

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0478-AIR-E **TCEQ ID:** RN100225945 **CASE NO.:** 35598

RESPONDENT NAME: The Dow Chemical Company

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Dow Texas Operations Freeport, 2301 North Brazosport Boulevard, Freeport, Brazoria 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 four additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0923-AIR-E, 2007-1843-IHW-E, 2007-1981-AIR-E, and 2008-0843-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on August 18, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Ms. Trina Grieco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Ms. Linda Bartholome, Responsible Care Leader, The Dow Chemical Company, 2301 North Brazosport Boulevard, APB Building Office 3021, Freeport, Texas 77541-3257 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: December 17, 2007 and January 18, 2008</p> <p>Date of NOV/NOE Relating to this Case: March 3 and March 28, 2008 (NOE)</p> <p>Background Facts: These were routine investigations.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions. Specifically, unauthorized emissions of 293 pounds ("lbs") of the highly reactive ("HR") volatile organic compound ("VOC") ethylene were released from an unlit flare, emissions point number ("EPN") B45F1, in the Poly 4 Unit, during an emissions event (Incident No. 100804) that occurred on December 2, 2007 and lasted 24 minutes. Emissions from an extinguished flare are not authorized by the permit. Since these emissions were 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), 101.20(1), and 101.221(a), New Source Review Air Permit No. 834, Special Condition Nos. 1 and 3, 40 CODE OF FEDERAL REGULATIONS § 60.18(c)(2) and (e), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, 7,805 lbs of VOCs, including 6,436 lbs of the HRVOCs propylene and ethylene and 354 lbs of hazardous air pollutants, were released from the H1 Furnace Vent, EPN B72SH1, in the Light Hydrocarbons - 7 Unit during an emissions event (Incident No. 102198) that occurred on January 8, 2008 and lasted 23 minutes. Since these</p>	<p>Total Assessed: \$20,000</p> <p>Total Deferred: \$4,000 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$8,000</p> <p>Total Paid to General Revenue: \$8,000</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. With regard to Incident No. 100804, in December 2007, converted the automated valve on the methane supply line to the flare to a manual valve; and</p> <p>b. With regard to Incident No. 102198:</p> <p>i. By January 11, 2008, completed commissioning and startup procedures and implemented procedures for Operations personnel to verify valve position after testing; and</p> <p>ii. By January 17, 2008, improved the code to prevent both upstream and downstream valves from being open during Maintenance Wait step.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

<p>emissions were avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), Flexible Air Permit No. 20432 and PSD-TX-994M1, Special Condition III-1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): BL0082R

Attachment A
Docket Number: 2008-0478-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	The Dow Chemical Company
Payable Penalty Amount:	Sixteen Thousand Dollars (\$16,000)
SEP Amount:	Eight Thousand Dollars (\$8,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Brazoria 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 will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Brazoria County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

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

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

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 must 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, Texas 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:

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

4. Failure to Fully Perform

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

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

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

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

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 an 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 February 29, 2008

DATES	Assigned	31-Mar-2008	Screening	1-Apr-2008	EPA Due	28-Nov-2008
	PCW	8-Apr-2008				

RESPONDENT/FACILITY INFORMATION			
Respondent	The Dow Chemical Company		
Reg. Ent. Ref. No.	RN100225945		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION				
Enf./Case ID No.	35598	No. of Violations	2	
Docket No.	2008-0478-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Trina Grieco	
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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes: Penalty enhancement due to 53 NOVs issued for same or similar violations, 49 NOVs issued for dissimilar violations (which includes 11 self-reported effluent violations), two agreed orders containing a denial of liability, and three agreed orders without a denial of liability. Penalty reduction due to 55 notice of audit letters and 27 disclosures submitted.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Reduction **Subtotal 5**

	Before NOV	NOV to EDP RP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	<input type="checkbox"/>	(mark with x)

Notes: The Respondent completed corrective actions by January 17, 2008.

Total EB Amounts **Subtotal 6**
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 1-Apr-2008
Respondent The Dow Chemical Company
Case ID No. 35598
Reg. Ent. Reference No. RN100225945
Media [Statute] Air
Enf. Coordinator Trina Grieco

Docket No. 2008-0478-AIR-E

PCW

Policy Revision 2 (September 2002)
 PCW Revision February 29, 2008

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)	53	265%
	Other written NOVs	49	98%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	3	75%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	55	-55%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	27	-54%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 369%

>> **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 53 NOVs issued for same or similar violations, 49 NOVs issued for dissimilar violations (which includes 11 self-reported effluent violations), two agreed orders containing a denial of liability, and three agreed orders without a denial of liability. Penalty reduction due to 55 notice of audit letters and 27 disclosures submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 369%

