 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. The contribution will be used in accordance with the Supplemental Environmental Project Agreement between the **Houston-Galveston Area Emission Reduction Credit Organization "AERCO"** and the Texas Commission on Environmental Quality for the *Clean Cities/Clean Vehicles Program* in Harris County. Specifically, SEP monies will be used to aid local school districts and area transit agencies, and may be used to reach local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of retrofitting or replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older "high emission" buses will be permanently retired and sold only for scrap.

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

Passengers, drivers, and students in the area where school buses idle during transportation are subject to harmful diesel exhaust emission every school day. Apart from containing particulate matter ("PM") and the ozone precursors nitrogen oxides ("NOx") and hydrocarbons ("HC"), diesel exhaust is known to cause or exacerbate a number of respiratory diseases, including asthma. Due to the more stringent emissions standards introduced by the Environmental Protection Agency (EPA), model 2007 and newer buses are cleaner in terms

Shell Chemical LP
Agreed Order Docket 2007-1218-AIR-E

of PM, NOx, and HC emissions than model year 2004 buses. New NOx and HC standards phased in between 2007 and 2010 will result in new school bus engines being 72% cleaner for HC and 90% cleaner for NOx than a bus produced to meet the 2004 federal standards for these pollutants.

This SEP will provide a discernible environmental benefit by retiring high-emission buses from service, purchasing newer, clean fuel technology buses, and replacing newer buses with fuel treatment technology that reduces PM and HC.

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:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, TX 77227-2777

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:

Litigation Division
Attention: SEP Coordinator, MC 175
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 made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Shell Chemical LP
Agreed Order Docket 2007-1218-AIR-E

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
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 June 26, 2007

TCEQ

DATES	Assigned	9-Jul-2007	Screening	17-Jul-2007	EPA Due	21-Mar-2008
	PCW	19-Jul-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Shell Chemical LP
Reg. Ent. Ref. No.	RN100211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	34213	No. of Violations	3	
Docket No.	2007-1218-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Nadia Hameed	
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 \$7,600

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 325% Enhancement Subtotals 2, 3, & 7 \$24,700

Notes: Penalty enhancement due to five 1660 agreed orders, two findings orders, one court order with denial of liability, 36 same or similar NOVs, and 23 non-similar NOVs of which 15 were self-reported effluent violations. Penalty reduction for 48 Notice of Audits, nine Disclosures of violations, an environmental management system in place for one year or more, and one participation in a voluntary pollution reduction program.

Culpability No 0% Enhancement Subtotal 4 \$0

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 10% Reduction Subtotal 5 \$760

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

Notes: The Respondent completed the corrective actions on July 11, 2007.

Total EB Amounts \$32 0% Enhancement* Subtotal 6 \$0
 Approx. Cost of Compliance \$6,000 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal \$31,540

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 \$31,540

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$31,540

DEFERRAL Reduction Adjustment \$0

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

Notes: Deferral not offered for non-expedited settlement.

PAYABLE PENALTY \$31,540

Screening Date 17-Jul-2007

Docket No. 2007-1218-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 34213

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Nadia Hameed

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)	36	180%
	Other written NOVs	23	46%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	5	100%
	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	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	48	-48%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	9	-18%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	Yes	-5%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 325%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to five 1660 agreed orders, two findings orders, one court order with denial of liability, 36 same or similar NOVs, and 23 non-similar NOVs of which 15 were self-reported effluent violations. Penalty reduction for 48 Notice of Audits, nine Disclosures of violations, an environmental management system in place for one year or more, and one participation in a voluntary pollution reduction program.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 325%

Screening Date 17-Jul-2007

Docket No. 2007-1218-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 34213

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Nadia Hameed

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B), 116.115(c), Air Permit No. 9334, Special Condition No. 1 and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, 1,695 pounds ("lbs") of benzene, a hazardous air pollutant were released when Shell exceeded the initial estimate for benzene emissions submitted to the agency for a scheduled air shutdown by more than the reportable quantity, thereby making it a reportable emissions event, which began on March 12, 2007, and lasted for 443 hours (Incident No. 87494). Since this emissions event was not reported within 24 hours of discovery, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

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

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1

19 Number of violation days

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

Violation Base Penalty \$5,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$20,750

This violation Final Assessed Penalty (adjusted for limits) \$20,750

Economic Benefit Worksheet

Respondent Shell Chemical LP
 Case ID No. 34213
 Reg. Ent. Reference No. RN100211879
 Media Air
 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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

See Economic Benefit for Violation No. 2.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 17-Jul-2007	Docket No. 2007-1218-AIR-E	PCW
Respondent Shell Chemical LP	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34213	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN100211879		
Media [Statute] Air		
Enf. Coordinator Nadia Hameed		
Violation Number <input type="text" value="2"/>		
Rule Cite(s)	30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to notify the TCEQ when the actual benzene emissions exceeded the estimate provided in the initial shutdown notification by more than the reportable quantity (Incident No. 87494).	
Base Penalty		<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

OR	Harm				
		Major	Moderate		Minor
	Release	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				Percent <input type="text" value="0%"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text"/>	
					Percent <input type="text" value="1%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events **Number of violation days**

mark only one with an x

daily	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text" value="x"/>

Violation Base Penalty

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent: Shell Chemical LP
Case ID No.: 34213
Reg. Ent. Reference No.: RN100211879
Media: Air
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$1,000	12-Mar-2007	11-Jul-2007	0.3	\$17	n/a	\$17
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for training to ensure that correct estimates and timely notifications are made. Date required is the date of the emissions event. Final date is the date by which the training was completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$17

Screening Date 17-Jul-2007 **Docket No.** 2007-1218-AIR-E **PCW**
Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*
Case ID No. 34213 *PCW Revision June 26, 2007*
Reg. Ent. Reference No. RN100211879
Media [Statute] Air
Enf. Coordinator Nadia Hameed
Violation Number
Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Air Permit No. 3173, Special Condition No. 1 and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to prevent unauthorized emissions. Specifically, 35 lbs of isopropyl alcohol, 955 lbs of propane, 600 lbs of propylene, 1,078 lbs of carbon monoxide and 149 lbs of nitrogen oxides were released when Shell failed to install a plug with the correct metallurgy which led to the plug's corrosion, resulting in an emissions event that occurred on March 15, 2007, and lasted for 26 hours (Incident No. 88419). Since this emissions event was avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.
Base Penalty

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>

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

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$16"/>	Violation Final Penalty Total <input type="text" value="\$10,375"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$10,375"/>	

Economic Benefit Worksheet

Respondent Shell Chemical LP
 Case ID No. 34213
 Reg. Ent. Reference No. RN100211879
 Media Air
 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	\$2,000	15-Mar-2007	10-May-2007	0.2	\$15	n/a	\$15
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$3,000	15-Mar-2007	16-Mar-2007	0.0	\$0	n/a	\$0

Notes for DELAYED costs

Cost to ensure that plugs used have the correct metallurgy. Date required is the date of the emissions event. On March 16, 2007 Shell replaced the defective plug. Final date is the date when the procedures were revised and the training was completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$16

Compliance History

Customer/Respondent/Owner-Operator:	CN601405145	Shell Chemical LP	Classification:	Rating:
Regulated Entity:	RN100211879	SHELL OIL DEER PARK	Classification: AVERAGE	Site Rating: 4.10
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER		HG0659W
	AIR OPERATING PERMITS	PERMIT		1669
	AIR OPERATING PERMITS	PERMIT		1668
	AIR OPERATING PERMITS	PERMIT		1940
	AIR OPERATING PERMITS	PERMIT		1941
	AIR OPERATING PERMITS	PERMIT		1942
	AIR OPERATING PERMITS	PERMIT		1943
	AIR OPERATING PERMITS	PERMIT		1945
	AIR OPERATING PERMITS	PERMIT		1946
	AIR OPERATING PERMITS	PERMIT		1947
	AIR OPERATING PERMITS	PERMIT		1948
	AIR OPERATING PERMITS	PERMIT		2108
	AIR OPERATING PERMITS	PERMIT		3179
	WASTEWATER	PERMIT		WQ0000402000
	WASTEWATER	PERMIT		TPDES0004863
	WASTEWATER	PERMIT		TX0004863
	WASTEWATER	PERMIT		WQ0000403000
	WASTEWATER	PERMIT		TPDES0004871
	AIR NEW SOURCE PERMITS	PERMIT		3180
	AIR NEW SOURCE PERMITS	PERMIT		21262
	AIR NEW SOURCE PERMITS	REGISTRATION		54895
	AIR NEW SOURCE PERMITS	REGISTRATION		55312
	AIR NEW SOURCE PERMITS	REGISTRATION		76382
	AIR NEW SOURCE PERMITS	REGISTRATION		75524
	AIR NEW SOURCE PERMITS	REGISTRATION		55730
	AIR NEW SOURCE PERMITS	REGISTRATION		55869
	AIR NEW SOURCE PERMITS	REGISTRATION		55717
	AIR NEW SOURCE PERMITS	REGISTRATION		76315
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX815
	AIR NEW SOURCE PERMITS	PERMIT		70613
	AIR NEW SOURCE PERMITS	PERMIT		48912
	AIR NEW SOURCE PERMITS	PERMIT		70389
	AIR NEW SOURCE PERMITS	PERMIT		56476
	AIR NEW SOURCE PERMITS	PERMIT		56496
	AIR NEW SOURCE PERMITS	PERMIT		70903
	AIR NEW SOURCE PERMITS	PERMIT		71223
	AIR NEW SOURCE PERMITS	REGISTRATION		71567
	AIR NEW SOURCE PERMITS	PERMIT		50815
	AIR NEW SOURCE PERMITS	PERMIT		54061
	AIR NEW SOURCE PERMITS	PERMIT		52476
	AIR NEW SOURCE PERMITS	PERMIT		52477
	AIR NEW SOURCE PERMITS	PERMIT		50548
	AIR NEW SOURCE PERMITS	PERMIT		52565
	AIR NEW SOURCE PERMITS	PERMIT		52089
	AIR NEW SOURCE PERMITS	PERMIT		52088
	AIR NEW SOURCE PERMITS	PERMIT		50388
	AIR NEW SOURCE PERMITS	PERMIT		50423
	AIR NEW SOURCE PERMITS	PERMIT		70612
	AIR NEW SOURCE PERMITS	REGISTRATION		74572
	AIR NEW SOURCE PERMITS	REGISTRATION		75045
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX896
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX928
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX928M1
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX961
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX974
	AIR NEW SOURCE PERMITS	REGISTRATION		77284
	AIR NEW SOURCE PERMITS	REGISTRATION		76699
	AIR NEW SOURCE PERMITS	REGISTRATION		77952
	AIR NEW SOURCE PERMITS	REGISTRATION		76265
	AIR NEW SOURCE PERMITS	REGISTRATION		78839
	AIR NEW SOURCE PERMITS	REGISTRATION		78864
	AIR NEW SOURCE PERMITS	REGISTRATION		78624

AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	PERMIT	6949
AIR NEW SOURCE PERMITS	PERMIT	7855
AIR NEW SOURCE PERMITS	PERMIT	9856
AIR NEW SOURCE PERMITS	PERMIT	11177
AIR NEW SOURCE PERMITS	PERMIT	12152
AIR NEW SOURCE PERMITS	PERMIT	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	PERMIT	13713
AIR NEW SOURCE PERMITS	PERMIT	16429
AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	7621
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	PERMIT	10888
AIR NEW SOURCE PERMITS	PERMIT	11096
AIR NEW SOURCE PERMITS	PERMIT	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	PERMIT	12829
AIR NEW SOURCE PERMITS	PERMIT	13678
AIR NEW SOURCE PERMITS	PERMIT	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	PERMIT	9505
AIR NEW SOURCE PERMITS	PERMIT	15262
AIR NEW SOURCE PERMITS	PERMIT	15365
AIR NEW SOURCE PERMITS	PERMIT	15499
AIR NEW SOURCE PERMITS	PERMIT	15940
AIR NEW SOURCE PERMITS	PERMIT	18209
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	18738
AIR NEW SOURCE PERMITS	PERMIT	18768
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	PERMIT	23273
AIR NEW SOURCE PERMITS	PERMIT	24096
AIR NEW SOURCE PERMITS	PERMIT	24874
AIR NEW SOURCE PERMITS	PERMIT	26368
AIR NEW SOURCE PERMITS	PERMIT	27598
AIR NEW SOURCE PERMITS	PERMIT	29597
AIR NEW SOURCE PERMITS	PERMIT	32282
AIR NEW SOURCE PERMITS	PERMIT	33524
AIR NEW SOURCE PERMITS	PERMIT	34230
AIR NEW SOURCE PERMITS	PERMIT	34358
AIR NEW SOURCE PERMITS	PERMIT	35243
AIR NEW SOURCE PERMITS	PERMIT	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	96
AIR NEW SOURCE PERMITS	PERMIT	97
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	747
AIR NEW SOURCE PERMITS	PERMIT	748
AIR NEW SOURCE PERMITS	PERMIT	920
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3177
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219

AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4406
AIR NEW SOURCE PERMITS	PERMIT	4596
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	PERMIT	41920
AIR NEW SOURCE PERMITS	PERMIT	41875
AIR NEW SOURCE PERMITS	PERMIT	42221
AIR NEW SOURCE PERMITS	PERMIT	42573
AIR NEW SOURCE PERMITS	PERMIT	42512
AIR NEW SOURCE PERMITS	PERMIT	43605
AIR NEW SOURCE PERMITS	PERMIT	42118
AIR NEW SOURCE PERMITS	PERMIT	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	PERMIT	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	PERMIT	47575
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
WASTEWATER LICENSING	LICENSE	WQ0000402000
WATER LICENSING	LICENSE	1010320
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780

Location: 5900 HIGHWAY 225 EAST, DEER PARK, TX, 77536 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: October 09, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 07, 2002 to August 07, 2007

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

Name: NHameed Phone: 713-767-3629

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?
2. Has there been a (known) change in ownership of the site during the compliance period?
3. If Yes, who is the current owner?

Yes

Yes

Shell Deer Park Refining Company

Shell Chemical LP

Shell Oil Company

Deer Park Refining Limited

Partnership

4. If Yes, who was/were the prior owner(s)?

Resolution Performance Products, LLC

Shell Oil Company

12/03/2002

06/10/2004

5. When did the change(s) in ownership occur?

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: 06/12/2003 ADMINORDER 2002-0478-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 40 CFR Part 61, Subpart V 61.242-6(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: SC 4 PERMIT
 Description: Failure to install redundant valves or end caps on open ended lines.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(1)(i)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to adjust monitoring schedule to monthly from quarterly when leak rate exceeds 2%.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 113, SubChapter C 113.120
 40 CFR Part 63, Subpart G 63.114(a)(1)(ii)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: SC 2 PERMIT
 Description: Failure to install a temperature monitoring device in the gas stream immediately before and after the catalyst bed.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: SC 8(A) PERMIT
 Description: Failure to operate incinerator H9200 at a VOC outlet concentration of less than 20 ppmv.
- Effective Date: 08/30/2004 ADMINORDER 2003-1321-AIR-E
 Classification: Major
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: MAERT PERMIT
 Description: Failed to comply with the permitted limit established in the MAERT of Air Permit No. 9334 for benzene. Specifically, Shell failed to prevent the unauthorized emission of benzene at the ACU Tank Farm, Tank D-371, for a period of 58 minutes on April 28, 2003. The permitted benzene limit for Tank D-371 is 0.45 lbs/hour.
- Effective Date: 09/26/2004 ADMINORDER 2004-0101-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.100[G]
 30 TAC Chapter 113, SubChapter C 113.120
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to conduct flare performance testing in accordance with 40 CFR 63.11 within 180 days of startup or rule applicability.
- Effective Date: 08/20/2005 ADMINORDER 2004-0867-IHW-E
 Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter H 335.224(11)
 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(c)
 Description: Failure to conduct compliance testing for the Phenol-3 BIF and submit recertification of compliance within three years of the previous certification.
 Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter H 335.224(14)
 Description: Failure to cease the burning of waste in the Phenol-3 BIF on October 12, 2003.
- Effective Date: 02/20/2006 ADMINORDER 2005-0765-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 116, SubChapter G 116.721(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to obtain control emissions from an emissions event that occurred on December 21, 2000 at the Coker Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete final report for a reportable emissions event which occurred at the Coker Unit on December 21, 2000.