Screening Date 1-Apr-2008	Docket No. 2008-0478-AIR-E	PCW		
Respondent The Dow Chemical Company		<i>Policy Revision 2 (September 2002)</i>		
Case ID No. 35598		<i>PCW Revision February 29, 2008</i>		
Reg. Ent. Reference No. RN100225945				
Media [Statute] Air				
Enf. Coordinator Trina Grieco				
Violation Number <input type="text" value="1"/>				
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c), 101.20(1), and 101.221(a), New Source Review Air Permit No. 834, Special Condition Nos. 1 and 3, 40 Code of Federal Regulations § 60.18(c)(2) and (e), and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 293 pounds ("lbs") of the highly reactive ("HR") volatile organic compound ("VOC") ethylene were released from an unlit flare, emissions point number ("EPN") B45F1, in the Poly 4 Unit, during an emissions event (Incident No. 100804) that occurred on December 2, 2007 and lasted 24 minutes. Emissions from an extinguished flare are not authorized by the permit. Since these emissions were avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.			
	Base Penalty	<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
	Harm			
	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text" value="x"/>	
	Potential	<input type="text"/>	<input type="text"/>	
				Percent <input type="text" value="25%"/>
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
				Percent <input type="text" value="0%"/>
Matrix Notes	<input type="text" value="Human health or the environment has been exposed to an insignificant amount of HRVOCs that did not exceed protective levels as a result of the violation."/>			
				Adjustment <input type="text" value="\$7,500"/>
				<input type="text" value="\$2,500"/>
Violation Events				
	Number of Violation Events	<input type="text" value="1"/>	Number of violation days	<input type="text" value="1"/>
		daily	<input type="text"/>	
		monthly	<input type="text"/>	
		quarterly	<input type="text" value="x"/>	
		semiannual	<input type="text"/>	
		annual	<input type="text"/>	
		single event	<input type="text"/>	
<i>mark only one with an x</i>				Violation Base Penalty <input type="text" value="\$2,500"/>
	<input type="text" value="One quarterly event is recommended."/>			
Economic Benefit (EB) for this violation			Statutory Limit Test	
	Estimated EB Amount	<input type="text" value="\$6"/>	Violation Final Penalty Total	<input type="text" value="\$11,100"/>
			This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$10,000"/>

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35598
Reg. Ent. Reference No. RN100225945
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)	\$1,500	2-Dec-2007	31-Dec-2007	0.1	\$6	n/a	\$6

Notes for DELAYED costs Estimated cost to implement preventative maintenance procedures to keep the solenoid valve from failing. Date required is the date of the release. Final date is the date corrective actions were 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	\$1,500	TOTAL	\$6
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Screening Date 1-Apr-2008	Docket No. 2008-0478-AIR-E	PCW		
Respondent The Dow Chemical Company	<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 35598	<i>PCW Revision February 29, 2008</i>			
Reg. Ent. Reference No. RN100225945				
Media [Statute] Air				
Enf. Coordinator Trina Grieco				
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), Flexible Air Permit No. 20432 and PSD-TX-994M1, Special Condition III-1, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions. Specifically, 7,805 lbs of VOCs, including 6,436 lbs of the HRVOCs propylene and ethylene and 354 lbs of hazardous air pollutants, were released from the H1 Furnace Vent, EPN B72SH1, in the Light Hydrocarbons - 7 Unit during an emissions event (Incident No. 102198) that occurred on January 8, 2008 and lasted 23 minutes. Since these emissions were avoidable, 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				
Harm				
Release	Major	Moderate	Minor	
Actual	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OR	Percent		50%	
>> Programmatic Matrix				
Falsification				
Major	Moderate	Minor		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Percent		0%		
Matrix Notes	Human health or the environment in the Houston-Galveston-Brazoria non-attainment area has been exposed to a significant amount of pollutants that did not exceed levels protective of human health or environmental receptors as a result of the violation.			
Adjustment		\$5,000		
		\$5,000		
Violation Events				
Number of Violation Events		1	Number of violation days	
		1		
<i>mark only one with an x</i>		daily	<input type="checkbox"/>	
		monthly	<input checked="" type="checkbox"/>	
		quarterly	<input type="checkbox"/>	
		semiannual	<input type="checkbox"/>	
		annual	<input type="checkbox"/>	
		single event	<input type="checkbox"/>	
Violation Base Penalty		\$5,000		
One monthly event is recommended.				
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount		\$2	Violation Final Penalty Total	
		\$2	\$22,200	
		This violation Final Assessed Penalty (adjusted for limits)		\$10,000

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35598
Reg. Ent. Reference No. RN100225945
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,500	8-Jan-2008	17-Jan-2008	0.0	\$2	n/a	\$2

Notes for DELAYED costs
 Estimated cost to complete commissioning and startup procedures, improve the code to prevent both upstream and downstream valves from being open during Maintenance Wait step, and implement procedures for Operations personnel to verify valve position after testing. Date required is the date of the release. Final date is the date corrective actions were 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 \$1,500