Effective Date: 02/20/2006

ADMINORDER 2005-0734-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent a power outage at Switchback 6B13 which resulted in unauthorized emissions from the HIPA Flare, HIPA Vent, Benji Vent (PC5500A), and Relief Valves RV0624, RV3033B, and RV0298 on May 9, 2004. Category A.11.i(6).

Classification: Major

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

Rqmt Prov: Also No. 3219, GC #8 PERMIT

Description: Failed to maintain the ratio of hydrogen to acetylene in the converter resulting in the flaring of off-specification product resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on June 17, 2004.

Classification: Major

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

Rqmt Prov: SC #1 PERMIT

Description: Failed to prevent the lifting of Relief Valve RV3033B on the fat acid storage tank (T-75B) on June 27, 2004 which resulted in unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Also No. 3219, GC #8 PERMIT

Description: Failed to maintain steam pressure on the Olefins 2 Unit and operated the Propylene Refrigerator Compressor with a faulty suction/pressure indicating controller resulting in the flaring of off-specification products at the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on September 13, 2004.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR Permit #3173, Special Condition #1 PA

Description: Failed to comply with the maximum allowable emission rates for carbon monoxide, volatile organic compounds ("VOC"), and nitrogen oxides and varied from permit representations for VOC emissions from the IPA Purge Line on September 6, 2004

Classification: Major

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

Rqmt Prov: Also Permit No. 3219, Gen. Condition 8 PERMIT

Description: Failed to control the ammonia concentration in the sour hydrogen feed resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on May 22, 2004. Category A.11.i(6).

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 of a reportable emissions event at the Isopropyl Alcohol (IPA) Unit which occurred on September 6, 2004 within 24 hours of discovery.

Effective Date: 05/12/2006

ADMINORDER 2005-1614-AIR-E

Classification: Moderate

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

Description: Failed to report the December 25, 2004 emissions event within 24 hours of discovery.

Classification: Moderate

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

Rqmt Prov: Permit No 3214, Gen Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 241 lbs of 1, 3-Butadiene, 322 lbs of Butene, 1,299 lbs of Pentane, 2,182 lbs of Ethylene, 68 lbs of Benzene and 1,018 lbs of Propylene during a 10 hour and 30 minute emissions event that occurred on December 25, 2004 in the OP3 Unit.

Classification: Moderate

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

Rqmt Prov: General Condition #8 PERMIT

Description: Failed to prevent unauthorized emissions of 686 lbs of 1, 3-Butadiene, 949 lbs of Butene, 1,299 lbs of Pentane, 4,059 lbs of Ethylene and 2,044 lbs of Propylene during a 23 minute emissions event that occurred on February 17, 2005 in the Olefins No. 3 Unit ("OP3").

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Max. Allow. Em. Rate Ta PERMIT

Description: Failed to prevent unauthorized emissions of 1847.7 lbs of Ethylene, 680.70 lbs of Carbon Monoxide, and 87.3 lbs of Nitrogen Monoxide during a 3-hour emissions event that occurred on February 24, 2005 at the Acetylene Converters in the Olefins #2 Unit.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Gen. Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 404 lbs of volatile organic compounds ("VOC") in one hour on January 13, 2005 in the OP2 Unit Elevated Flare. Specifically, 868 lbs of VOCs were released and the VOC maximum allowable emission rate for the flare is 464 lbs per hour.

Effective Date: 08/29/2006

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of low sulfur diesel fuel and heavy crude oil sludge in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of natural gas in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)

Rqmt Prov: mact rates PERMIT

Description: Exceeded maximum allowable emission rates for hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Discharged approximately 327 pounds of unspiciated VOC resulting in air contaminants in such concentration and duration so as to interfere with the normal use and enjoyment of property in teh area.

See addendum for information regarding federal actions.

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	08/13/2002	(2149)
2	08/16/2002	(157756)
3	08/19/2002	(7668)
4	08/21/2002	(8730)
5	08/22/2002	(157708)
6	08/24/2002	(4890)

7	08/24/2002	(4888)
8	08/28/2002	(5059)
9	08/28/2002	(5060)
10	08/29/2002	(8058)
11	08/31/2002	(9511)
12	08/31/2002	(9388)
13	08/31/2002	(10160)
14	08/31/2002	(9479)
15	08/31/2002	(10241)
16	08/31/2002	(10071)
17	08/31/2002	(9298)
18	08/31/2002	(9698)
19	08/31/2002	(8665)
20	08/31/2002	(10222)
21	08/31/2002	(10117)
22	08/31/2002	(10030)
23	08/31/2002	(9860)
24	08/31/2002	(4913)
25	08/31/2002	(9964)
26	08/31/2002	(4915)
27	08/31/2002	(9758)
28	08/31/2002	(10403)
29	09/23/2002	(157712)
30	09/26/2002	(12173)
31	09/27/2002	(157759)
32	10/02/2002	(12436)
33	10/15/2002	(5839)
34	10/23/2002	(157716)
35	10/23/2002	(157718)
36	10/28/2002	(157762)
37	11/04/2002	(14763)
38	11/21/2002	(157721)
39	11/27/2002	(157766)
40	12/03/2002	(13971)
41	12/06/2002	(13895)
42	12/09/2002	(14114)
43	12/17/2002	(16626)
44	12/19/2002	(13703)
45	12/23/2002	(157770)
46	12/23/2002	(15106)
47	12/30/2002	(157725)
48	12/31/2002	(13462)
49	01/09/2003	(19750)
50	01/10/2003	(20830)
51	01/13/2003	(246531)
52	01/24/2003	(17948)
53	01/27/2003	(157729)
54	01/28/2003	(157774)
55	02/05/2003	(23703)
56	02/10/2003	(157684)
57	02/12/2003	(24287)
58	02/13/2003	(22044)
59	02/20/2003	(10139)
60	02/24/2003	(157683)
61	02/24/2003	(22731)
62	02/28/2003	(157734)
63	03/25/2003	(157687)
64	03/31/2003	(10812)
65	03/31/2003	(157737)
66	04/03/2003	(19124)
67	04/23/2003	(157693)
68	04/29/2003	(157742)
69	05/09/2003	(26339)
70	05/10/2003	(450832)
71	05/11/2003	(26340)
72	05/22/2003	(157697)
73	05/27/2003	(157746)
74	05/30/2003	(36614)

75	06/05/2003	(29924)
76	06/16/2003	(114383)
77	06/24/2003	(157701)
78	06/25/2003	(157750)
79	06/26/2003	(60695)
80	06/28/2003	(33595)
81	07/23/2003	(284079)
82	07/23/2003	(295231)
83	07/25/2003	(157705)
84	07/25/2003	(157709)
85	08/06/2003	(114294)
86	08/12/2003	(148558)
87	08/23/2003	(36650)
88	08/26/2003	(295233)
89	08/29/2003	(149848)
90	09/22/2003	(295235)
91	09/25/2003	(295217)
92	10/22/2003	(249626)
93	10/23/2003	(295219)
94	10/27/2003	(295237)
95	10/28/2003	(252341)
96	11/21/2003	(295220)
97	11/26/2003	(295238)
98	11/30/2003	(248256)
99	12/17/2003	(295221)
100	12/23/2003	(295239)
101	01/02/2004	(257380)
102	01/02/2004	(252698)
103	01/04/2004	(251319)
104	01/14/2004	(254260)
105	01/21/2004	(252556)
106	01/22/2004	(295240)
107	01/26/2004	(295222)
108	01/28/2004	(261052)
109	02/23/2004	(248995)
110	02/23/2004	(432673)
111	02/27/2004	(295223)
112	03/16/2004	(295208)
113	03/24/2004	(295225)
114	03/31/2004	(260311)
115	04/16/2004	(256199)
116	04/21/2004	(295209)
117	04/23/2004	(295226)
118	05/19/2004	(256196)
119	05/19/2004	(295206)
120	05/19/2004	(295211)
121	05/25/2004	(268601)
122	05/25/2004	(295228)
123	05/25/2004	(266874)
124	05/26/2004	(273578)
125	06/03/2004	(270210)
126	06/09/2004	(272409)
127	06/18/2004	(271341)
128	06/18/2004	(270854)
129	06/21/2004	(295213)
130	06/23/2004	(352010)
131	07/14/2004	(260134)
132	07/22/2004	(352011)
133	07/26/2004	(352004)
134	08/11/2004	(288458)
135	08/11/2004	(288745)
136	08/11/2004	(287418)
137	08/11/2004	(287399)
138	08/16/2004	(279252)
139	08/16/2004	(279239)
140	08/23/2004	(352012)
141	08/24/2004	(352003)
142	08/24/2004	(352005)

143	08/31/2004	(272715)
144	08/31/2004	(267451)
145	08/31/2004	(268068)
146	08/31/2004	(292677)
147	09/07/2004	(292099)
148	09/22/2004	(352013)
149	09/30/2004	(287575)
150	10/04/2004	(352006)
151	10/18/2004	(335028)
152	10/20/2004	(352007)
153	10/20/2004	(352014)
154	11/11/2004	(289756)
155	11/12/2004	(290146)
156	11/12/2004	(288819)
157	11/22/2004	(285617)
158	11/22/2004	(352015)
159	11/23/2004	(352008)
160	11/29/2004	(339553)
161	12/05/2004	(268602)
162	12/10/2004	(338725)
163	12/11/2004	(341292)
164	12/11/2004	(342406)
165	12/11/2004	(342558)
166	12/14/2004	(341177)
167	12/14/2004	(342547)
168	12/15/2004	(340217)
169	12/17/2004	(339115)
170	12/20/2004	(352016)
171	12/21/2004	(342546)
172	12/27/2004	(352009)
173	12/28/2004	(290091)
174	12/28/2004	(338893)
175	12/29/2004	(342425)
176	12/30/2004	(342431)
177	12/30/2004	(344374)
178	12/30/2004	(344491)
179	01/04/2005	(288475)
180	01/04/2005	(285114)
181	01/04/2005	(288902)
182	01/04/2005	(342600)
183	01/04/2005	(293105)
184	01/05/2005	(289527)
185	01/05/2005	(288541)
186	01/06/2005	(344370)
187	01/06/2005	(344373)
188	01/06/2005	(289146)
189	01/07/2005	(288436)
190	01/09/2005	(289381)
191	01/10/2005	(286434)
192	01/10/2005	(287676)
193	01/10/2005	(279219)
194	01/20/2005	(381814)
195	01/24/2005	(381811)
196	01/26/2005	(342583)
197	01/31/2005	(342585)
198	02/01/2005	(342419)
199	02/22/2005	(350798)
200	02/22/2005	(381812)
201	02/23/2005	(371820)
202	03/22/2005	(381813)
203	03/23/2005	(381809)
204	03/28/2005	(381810)
205	04/01/2005	(346780)
206	04/22/2005	(419640)
207	04/22/2005	(419642)
208	04/22/2005	(575179)
209	04/29/2005	(344372)
210	05/03/2005	(373899)

211	05/09/2005	(378729)
212	05/18/2005	(575182)
213	05/25/2005	(380203)
214	06/17/2005	(392662)
215	06/20/2005	(575185)
216	06/21/2005	(419641)
217	06/21/2005	(419643)
218	06/28/2005	(394944)
219	07/06/2005	(398907)
220	07/13/2005	(374690)
221	07/18/2005	(575188)
222	07/18/2005	(379933)
223	07/18/2005	(379934)
224	07/20/2005	(400891)
225	07/21/2005	(400399)
226	07/28/2005	(379300)
227	08/02/2005	(400361)
228	08/03/2005	(399624)
229	08/05/2005	(341201)
230	08/05/2005	(341194)
231	08/05/2005	(341195)
232	08/05/2005	(341198)
233	08/05/2005	(341200)
234	08/10/2005	(403710)
235	08/15/2005	(453221)
236	08/16/2005	(404329)
237	08/16/2005	(404327)
238	08/18/2005	(404406)
239	08/22/2005	(400922)
240	08/22/2005	(575191)
241	08/23/2005	(401945)
242	08/23/2005	(404915)
243	08/25/2005	(405926)
244	08/30/2005	(401403)
245	09/23/2005	(440775)
246	09/23/2005	(440776)
247	09/27/2005	(575193)
248	09/28/2005	(431096)
249	10/04/2005	(405964)
250	10/05/2005	(407310)
251	10/05/2005	(406803)
252	10/05/2005	(431097)
253	10/05/2005	(431095)
254	10/10/2005	(406428)
255	10/24/2005	(468331)
256	10/24/2005	(575195)
257	10/26/2005	(433389)
258	10/28/2005	(405406)
259	11/03/2005	(431819)
260	11/04/2005	(431796)
261	11/04/2005	(431865)
262	11/14/2005	(371956)
263	11/23/2005	(433921)
264	11/23/2005	(575197)
265	11/28/2005	(437043)
266	11/28/2005	(468332)
267	11/30/2005	(437117)
268	12/08/2005	(418800)
269	12/16/2005	(451110)
270	12/21/2005	(575199)
271	12/22/2005	(575200)
272	12/27/2005	(468333)
273	01/24/2006	(451885)
274	01/24/2006	(468334)
275	01/24/2006	(575201)
276	02/16/2006	(454090)
277	02/21/2006	(455170)
278	02/21/2006	(575174)

279	02/21/2006	(454835)
280	02/23/2006	(455872)
281	02/23/2006	(455897)
282	02/23/2006	(439108)
283	02/24/2006	(438342)
284	02/24/2006	(468329)
285	02/25/2006	(456944)
286	02/25/2006	(457085)
287	02/27/2006	(457162)
288	02/27/2006	(456661)
289	02/28/2006	(457143)
290	02/28/2006	(457152)
291	03/03/2006	(455540)
292	03/09/2006	(457675)
293	03/15/2006	(458469)
294	03/17/2006	(451544)
295	03/20/2006	(431859)
296	03/20/2006	(571632)
297	03/21/2006	(575176)
298	03/23/2006	(290016)
299	03/23/2006	(468330)
300	03/28/2006	(405965)
301	04/03/2006	(455004)
302	04/21/2006	(575180)
303	04/24/2006	(449499)
304	04/24/2006	(498125)
305	04/25/2006	(449838)
306	04/26/2006	(455005)
307	04/27/2006	(440023)
308	04/28/2006	(462216)
309	05/10/2006	(266908)
310	05/10/2006	(268067)
311	05/12/2006	(461088)
312	05/17/2006	(461235)
313	05/17/2006	(466235)
314	05/22/2006	(498126)
315	05/22/2006	(575183)
316	05/26/2006	(460174)
317	05/26/2006	(460095)
318	05/26/2006	(460156)
319	05/26/2006	(460637)
320	05/30/2006	(459416)
321	05/30/2006	(460198)
322	05/31/2006	(480622)
323	05/31/2006	(455293)
324	06/12/2006	(455296)
325	06/13/2006	(457735)
326	06/14/2006	(480612)
327	06/15/2006	(449850)
328	06/16/2006	(575186)
329	06/20/2006	(498127)
330	06/21/2006	(467546)
331	06/23/2006	(467537)
332	06/23/2006	(467329)
333	06/28/2006	(467525)
334	06/30/2006	(463111)
335	06/30/2006	(466561)
336	07/10/2006	(482757)
337	07/11/2006	(482755)
338	07/11/2006	(482760)
339	07/11/2006	(482407)
340	07/14/2006	(467608)
341	07/24/2006	(520133)
342	07/24/2006	(575189)
343	07/26/2006	(487301)
344	07/27/2006	(486448)
345	07/31/2006	(482753)
346	08/08/2006	(482747)