TOTAL \$2

Compliance History

Customer/Respondent/Owner-Operator: CN600356976 The Dow Chemical Company Classification: AVERAGE Rating: 2.68
 Regulated Entity: RN100225945 DOW TEXAS OPERATIONS FREEPORT Classification: AVERAGE Site Rating: 2.76

ID Number(s):		ACCOUNT NUMBER	
	AIR OPERATING PERMITS		BL0082R
	AIR OPERATING PERMITS	PERMIT	1388
	AIR OPERATING PERMITS	PERMIT	2202
	AIR OPERATING PERMITS	PERMIT	2203
	AIR OPERATING PERMITS	PERMIT	2204
	AIR OPERATING PERMITS	PERMIT	2205
	AIR OPERATING PERMITS	PERMIT	2206
	AIR OPERATING PERMITS	PERMIT	2207
	AIR OPERATING PERMITS	PERMIT	2208
	AIR OPERATING PERMITS	PERMIT	2209
	AIR OPERATING PERMITS	PERMIT	2210
	AIR OPERATING PERMITS	PERMIT	2211
	AIR OPERATING PERMITS	PERMIT	2212
	AIR OPERATING PERMITS	PERMIT	2213
	AIR OPERATING PERMITS	PERMIT	2214
	AIR OPERATING PERMITS	PERMIT	2215
	AIR OPERATING PERMITS	PERMIT	2216
	AIR OPERATING PERMITS	PERMIT	2217
	AIR OPERATING PERMITS	PERMIT	2218
	AIR OPERATING PERMITS	PERMIT	2219
	AIR OPERATING PERMITS	PERMIT	2220
	AIR OPERATING PERMITS	PERMIT	2221
	AIR OPERATING PERMITS	PERMIT	2311
	AIR OPERATING PERMITS	PERMIT	2313
	AIR OPERATING PERMITS	PERMIT	2697
	AIR OPERATING PERMITS	PERMIT	3005
	AIR OPERATING PERMITS	PERMIT	N041
	AIR OPERATING PERMITS	PERMIT	3005
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200535
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
	WASTEWATER	PERMIT	WQ0000007000
	WASTEWATER	PERMIT	TPDES0006483
	WASTEWATER	PERMIT	TX0006483
	WASTEWATER	PERMIT	TPDES0006484
	WASTEWATER	PERMIT	TX0059447000
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008092793
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30106
	INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50161
	INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50161
	AIR NEW SOURCE PERMITS	PERMIT	941
	AIR NEW SOURCE PERMITS	PERMIT	2417
	AIR NEW SOURCE PERMITS	PERMIT	3941
	AIR NEW SOURCE PERMITS	PERMIT	3947
	AIR NEW SOURCE PERMITS	PERMIT	10770
	AIR NEW SOURCE PERMITS	PERMIT	11275
	AIR NEW SOURCE PERMITS	PERMIT	11832
	AIR NEW SOURCE PERMITS	PERMIT	12173
	AIR NEW SOURCE PERMITS	PERMIT	12755
	AIR NEW SOURCE PERMITS	PERMIT	15718
	AIR NEW SOURCE PERMITS	PERMIT	15988
	AIR NEW SOURCE PERMITS	PERMIT	18211
	AIR NEW SOURCE PERMITS	PERMIT	18320
	AIR NEW SOURCE PERMITS	PERMIT	19041
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0023K
	AIR NEW SOURCE PERMITS	PERMIT	2602

AIR NEW SOURCE PERMITS	PERMIT	20195
AIR NEW SOURCE PERMITS	PERMIT	20228
AIR NEW SOURCE PERMITS	PERMIT	20285
AIR NEW SOURCE PERMITS	PERMIT	20432
AIR NEW SOURCE PERMITS	PERMIT	20525
AIR NEW SOURCE PERMITS	PERMIT	20607
AIR NEW SOURCE PERMITS	PERMIT	20687
AIR NEW SOURCE PERMITS	PERMIT	20774
AIR NEW SOURCE PERMITS	PERMIT	20775
AIR NEW SOURCE PERMITS	PERMIT	20776
AIR NEW SOURCE PERMITS	PERMIT	20777
AIR NEW SOURCE PERMITS	PERMIT	20909
AIR NEW SOURCE PERMITS	PERMIT	21676
AIR NEW SOURCE PERMITS	PERMIT	22077
AIR NEW SOURCE PERMITS	PERMIT	22063
AIR NEW SOURCE PERMITS	PERMIT	22070
AIR NEW SOURCE PERMITS	PERMIT	22071
AIR NEW SOURCE PERMITS	PERMIT	22072
AIR NEW SOURCE PERMITS	PERMIT	22078
AIR NEW SOURCE PERMITS	PERMIT	22085
AIR NEW SOURCE PERMITS	PERMIT	22743
AIR NEW SOURCE PERMITS	PERMIT	22759
AIR NEW SOURCE PERMITS	PERMIT	22853
AIR NEW SOURCE PERMITS	PERMIT	22809
AIR NEW SOURCE PERMITS	PERMIT	22810
AIR NEW SOURCE PERMITS	PERMIT	22851
AIR NEW SOURCE PERMITS	PERMIT	22862
AIR NEW SOURCE PERMITS	PERMIT	22945
AIR NEW SOURCE PERMITS	PERMIT	23075
AIR NEW SOURCE PERMITS	PERMIT	23076
AIR NEW SOURCE PERMITS	PERMIT	23519
AIR NEW SOURCE PERMITS	PERMIT	23387
AIR NEW SOURCE PERMITS	PERMIT	23388
AIR NEW SOURCE PERMITS	PERMIT	23389
AIR NEW SOURCE PERMITS	PERMIT	24053
AIR NEW SOURCE PERMITS	PERMIT	24101
AIR NEW SOURCE PERMITS	PERMIT	24030
AIR NEW SOURCE PERMITS	PERMIT	26692
AIR NEW SOURCE PERMITS	PERMIT	25702
AIR NEW SOURCE PERMITS	PERMIT	26035
AIR NEW SOURCE PERMITS	PERMIT	25124
AIR NEW SOURCE PERMITS	PERMIT	25536
AIR NEW SOURCE PERMITS	PERMIT	28363
AIR NEW SOURCE PERMITS	PERMIT	28220
AIR NEW SOURCE PERMITS	PERMIT	30018
AIR NEW SOURCE PERMITS	PERMIT	29782
AIR NEW SOURCE PERMITS	PERMIT	30622
AIR NEW SOURCE PERMITS	PERMIT	30503
AIR NEW SOURCE PERMITS	PERMIT	30846
AIR NEW SOURCE PERMITS	PERMIT	31753
AIR NEW SOURCE PERMITS	PERMIT	31992
AIR NEW SOURCE PERMITS	PERMIT	32546
AIR NEW SOURCE PERMITS	PERMIT	33212
AIR NEW SOURCE PERMITS	PERMIT	33328
AIR NEW SOURCE PERMITS	PERMIT	33609
AIR NEW SOURCE PERMITS	PERMIT	33593
AIR NEW SOURCE PERMITS	PERMIT	33885
AIR NEW SOURCE PERMITS	PERMIT	34111
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AIR NEW SOURCE PERMITS	PERMIT	34368
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AIR NEW SOURCE PERMITS	PERMIT	35012
AIR NEW SOURCE PERMITS	PERMIT	35204
AIR NEW SOURCE PERMITS	PERMIT	35203
AIR NEW SOURCE PERMITS	PERMIT	35364
AIR NEW SOURCE PERMITS	PERMIT	35413
AIR NEW SOURCE PERMITS	PERMIT	35658
AIR NEW SOURCE PERMITS	PERMIT	36002