347	08/14/2006	(480383)
348	08/16/2006	(392732)
349	08/18/2006	(457259)
350	08/18/2006	(457480)
351	08/22/2006	(575192)
352	08/23/2006	(457432)
353	08/25/2006	(510170)
354	08/28/2006	(479997)
355	08/29/2006	(509957)
356	08/29/2006	(479999)
357	08/30/2006	(509636)
358	08/31/2006	(457283)
359	09/07/2006	(510326)
360	09/22/2006	(575194)
361	09/25/2006	(520134)
362	09/29/2006	(487313)
363	10/04/2006	(510017)
364	10/04/2006	(512388)
365	10/05/2006	(510021)
366	10/05/2006	(512393)
367	10/05/2006	(512392)
368	10/13/2006	(510023)
369	10/23/2006	(575196)
370	10/24/2006	(544406)
371	10/26/2006	(512394)
372	10/27/2006	(515112)
373	10/31/2006	(513138)
374	10/31/2006	(509694)
375	10/31/2006	(343595)
376	11/03/2006	(513228)
377	11/03/2006	(513328)
378	11/06/2006	(515706)
379	11/16/2006	(512687)
380	11/16/2006	(514711)
381	11/21/2006	(517284)
382	11/22/2006	(575198)
383	11/27/2006	(544407)
384	11/30/2006	(379581)
385	12/07/2006	(488023)
386	12/07/2006	(488025)
387	12/07/2006	(487985)
388	12/07/2006	(488004)
389	12/15/2006	(508968)
390	12/21/2006	(534053)
391	12/27/2006	(544408)
392	12/27/2006	(544409)
393	12/29/2006	(343599)
394	01/19/2007	(531892)
395	01/22/2007	(575202)
396	01/31/2007	(537439)
397	01/31/2007	(538238)
398	01/31/2007	(538659)
399	02/17/2007	(532455)
400	02/20/2007	(457345)
401	02/22/2007	(575167)
402	02/22/2007	(575175)
403	02/23/2007	(532463)
404	02/23/2007	(532452)
405	02/27/2007	(532471)
406	03/01/2007	(509707)
407	03/05/2007	(406521)
408	03/21/2007	(575177)
409	03/23/2007	(575168)
410	04/12/2007	(554202)
411	04/19/2007	(575169)
412	04/23/2007	(575181)
413	04/25/2007	(542681)
414	04/25/2007	(532459)

415 04/26/2007 (541475)
 416 04/30/2007 (542592)
 417 04/30/2007 (542683)
 418 05/07/2007 (537121)
 419 05/08/2007 (542690)
 420 05/09/2007 (467500)
 421 05/14/2007 (542697)
 422 05/16/2007 (575170)
 423 05/18/2007 (542652)
 424 05/22/2007 (575184)
 425 05/29/2007 (559183)
 426 05/30/2007 (560809)
 427 06/20/2007 (575171)
 428 06/22/2007 (575187)
 429 06/25/2007 (563779)
 430 06/25/2007 (564308)
 431 06/27/2007 (564822)
 432 06/27/2007 (564828)
 433 07/06/2007 (565610)
 434 07/10/2007 (565422)
 435 07/20/2007 (575172)
 436 07/20/2007 (575173)
 437 07/23/2007 (575178)
 438 07/23/2007 (575190)
 439 08/01/2007 (567841)
 440 08/03/2007 (568522)

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

Date: 12/16/2002 (16626)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(1)
 Description: Failure to protect the vent opening on the ground storage tank with a 16-mesh or finer corrosion resistant screen.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(D)
 Description: Failure to provide scales for determining the amount of disinfectant used daily.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)
 Description: Failure to seal the wellhead with the use of gaskets or a pliable crack-resistant caulking compound.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)
 Description: Failure to seal the wellhead with the use of gaskets or a pliable crack-resistant caulking compound.

Date: 12/30/2002 (13462)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to comply with permitted effluent limits for pH, Oil and Grease, TOC, and BOD.

Date: 12/31/2002 (157729)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 01/24/2003 (17948)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(10)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 Description: Failure to identify cause of the event and failure to comply with TCEQ Air Permit 3219.

Date: 01/31/2003 (157683)
 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: 06/28/2003 (33595)
 Self Report? NO Classification: Moderate
 Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failed to prevent an emissions release by good design, operation, and maintenance practices.
 Date: 07/31/2003 (157709)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter
 Date: 09/30/2003 (295219)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter
 Date: 11/30/2003 (295239)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter
 Date: 01/04/2004 (251319)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT TCEQ AIR PERMIT #19849, SC #1

Description: Shell allowed 237 lbs of unauthorized emissions of mesityl oxide (a highly irritating ketone, which overflowed Tank T-40-16 due to an inaccurate level indicator and failure to respond to a high level alarm from the back up high level alarm system.
 Date: 01/14/2004 (254260)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT TCEQ AIR PERMIT #3219, SC #4

Description: Main induced-draft fan on Boiler H-8610 shut down when governor seized due to dirty oil (inadequate attention to the status of the oil). The (large) boiler tripped on loss of the fan. Two olefin plants were shut down due to insufficient steam supply to the steam turbines driving the large critical compressors.
 Date: 01/21/2004 (252556)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 Rqmt Prov: PERMIT TCEQ AIR PERMIT #21262, SC #1

Description: Shell damaged the lube oil pump for the Recycle Gas Compr. Either possible root cause (failure to prime the pump or improperly installing the new motive screws) avoidably damaged those screws. Shell failed to control SO2 emissions during a startup activity.
 Date: 04/30/2004 (295228)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter
 Date: 06/30/2004 (352011)
 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: 07/13/2004 (260134)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ AIR PERMIT #920, SC #1

Description: Failure to report an emissions event in a timely manner.
 Date: 08/31/2004 (272715)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC #8
 Description: Failure to operate within the permit limits.
 Date: 08/31/2004 (267451)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT No. 21262 and PSD-TX-928
 Description: Failure to prevent unauthorized emissions.

Date: 09/22/2004 (335028)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.

Date: 09/30/2004 (352007)
 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: 11/22/2004 (285617)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC #8
 Description: Failure to operate within the permit limits.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
 Description: Failure to indicate the air contaminants from the flare completely in the final report.

Date: 11/30/2004 (352009)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter

Date: 12/14/2004 (340217)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(4)
 30 TAC Chapter 305, SubChapter F 305.125(5)
 TWC Chapter 26 26.121(a)(1)
 Description: Failure to prevent the unauthorized discharge of untreated or partially treated process, sanitary, balast, and utility wastewaters through outfall 008. The permittee is authorized to discharge storm water and fire water only to outfall 008. See attached Table 1.

Date: 12/28/2004 (290091)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC #8
 Description: Failure to avoid loss of cooling in the PRC surface condensate system.

Date: 12/30/2004 (344491)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA Permit #21262/PSD-TX-928, SC#1
 Description: Failure to control emissions.

Date: 12/30/2004 (344374)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA Permit #s:21262,PSD-TX-928, SC #1
 Description: Failure to Control Emissions.

Date: 01/04/2005 (342600)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC # 8
 Description: Failure to control hydrate formation in the demethanizer column.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: Failure to report emissions event in a timely manner.

Date: 01/07/2005 (288436)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 21262 and PSD-TX-928
 Description: Exceeded permit limits during an avoidable emissions event.