AIR NEW SOURCE PERMITS	PERMIT	36397
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AIR NEW SOURCE PERMITS	PERMIT	36554
AIR NEW SOURCE PERMITS	PERMIT	36523
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AIR NEW SOURCE PERMITS	PERMIT	36634
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AIR NEW SOURCE PERMITS	PERMIT	37122
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AIR NEW SOURCE PERMITS	PERMIT	5661
AIR NEW SOURCE PERMITS	PERMIT	6743
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AIR NEW SOURCE PERMITS	PERMIT	7593
AIR NEW SOURCE PERMITS	PERMIT	8009
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AIR NEW SOURCE PERMITS	PERMIT	9822
AIR NEW SOURCE PERMITS	PERMIT	10423
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AIR NEW SOURCE PERMITS	PERMIT	10959
AIR NEW SOURCE PERMITS	PERMIT	11076
AIR NEW SOURCE PERMITS	PERMIT	11566
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AIR NEW SOURCE PERMITS	PERMIT	12145
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AIR NEW SOURCE PERMITS	PERMIT	7009
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AIR NEW SOURCE PERMITS	PERMIT	20997
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AIR NEW SOURCE PERMITS	PERMIT	41304
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AIR NEW SOURCE PERMITS	PERMIT	41542
AIR NEW SOURCE PERMITS	PERMIT	41555
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AIR NEW SOURCE PERMITS	PERMIT	13682
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AIR NEW SOURCE PERMITS	PERMIT	1496C
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AIR NEW SOURCE PERMITS	REGISTRATION	75817
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AIR NEW SOURCE PERMITS	REGISTRATION	76138
AIR NEW SOURCE PERMITS	REGISTRATION	76039
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AIR NEW SOURCE PERMITS	REGISTRATION	56833
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AIR NEW SOURCE PERMITS	REGISTRATION	70195
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AIR NEW SOURCE PERMITS	REGISTRATION	71091
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AIR NEW SOURCE PERMITS	REGISTRATION	73781
AIR NEW SOURCE PERMITS	REGISTRATION	74543
AIR NEW SOURCE PERMITS	REGISTRATION	74748
AIR NEW SOURCE PERMITS	REGISTRATION	74651
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AIR NEW SOURCE PERMITS	PERMIT	75090
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AIR NEW SOURCE PERMITS	PERMIT	76763
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AIR NEW SOURCE PERMITS	REGISTRATION	77287
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AIR NEW SOURCE PERMITS	REGISTRATION	77211
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AIR NEW SOURCE PERMITS	REGISTRATION	78626
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AIR NEW SOURCE PERMITS	REGISTRATION	78285
AIR NEW SOURCE PERMITS	REGISTRATION	78286
AIR NEW SOURCE PERMITS	REGISTRATION	78471
AIR NEW SOURCE PERMITS	REGISTRATION	78482
AIR NEW SOURCE PERMITS	REGISTRATION	78570
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AIR NEW SOURCE PERMITS	REGISTRATION	79383
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AIR NEW SOURCE PERMITS	REGISTRATION	79806
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AIR NEW SOURCE PERMITS	REGISTRATION	80372
AIR NEW SOURCE PERMITS	REGISTRATION	80161
AIR NEW SOURCE PERMITS	REGISTRATION	80240
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AIR NEW SOURCE PERMITS	REGISTRATION	81301
AIR NEW SOURCE PERMITS	REGISTRATION	82007
AIR NEW SOURCE PERMITS	REGISTRATION	50904
AIR NEW SOURCE PERMITS	REGISTRATION	50941
AIR NEW SOURCE PERMITS	REGISTRATION	51074
AIR NEW SOURCE PERMITS	REGISTRATION	51354
AIR NEW SOURCE PERMITS	REGISTRATION	51426
AIR NEW SOURCE PERMITS	REGISTRATION	51547
AIR NEW SOURCE PERMITS	REGISTRATION	81882
AIR NEW SOURCE PERMITS	REGISTRATION	81988
AIR NEW SOURCE PERMITS	REGISTRATION	81724
AIR NEW SOURCE PERMITS	REGISTRATION	81582
AIR NEW SOURCE PERMITS	REGISTRATION	82027
AIR NEW SOURCE PERMITS	REGISTRATION	37290
AIR NEW SOURCE PERMITS	REGISTRATION	82393
AIR NEW SOURCE PERMITS	REGISTRATION	82279
AIR NEW SOURCE PERMITS	REGISTRATION	82286
AIR NEW SOURCE PERMITS	REGISTRATION	82284
AIR NEW SOURCE PERMITS	REGISTRATION	83726
AIR NEW SOURCE PERMITS	REGISTRATION	82190

AIR NEW SOURCE PERMITS	PERMIT	83789
AIR NEW SOURCE PERMITS	REGISTRATION	83992
AIR NEW SOURCE PERMITS	REGISTRATION	82636
AIR NEW SOURCE PERMITS	PERMIT	83841
AIR NEW SOURCE PERMITS	REGISTRATION	83670
AIR NEW SOURCE PERMITS	PERMIT	83699
AIR NEW SOURCE PERMITS	PERMIT	83862
AIR NEW SOURCE PERMITS	REGISTRATION	82587
AIR NEW SOURCE PERMITS	REGISTRATION	82614
AIR NEW SOURCE PERMITS	REGISTRATION	83994
AIR NEW SOURCE PERMITS	REGISTRATION	82934
AIR NEW SOURCE PERMITS	REGISTRATION	82774
AIR NEW SOURCE PERMITS	REGISTRATION	83304
AIR NEW SOURCE PERMITS	REGISTRATION	83031
AIR NEW SOURCE PERMITS	PERMIT	83698
AIR NEW SOURCE PERMITS	PERMIT	83839
AIR NEW SOURCE PERMITS	PERMIT	83804
AIR NEW SOURCE PERMITS	PERMIT	83788
AIR NEW SOURCE PERMITS	PERMIT	83792
AIR NEW SOURCE PERMITS	PERMIT	83846
AIR NEW SOURCE PERMITS	REGISTRATION	83678
AIR NEW SOURCE PERMITS	AFS NUM	4803900041
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: March 14, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 10, 2003 to March 10, 2008

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

Name: Trina Grieco Phone: (210) 403-4006

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

Effective Date: 11/11/2004

ADMINORDER 2003-0947-AIR-E

Classification: Moderate

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

Rqmt Prov: 46429 PERMIT

Description: Failure to demonstrate a VOC DRE of at least 99.99% as required by Permit No. 46429, SC 8.

Classification: Moderate

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

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

Rqmt Prov: 46429 MAERT PERMIT

Description: Failure to demonstrate compliance with VOC #/hr emission limits as required by Permit 46429 MAERT.

Classification: Moderate

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

Rqmt Prov: 46429 SC14 PERMIT

Description: Failure to provide a compliance test for NOx as specified in 40CFR60, Appendix A, Method 7E, § 2 as referenced to Method 6C, § 2.1 and 2.2.