Date: 01/09/2005 (289381)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ Air Permit #3219 and PSD-TX-974
 Description: Exceeded permit limits during an avoidable emissions event.
 Date: 03/31/2005 (419640)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 04/29/2005 (344372)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to control emissions.
 Date: 05/31/2005 (575185)
 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: 06/20/2005 (395120)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 9334, Gen. Condition #8
 Description: Failure to prevent spill during tank heel transfer.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 Description: Failure to submit an emissions event in a timely manner.
 Date: 07/31/2005 (419643)
 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: 07/31/2005 (575191)
 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: 08/17/2005 (404327)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 110.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 150.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 180.
 Date: 09/30/2005 (468331)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/10/2005 (406428)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to control emissions.
 Date: 11/30/2005 (575199)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 12/08/2005 (418800)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to maintain compliance with the effluent permit limits. Effluent violations were reported for ammonia-nitrogen at outfall 104 in 07/05 and for calcium, nickel and fecal coliform at outfall 001 in 03/05.
 Date: 02/23/2006 (439108)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA 3219 AND PSD-TX-974
 Description: Exceeded permit limits during an avoidable emissions event.
 Date: 02/27/2006 (438342)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to control unauthorized emissions.
 Date: 04/04/2006 (455004)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA NSR Permit #3173, Special Condition #1
 Description: Failure to control unauthorized emissions for Incident #64365.
 Date: 05/17/2006 (461235)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1946, Special Condition 15H
 OP 1946, Special Condition 1A
 Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA
 Self Report? NO Classification: Minor

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 1668, Special Condition 1A
 Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1668, Special Condition 1A
 PERMIT 3219, Special Conditions 5 and 6
 Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1946, Special Condition 1A
 OP 1946, Special Condition 21
 PERMIT 3216, Special Condition 6E
 PERMIT 3218, Special Condition 8E
 Description: Nine OELs in HT2; 2 OELs in CIPX
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18576, Special Condition 7E
 OP 1946, Special Condition 1A
 OP 1946, Special Condition 21
 Description: Failure to seal 18 OELs in IRU.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)		
Rqmt Prov:	OP 1946, Special Condition 1A OP 1946, Special Condition 21 PERMIT 3217, Special Condition 3E		
Description:	Failure to seal OELs in BD3.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1946, Special Condition 21 PERMIT 3216, Special Condition 1 PERMIT 3216, Special Condition 5		
Description:	Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1946, Special Condition 21 PERMIT 3216, Special Conditions 1 and 4		
Description:	The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.		
Date:	05/31/2006 (455293)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT No. 3219 and PSD-TX-974 MAERT		
Description:	Failure to prevent an operator error resulting in unauthorized emissions.		
Date:	06/15/2006 (457735)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 9334 MAERT		
Description:	Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.		
Date:	06/16/2006 (510170)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT Self-reporting Requirements		
Description:	Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.		
Date:	06/28/2006 (467525)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT #21262, Special Condition #1		
Description:	Failure to prevent overpressure of Secondary Debutanizer Column, V-613.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
Description:	Failed to identify the preconstruction authorization.		
Date:	06/30/2006 (520133)		
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:	07/14/2006 (467608)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT No 3219 MAERT		
Description:	Failure to prevent unauthorized emissions during decoking of furnace FOL170.		
Date:	07/31/2006 (440775)		
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 (575192)
 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: 08/18/2006 (457259)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 266, SC 7E
 PERMIT 3985A, SC 7E
 OP O-01947, Special Condition 13
 OP O-01947, Special Condition 1A
 Description: 3 OELs in SITEFE and 1 OEL in WRACKFE
 Date: 08/23/2006 (457432)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1948, Special Condition 1A
 Description: Components associated with Tank F-347 and Tank F-349 were not identified as
 being subject to 40 CFR 63, Subpart H.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1948, Special Condition 13
 OP 1948, Special Condition 1A
 PERMIT 19849, Special Condition 11E
 Description: 10 OELs in MPLANTFE
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1948, Special Condition 13
 OP 1948, Special Condition 1A
 PERMIT 1968, Special Condition 3E
 PERMIT 19849, Special Condition 11E
 PERMIT 3173, Special Condition 6E
 Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFE; 1 OEL in
 HPLANTFE
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1948, Special Condition 13
 OP 1948, Special Condition 1A
 PERMIT 3173, Special Condition 6F
 Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of
 2005
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1948, Special Condition 13
 PERMIT 19849, Special Condition 7D
 Description: Failure to inspect Tank T667B by the due date of March 2005
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP 1948, Special Condition 13
 PERMIT 3173, Special Condition 1
 Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49

lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR
Registration No. 74572.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.782(b)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1948, Special Condition 1H(iv)		
Description:	Failure to repair Component No. 200706 in IPACRUFU within seven days		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1948, Special Condition 1A		
Description:	Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere		
Date:	08/28/2006 (479997)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.782(b)(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3219, Special Condition 2I OP O-1668, Special Condition 15 OP O-1668, Special Condition 1H(v)		
Description:	Failure to repair Component No. 64110.P in OP2FUG within 15 days		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3219, Special Condition 2E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A		
Description:	Forty-nine incidences of open-ended lines in OP2FUG		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3214, Special Condition 5E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A		
Description:	26 OELs in OL3FUG and 4 OELs in PYR3FUG		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3214, Special Condition 5E PERMIT 3219, Special Condition 2E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A		
Description:	28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3219, Maximum Allowable Emission Rates OP O-1668, Special Condition 15		
Description:	Exceedance of VOC MAER in tpy for the Olefins Flare System		
Date:	08/29/2006 (479999)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		

Rqmt Prov: PERMIT 9334, Special Condition 15E
 OP O-1943, Special Condition 17
 OP O-1943, Special Condition 1A
 Description: One OEL in ACUFUG and one OEL in FUGOXU
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 9334, Special Condition 7
 OP O-1943, Special Condition 17
 Description: Incomplete records of furnace firing rates for the ACU furnace, EPN H902
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-1943, Special Condition 1A
 Description: Failure to conduct internal inspection of Tank F-361 by the due date of May 2005
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 9334, Special Condition 8
 OP O-1943, Special Condition 17
 Description: Operation of the East Property Flare with visible emissions
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to visually inspect Tank G-359 by the due date of August 16, 2005
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 9334, Special Condition 10D
 OP O-1943, Special Condition 17
 Description: Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 9334, Special Condition 10D
 OP O-1943, Special Condition 17
 OP O-1943, Special Condition 1A
 Description: Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.
 Date: 08/31/2006 (457283)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 48912, Special Condition 5
 OP O-2108, Special Condition 15
 Description: Failure to analyze wastewater for isobutyraldehyde
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)[G]
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-2108, Special Condition 1A
 Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-2108, Special Condition 1A
 Description: Failure to obtain vapor pressure sample from T-1318
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-2108, Special Condition 1A

Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301
 Date: 11/03/2006 (513328)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Shell failed to submit a CAP in a timely manner.
 Date: 11/14/2006 (512687)
 Self Report? NO Classification: Minor
 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 FOP #O-01669, Special Condition #1A
 Description: Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)
 (ii).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP #O-01669, Special Condition #1A
 OP FOP #O-01669, Special Condition #1D
 Description: Failure to prevent visible emissions in the operation of flares on six different
 occasions during the compliance certification period as required by 40 CFR
 63.11(b)(4) and 40 CFR 60.18(c)(1).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to include all deviations in the deviation and annual compliance
 certification reports in accordance with 30 TAC 122.145(2)(A).
 Date: 11/30/2006 (544408)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter.
 Date: 12/31/2006 (544409)
 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: 02/23/2007 (532452)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01946, Special Condition 1A
 OP FOP O-01946, Special Condition 1M(iv)
 OP FOP O-01946, Special Condition 21
 PA NSR #18576, Special Condition 7H
 PA NSR #3216, Special Condition 6H
 PA NSR #3217, Special Condition 3H
 Description: Failure to maintain leaking component tags on 15 leaking LDAR components per
 30 TAC 115.354(5).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP # O-01946, Special Condition 1A
 OP FOP #O-01946, Special Condition 21
 PA NSR 3216, Special Condition 2
 PA NSR 3218, Special Condition 2
 Description: Failure to maintain 94 LDAR components with identification tags as required by 40
 CFR 61.242-1(d) as
 well NSR Permits #3216 and #3218.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1A
 OP FOP O-01946, Special Condition 1M(iv)
 OP FOP O-01946, Special Condition 21
 PA NSR Permit 3215, Special Condition 2E
 PA NSR Permit 3216, Special Condition 2
 PA NSR Permit 3216, Special Condition 6E
 PA NSR Permit 3217, Special Condition 3E
 PA NSR Permit 3218, Special Condition 2
 PA NSR Permit 3218, Special Condition 8E

Description: Failure to cap 57 open-ended valves/lines per 30 TAC115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 21
 PA NSR Permit 3216, Special Condition 5

Description: Failure to monitor the firing rate of the FOL-601 furnace for 213 hours as required by NSR Permit #3216, Special Condition #5.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1A
 OP FOP O-01946, Special Condition 21
 PA NSR Permit 3219, Special Condition 4

Description: Failure to continuously monitor for the presence of a flare pilot light on the OP3ELFLA unit, on two separate occasions for a total of 156 hours, as required by 40 CFR 60.18(f)(2), 40 CFR 63.11(b)(5), and NSR #3219, SC#4.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 21
 PA NSR Permit 3216, Special Condition 1

Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1M(ii)

Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1M(ii)

Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1A

Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 28

Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP #O-01946, General Terms & Conditions

Description: Failure to submit the Deviation Report within 30 days of the end of the deviation period per 30 TAC 122.145(2)(C).

Date: 02/23/2007 (532463)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP # O-01943, Special Condition #19

Description: Late submittal of the Deviation Report dated March 27, 2006.

Date: 02/27/2007 (532471)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP #O-01947, General Terms & Conditions

Description: Failure to submit PCC within 30 days as required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP #O-01947, General Terms & Conditions

Description: Failure to submit a Deviation report within 30 days as required.

Date: 02/28/2007 (575168)

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: 02/28/2007 (575177)

Self Report? YES Classification: Moderate

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

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

Date: 03/31/2007 (575169)

Self Report? YES Classification: Moderate

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

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

Date: 04/30/2007 (575170)

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: 05/14/2007 (542697)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)

Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.

Date: 05/31/2007 (575171)

Self Report? YES Classification: Moderate

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

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

Date: 05/31/2007 (575187)

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: 06/30/2007 (575172)

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.

Notice of Intent Date: 08/19/2002 (33022)
No DOV Associated

Notice of Intent Date: 09/04/2002 (33051)
No DOV Associated

Notice of Intent Date: 09/16/2002 (33069)
No DOV Associated

Notice of Intent Date: 10/29/2002 (33101)
No DOV Associated

Notice of Intent Date: 11/20/2002 (33116)
No DOV Associated

Notice of Intent Date: 12/20/2002 (265131)
Disclosure Date: 06/24/2003

Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B
Description: Failed to authorize emissions from rail car cleaning.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A
Description: Failed to report emissions from EPN Carclean in emissions inventory.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter F
Description: Failed to justify control efficiency of railcar cleaning CAS.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter F
Description: Failed to keep records of CAS breakthrough monitoring.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B
Description: failed to submit compliance plan with application

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter F
Description: failed to process tank cars with partial vapor pressure of ≥ 0.5 psia through properly operating control system

Notice of Intent Date: 01/12/2003 (32908)
No DOV Associated

Notice of Intent Date: 02/26/2003 (263866)
No DOV Associated

Notice of Intent Date: 02/26/2003 (29900)
No DOV Associated

Notice of Intent Date: 04/28/2003 (263686)
No DOV Associated

Notice of Intent Date: 05/27/2003 (112481)
No DOV Associated

Notice of Intent Date: 06/13/2003 (251436)
No DOV Associated

Notice of Intent Date: 06/12/2003 (251440)
Disclosure Date: 09/04/2003

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B
Description: Failure to maintain and compile inspection reports that document all of the elements required by the applicable regulations.

Notice of Intent Date: 06/19/2003 (397860)
No DOV Associated

Notice of Intent Date: 08/12/2003 (251504)
No DOV Associated

Notice of Intent Date: 09/05/2003 (251740)
No DOV Associated

Notice of Intent Date: 09/05/2003 (251760)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263020)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263024)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263025)
 No DOV Associated

Notice of Intent Date: 10/20/2003 (263029)
 No DOV Associated

Notice of Intent Date: 10/20/2003 (263033)
 Disclosure Date: 12/07/2004
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B
 Description: records not available for daily sampling/analysis results for vapor pressure of the wastewater streams processed by the unit's API separator

Notice of Intent Date: 11/20/2003 (449697)
 No DOV Associated

Notice of Intent Date: 02/20/2004 (265126)
 No DOV Associated

Notice of Intent Date: 08/06/2004 (334038)
 Disclosure Date: 10/12/2004
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F
 Rqmt Prov: PERMIT Compliance b. Operational Requirements 1
 PERMIT General b.
 Description: noncompliance with requirement to maintain all facilities and systems of treatment and control (and related appurtenances)

Notice of Intent Date: 08/06/2004 (334047)
 Disclosure Date: 08/26/2004
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter A
 40 CFR Chapter 261, SubChapter I, PT 261, SubPT A
 Description: Failure to characterize a process water stream from a leaking economizer, which contained K022 waste.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter C
 30 TAC Chapter 335, SubChapter R
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A
 Description: Failure to characterize wastewater treatment plant residues carrying the K022 waste code.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter A
 Description: Improper disposal of K022 WWTP residual solids at a Class 1 non-hazardous waste landfill.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter D
 Description: Failure to amend RCRA permit to reflect management of K022 waste.

Viol. Classification: Moderate
 Rqmt Prov: PERMIT 1, General b.
 Description: discharge of process water to storm water impoundment basins

Notice of Intent Date: 08/27/2004 (334576)
 No DOV Associated

Notice of Intent Date: 10/12/2004 (349555)
 No DOV Associated

Notice of Intent Date: 10/28/2004 (263123)
 No DOV Associated

Notice of Intent Date: 11/11/2004 (349565)
 No DOV Associated

Notice of Intent Date: 01/04/2005 (349867)
 Disclosure Date: 06/17/2005
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA
 Description: documentation was not readily available to fully demonstrate that a formal refinery maximum achievable control technology applicability determination (ie >5% HAPS) had been made for equipment in light crude service

Viol. Classification: Minor
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A
 Description: one New Source Performance Standard (NSPS) notification for Start of Construction and Start of Operation for the CGHT unit could not be located

Viol. Classification: Minor
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG
 Description: documentation was not readily available to fully demonstrate that the process to determine if a project triggered NSPS "Modification" was being completed for NSPS Subpart GGG compliance

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A
 40 CFR Chapter 372, SubChapter J, PT 372, SubPT B

Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required
Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A

Description: documentation was not readily available to demonstrate the development of a formal startup, shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual report was submitted
Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA

Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability determination for miscellaneous process vents
Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F

Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no leaks were detected, it is unclear whether there was complete compliance with HON requirements
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF

Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not been performed as required by benzene waste NESHAP regulations
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF

Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access hatches and other openings are properly closed and gasketed had not been performed as required by the benzene waste NESHAP regulations

Notice of Intent Date: 01/06/2005 (349868)
No DOV Associated

Notice of Intent Date: 01/05/2005 (371573)
No DOV Associated

Notice of Intent Date: 01/27/2005 (350720)
No DOV Associated

Notice of Intent Date: 01/27/2005 (350721)
Disclosure Date: 03/23/2005
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F
Description: failed to meet requirements for maintenance/start-up/shutdown related activities
Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C
Description: incorporation by reference of 40 CFR 63 Subpart F (SOCMI MACT standard)
Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C
Description: incorporation by reference of 40 CFR 63 Subpart G (SOCMI for Process Vents, Storage Vessels, Transfer Operations, and Wastewater MACT standard)

Notice of Intent Date: 01/27/2005 (350723)
Disclosure Date: 07/06/2005
Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C
Description: Equipment associated with a decommissioned cumene unit in the Phenol Acetone Production Areas was not properly decontaminated when shut down in 2001. Process vessels, pumps, exchangers, and piping contain material that meets the definition of a characteristically hazardous waste (D002, D018).