3. Failure to provide a compliance test for NOx as specified in 40CFR60, Appendix A, Method 7E, § 2 as referenced to Method 6C, § 2.1 and 2.2.

Effective Date: 08/07/2005

ADMINORDER 2004-0572-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #X-7386, SC#1 PERMIT

Description: Failed to prevent the premature failure of Primary Reactor R-1 rupture disk which resulted in the release of unauthorized emissions.

Classification: Minor

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

Rqmt Prov: NSR Permit 3301, Special Condition #9 PERMIT

Description: Failed to maintain logs whenever a chlorine leak is discovered in the unit.

Classification: Moderate

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

Rqmt Prov: NSR Permit 4022, Special Condition #7 PERMIT

Description: Failed to maintain a minimum of at least 8 weight percent caustic concentration in the series-operated D-206A/T-206A Scrubbers.

Classification: Moderate

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

Rqmt Prov: NSR Permit 3301, Special Condition #1 PERMIT

Description: Failed to adhere to the permitted limit in tons per year (EPN No. B47F1) for CO during CY 2002.

Classification: Moderate

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

Rqmt Prov: NSR Permit 4021, Special Condition #9 PERMIT

Description: Failed to operate the tail gas back-up-scrubber (EPN No. B22SV31) exclusively within the conditions of the permit.

Effective Date: 04/14/2006

ADMINORDER 2005-0716-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flex Air Permit No. 20432, SC III-1 PERMIT

Description: Failed to prevent unauthorized emissions of 2,372.99 pounds (lbs) of volatile organic compounds (VOCs), 2,753.36 lbs of carbon monoxide (CO), and 100% opacity.

Classification: Minor

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

Description: Failed to submit an initial report within 24 hours after the discovery of an emissions event.

Classification: Moderate

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

Rqmt Prov: Permit 834, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 1,174 pounds lbs of VOCs.

Classification: Moderate

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

Rqmt Prov: NSR Permit No. 5340, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 443.94 pounds lbs of VOCs.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #20996, SC #1 PERMIT

Description: Failed to prevent unauthorized emissions of 66.64 lbs of 1,2-butylene oxide, 3,905.8 lbs of VOCs, 482.98 lbs of ethylene oxide, and 22.54 lbs of propylene oxide.

Classification: Moderate

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

Rqmt Prov: NSR Permit 48813, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 1,893 lbs VOCs.

Effective Date: 07/13/2007

ADMINORDER 2006-2006-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flex Air Permit 20432, SC Ch III-1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 7836, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/31/2007

ADMINORDER 2006-2225-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit No. 19519, MAERT PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to submit an emissions event report within 24 hours after discovery of the event.

Specifically, the emissions event was discovered on July 16, 2004 at 2:00 p.m., but was not reported until July 17, 2005 at 10:00 p.m.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit X-7386, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 19041, SC1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to include the applicable permit number in the Authorization section of the final emissions event report.

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	03/20/2003	(23813)
2	03/21/2003	(159590)
3	04/14/2003	(27517)
4	04/28/2003	(159595)
5	05/19/2003	(159599)
6	05/19/2003	(28851)
7	05/27/2003	(29063)
8	05/28/2003	(31177)

9	05/28/2003	(31159)
10	05/30/2003	(60877)
11	06/23/2003	(35416)
12	06/24/2003	(60303)
13	06/26/2003	(60783)
14	06/30/2003	(35785)
15	07/02/2003	(35418)
16	07/23/2003	(296010)
17	07/26/2003	(61449)
18	07/30/2003	(133869)
19	07/31/2003	(33803)
20	08/04/2003	(36623)
21	08/07/2003	(61967)
22	08/08/2003	(159603)
23	08/14/2003	(150122)
24	08/15/2003	(140682)
25	08/19/2003	(150391)
26	08/21/2003	(151151)
27	08/22/2003	(150711)
28	08/25/2003	(151529)
29	08/26/2003	(296012)
30	08/29/2003	(152748)
31	08/29/2003	(151240)
32	08/30/2003	(152221)
33	08/30/2003	(149187)
34	09/04/2003	(247717)
35	09/17/2003	(248098)
36	10/01/2003	(250440)
37	10/01/2003	(296014)
38	10/01/2003	(250457)
39	10/23/2003	(296016)
40	10/31/2003	(253956)
41	11/12/2003	(254614)
42	11/24/2003	(296017)
43	11/26/2003	(250021)
44	11/30/2003	(126059)
45	11/30/2003	(249732)
46	12/15/2003	(254080)
47	12/24/2003	(296018)
48	01/09/2004	(254701)
49	01/09/2004	(253974)
50	01/09/2004	(254710)
51	01/21/2004	(296019)
52	02/03/2004	(257672)
53	02/05/2004	(258950)
54	02/05/2004	(260440)
55	02/06/2004	(251940)
56	02/11/2004	(260442)
57	02/11/2004	(260085)
58	02/11/2004	(260441)
59	02/23/2004	(260927)
60	02/26/2004	(296001)
61	03/10/2004	(261603)
62	03/10/2004	(264415)
63	03/15/2004	(262011)
64	03/15/2004	(261999)
65	03/15/2004	(261987)
66	03/22/2004	(263436)
67	03/22/2004	(296004)
68	03/29/2004	(264628)
69	03/30/2004	(264622)
70	04/12/2004	(264619)
71	04/13/2004	(265611)
72	04/19/2004	(296006)
73	04/23/2004	(265028)
74	04/23/2004	(258324)
75	04/29/2004	(255279)
76	04/30/2004	(255002)
77	04/30/2004	(254073)
78	05/12/2004	(257994)
79	05/14/2004	(248280)

80	05/14/2004	(263118)
81	05/17/2004	(253533)
82	05/24/2004	(31438)
83	05/26/2004	(352355)
84	05/26/2004	(258253)
85	06/01/2004	(254581)
86	06/02/2004	(272991)
87	06/03/2004	(258305)
88	06/16/2004	(247738)
89	06/28/2004	(352356)
90	06/30/2004	(266880)
91	06/30/2004	(267508)
92	06/30/2004	(267938)
93	07/06/2004	(258308)
94	07/07/2004	(258307)
95	07/20/2004	(278387)
96	07/26/2004	(352357)
97	07/28/2004	(276490)
98	07/28/2004	(282417)
99	07/28/2004	(282469)
100	08/16/2004	(281509)
101	08/17/2004	(284165)
102	08/17/2004	(273076)
103	08/17/2004	(284292)
104	08/18/2004	(277856)
105	08/24/2004	(352358)
106	08/27/2004	(267540)
107	08/27/2004	(266751)
108	08/27/2004	(279078)
109	08/29/2004	(265955)
110	08/31/2004	(272564)
111	08/31/2004	(273678)
112	08/31/2004	(273416)
113	08/31/2004	(273127)
114	08/31/2004	(273881)
115	08/31/2004	(272729)
116	08/31/2004	(272789)
117	08/31/2004	(272814)
118	08/31/2004	(274129)
119	09/01/2004	(267453)
120	09/01/2004	(277902)
121	09/07/2004	(291280)
122	09/07/2004	(333240)
123	09/23/2004	(352359)
124	10/22/2004	(352360)
125	10/31/2004	(276897)
126	10/31/2004	(276789)
127	10/31/2004	(289698)
128	11/01/2004	(285137)
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130	11/01/2004	(285135)
131	11/01/2004	(286768)
132	11/04/2004	(338243)
133	11/05/2004	(334318)
134	11/05/2004	(334295)
135	11/22/2004	(335797)
136	11/24/2004	(352361)
137	12/06/2004	(284914)
138	12/10/2004	(114224)
139	12/13/2004	(339850)
140	12/13/2004	(336762)
141	12/13/2004	(334315)
142	12/16/2004	(285097)
143	12/16/2004	(286819)
144	12/16/2004	(114225)
145	12/16/2004	(289573)
146	12/17/2004	(286731)
147	12/17/2004	(339587)
148	12/17/2004	(338429)
149	12/20/2004	(339119)

150	12/20/2004	(339116)
151	12/21/2004	(334606)
152	12/22/2004	(289575)
153	12/22/2004	(289567)
154	12/23/2004	(381958)
155	12/28/2004	(251988)
156	12/28/2004	(256034)
157	12/31/2004	(338842)
158	01/05/2005	(285365)
159	01/06/2005	(339121)
160	01/07/2005	(338837)
161	01/07/2005	(339147)
162	01/07/2005	(339138)
163	01/07/2005	(339177)
164	01/09/2005	(339130)
165	01/14/2005	(338682)
166	01/17/2005	(249734)
167	01/21/2005	(337408)
168	01/21/2005	(381959)
169	01/27/2005	(347186)
170	01/31/2005	(347857)
171	01/31/2005	(347762)
172	01/31/2005	(347883)
173	02/01/2005	(347843)
174	02/21/2005	(337409)
175	02/21/2005	(344830)
176	02/21/2005	(337411)
177	02/21/2005	(345433)
178	02/21/2005	(345507)
179	02/21/2005	(344930)
180	02/23/2005	(346354)
181	02/23/2005	(346345)
182	02/24/2005	(339179)
183	02/25/2005	(345303)
184	02/28/2005	(381956)
185	03/02/2005	(372448)
186	03/07/2005	(372291)
187	03/07/2005	(372281)
188	03/10/2005	(346208)
189	03/18/2005	(346350)
190	03/18/2005	(346346)
191	03/21/2005	(346710)
192	03/22/2005	(346347)
193	03/23/2005	(347781)
194	03/28/2005	(381957)
195	04/01/2005	(345046)
196	04/08/2005	(347573)
197	04/21/2005	(575527)
198	05/04/2005	(347119)
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202	05/17/2005	(376212)
203	05/17/2005	(376280)
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205	05/20/2005	(392573)
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207	05/23/2005	(345033)
208	05/23/2005	(376200)
209	05/24/2005	(380324)
210	05/26/2005	(575530)
211	05/27/2005	(379484)
212	05/27/2005	(374664)
213	05/31/2005	(346355)
214	06/02/2005	(376058)
215	06/02/2005	(376059)
216	06/14/2005	(375259)
217	06/14/2005	(350783)
218	06/15/2005	(380845)
219	06/17/2005	(376522)
220	06/22/2005	(350704)