Notice of Intent Date: 03/02/2005 (375030)
No DOV Associated

Notice of Intent Date: 03/02/2005 (375031)
Disclosure Date: 07/14/2005
Viol. Classification: Minor
Rqmt Prov: PERMIT Air New Source Permit No. 9334 SC 10.D
Description: no notification 30 days in advance of 11/04 seal gap measurement for Aromatics EFR tank G-359
Viol. Classification: Minor
Rqmt Prov: PERMIT Air New Source Permits
Description: no notification 30 days in advance of refilling of Solvents IFR tank T140B, Phenol Acetone IFR tank D391, Solvents IFR tank F337
Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G
Rqmt Prov: PERMIT Permit 9334 Special Condition 10D
Description: no 10 yr internal seal inspection of Aromatics IFR tank F-361

Notice of Intent Date: 04/15/2005 (380864)
No DOV Associated

Notice of Intent Date: 05/18/2005 (396476)

No DOV Associated

Notice of Intent Date: 08/22/2005 (434090)
 No DOV Associated

Notice of Intent Date: 08/22/2005 (434095)
 No DOV Associated

Notice of Intent Date: 11/04/2005 (438422)
 No DOV Associated

Notice of Intent Date: 12/02/2005 (451075)
 No DOV Associated

Notice of Intent Date: 01/05/2006 (452942)
 No DOV Associated

Notice of Intent Date: 01/05/2006 (452952)
 No DOV Associated

Notice of Intent Date: 05/22/2006 (454159)
 No DOV Associated

Notice of Intent Date: 04/18/2007 (562595)
 No DOV Associated

Notice of Intent Date: 08/03/2007 (593493)
 No DOV Associated

G. Type of environmental management systems (EMSs).

Non 30 TAC CH 90 Certified, ISO 14001:2004, installed 1/12/2005, certified 1/19/2006

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

Type	Tier	Certification Date
CLEAN TEXAS PROGRAM		12/20/2004

J. Early compliance.

N/A

Sites Outside of Texas

N/A

**Addendum to Compliance History
Federal Enforcement Actions**

CUSTOMER (Defendant):	Shell Chemical Company	CUSTOMER NO.:	CN601405145
REGULATED ENTITY:	Shell Chemical Company Deer Park	REG. ENTITY NO.:	RN100211879
REG. ENTITY ADDRESS:	5900 Hwy 225		
REG. ENTITY CITY:	Deer Park		

Violations

EPA CASE NO.:	06-1998-0547	CLASSIFICATION:	MODERATE
ORDER ISSUED DATE (YYYYMMDD):	20011015	STATUTE: CAA	SECT OF STATUTE: 112R
ENFORCEMENT ACTION TYPE:	Consent Decree/Court Order	CITATION:	CITE PART: CITE SECT.:
CASE RESULT:	Final Order With Penalty	PROGRAM:	NESHAPs
		VIOLATION TYPE:	Other/Miscellaneous

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SHELL CHEMICAL LP
RN100211879

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-1218-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Shell Chemical LP ("Shell") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Shell, appear before the Commission and together stipulate that:

1. Shell owns and operates a chemical manufacturing plant at 5900 Highway 225 in Deer Park, Harris County, Texas (the "Plant").
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and TCEQ rules.
3. The Commission and Shell agree that the Commission has jurisdiction to enter this Agreed Order, and that Shell is subject to the Commission's jurisdiction.
4. Shell received notice of the violations alleged in Section II ("Allegations") on or about July 11, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Shell of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of thirty-one thousand five hundred forty dollars (\$31,540) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Shell has paid fifteen thousand seven hundred seventy dollars (\$15,770.00)

of the administrative penalty. Fifteen thousand seven hundred seventy dollars (\$15,770.00) shall be conditionally offset by Shell'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 Shell 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 Shell has implemented the following corrective measures at the Plant in response to this enforcement action:
 - a. On March 16, 2007, Shell replaced the defective plug which had corroded and caused the emissions event to occur on March 15, 2007 (Incident No. 88419);
 - b. On May 10, 2007, equipment repair procedures, changes in equipment files and specific repair cards for the pumps relating to Incident No. 88419 were completed; and
 - c. On July 11, 2007, training was conducted to ensure that the notifications to the agency are submitted within the required time frame and the emission estimates for maintenance and shutdown activities are not underestimated (Incident No. 87494).
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 Shell 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

Shell is alleged to have:

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B), 116.115(c), Air Permit No. 9334, Special Condition No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on May 25, 2007 by a TCEQ staff. Specifically, 1,695 pounds ("lbs") of benzene, a hazardous air pollutant, were released when Shell exceeded the initial estimate for benzene emissions submitted to the agency for a scheduled air shutdown by more than the reportable quantity, thereby making it a reportable emissions event, which began on March 12, 2007, and lasted for 443 hours (Incident No. 87494). Since this emissions event was not reported within 24 hours of discovery, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
2. Failed to notify the TCEQ when the actual benzene emissions exceeded the estimate provided in the initial shutdown notification by more than the reportable quantity (Incident No. 87494), in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on May 25, 2007 by a TCEQ staff.
3. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 3173, Special Condition No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on June 4, 2007 by a TCEQ staff. Specifically, 35 lbs of isopropyl alcohol, 955 lbs of propane, 600 lbs of propylene, 1,078 lbs of carbon monoxide and 149 lbs of nitrogen oxides were released when Shell failed to install a plug with the correct metallurgy which led to the plug's corrosion, resulting in an emissions event that occurred on March 15, 2007, and lasted for 26 hours (Incident No. 88419). Since this emissions event was avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

III. DENIALS

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

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Shell pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Shell'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

considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re Shell Chemical LP, Docket No. 2007-1218-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

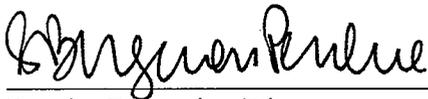
2. Shell shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, fifteen thousand seven hundred seventy dollars (\$15,770.00) of the assessed administrative penalty shall be offset with the condition that Shell implement the SEP defined in Attachment A, incorporated herein by reference. Shell'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. The provisions of this Agreed Order shall apply to and be binding upon Shell. Shell 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 Shell 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, Shell's failure to comply is not a violation of this Agreed Order. Shell shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Shell shall notify the Executive Director within seven days after Shell 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 Shell shall be made in writing to the Executive Director. Extensions are not effective until Shell 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 Shell 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) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Shell, or three days after the date on which the Commission mails notice of the Order to Shell, 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

5/27/08

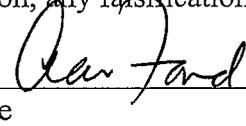
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that 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

MARCH 25, 2008

Date

AAMIR FARID

Name (Printed or typed)
Authorized representative of
Shell Chemical LP

GENERAL MGR

Title

Attachment A
Docket Number: 2007-1218-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Shell Chemical LP
Penalty Amount:	Thirty-one thousand five hundred forty dollars (\$31,540)
SEP Amount:	Fifteen thousand seven hundred seventy dollars (\$15,770)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston Area Emission Reduction Credit Organization (“AERCO”) <i>Clean Cities/Clean Vehicles Program</i>
Location of SEP:	Harris 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. The contribution will be used in accordance with the Supplemental Environmental Project Agreement between the **Houston-Galveston Area Emission Reduction Credit Organization “AERCO”** and the Texas Commission on Environmental Quality for the *Clean Cities/Clean Vehicles Program* in Harris County. Specifically, SEP monies will be used to aid local school districts and area transit agencies, and may be used to reach local match requirements mandated by the Federal Highway Administration’s (“FHWA”) Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of retrofitting or replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older “high emission” buses will be permanently retired and sold only for scrap.

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

Passengers, drivers, and students in the area where school buses idle during transportation are subject to harmful diesel exhaust emission every school day. Apart from containing particulate matter (“PM”) and the ozone precursors nitrogen oxides (“NOx”) and hydrocarbons (“HC”), diesel exhaust is known to cause or exacerbate a number of respiratory diseases, including asthma. Due to the more stringent emissions standards introduced by the Environmental Protection Agency (EPA), model 2007 and newer buses are cleaner in terms

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of PM, NOx, and HC emissions than model year 2004 buses. New NOx and HC standards phased in between 2007 and 2010 will result in new school bus engines being 72% cleaner for HC and 90% cleaner for NOx than a bus produced to meet the 2004 federal standards for these pollutants.

This SEP will provide a discernible environmental benefit by retiring high-emission buses from service, purchasing newer, clean fuel technology buses, and replacing newer buses with fuel treatment technology that reduces PM and HC.

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:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, TX 77227-2777

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:

Litigation Division
Attention: SEP Coordinator, MC 175
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 made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

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Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
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.