221	06/24/2005	(396413)
222	06/24/2005	(575533)
223	06/24/2005	(396517)
224	06/28/2005	(376054)
225	06/29/2005	(347598)
226	07/01/2005	(378760)
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228	07/11/2005	(393361)
229	07/12/2005	(393369)
230	07/13/2005	(397022)
231	07/21/2005	(393364)
232	07/21/2005	(575536)
233	07/22/2005	(397876)
234	07/22/2005	(397878)
235	07/22/2005	(397880)
236	07/22/2005	(397881)
237	07/28/2005	(380321)
238	08/04/2005	(398933)
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240	08/05/2005	(396199)
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244	08/12/2005	(285295)
245	08/15/2005	(398936)
246	08/15/2005	(393373)
247	08/19/2005	(404732)
248	08/19/2005	(393378)
249	08/22/2005	(396197)
250	08/22/2005	(575539)
251	08/24/2005	(403273)
252	08/25/2005	(404533)
253	08/25/2005	(397853)
254	08/29/2005	(398935)
255	08/30/2005	(398938)
256	09/01/2005	(403238)
257	09/12/2005	(406575)
258	09/14/2005	(431669)
259	09/22/2005	(575541)
260	09/28/2005	(406914)
261	09/28/2005	(402693)
262	09/30/2005	(402695)
263	10/05/2005	(374026)
264	10/21/2005	(575543)
265	10/26/2005	(432895)
266	10/26/2005	(432986)
267	10/26/2005	(432935)
268	10/26/2005	(431242)
269	10/26/2005	(432043)
270	10/26/2005	(432097)
271	11/15/2005	(435315)
272	11/25/2005	(575545)
273	11/30/2005	(373986)
274	11/30/2005	(435278)
275	12/23/2005	(575547)
276	12/30/2005	(433116)
277	01/10/2006	(436188)
278	01/17/2006	(376062)
279	01/17/2006	(593182)
280	01/23/2006	(575550)
281	01/24/2006	(575549)
282	01/27/2006	(436181)
283	02/03/2006	(436165)
284	02/07/2006	(436297)
285	02/09/2006	(435249)
286	02/26/2006	(575523)
287	02/27/2006	(436730)
288	02/27/2006	(453320)
289	03/02/2006	(431805)
290	03/17/2006	(340573)

291	03/23/2006	(436917)
292	03/23/2006	(433180)
293	03/24/2006	(374721)
294	03/24/2006	(575525)
295	03/28/2006	(436841)
296	03/31/2006	(436922)
297	03/31/2006	(454296)
298	04/11/2006	(454294)
299	04/17/2006	(459765)
300	04/17/2006	(454234)
301	04/17/2006	(436288)
302	04/17/2006	(433179)
303	04/19/2006	(459137)
304	04/19/2006	(575528)
305	04/26/2006	(433177)
306	05/09/2006	(459139)
307	05/11/2006	(459075)
308	05/11/2006	(459108)
309	05/11/2006	(289568)
310	05/17/2006	(462138)
311	05/17/2006	(461234)
312	05/17/2006	(463636)
313	05/17/2006	(465607)
314	05/24/2006	(466817)
315	05/25/2006	(462747)
316	05/25/2006	(462749)
317	05/25/2006	(462949)
318	05/26/2006	(575531)
319	05/31/2006	(457316)
320	06/15/2006	(481001)
321	06/22/2006	(458889)
322	06/26/2006	(575534)
323	07/14/2006	(457318)
324	07/14/2006	(486688)
325	07/14/2006	(484040)
326	07/14/2006	(480854)
327	07/14/2006	(480399)
328	07/14/2006	(480559)
329	07/14/2006	(485731)
330	07/17/2006	(462746)
331	07/17/2006	(462748)
332	07/17/2006	(482291)
333	07/18/2006	(481382)
334	07/21/2006	(482501)
335	07/21/2006	(457258)
336	07/21/2006	(575537)
337	08/07/2006	(466313)
338	08/07/2006	(438858)
339	08/08/2006	(479807)
340	08/11/2006	(457284)
341	08/11/2006	(247956)
342	08/14/2006	(483129)
343	08/14/2006	(483077)
344	08/14/2006	(483124)
345	08/15/2006	(489783)
346	08/15/2006	(490271)
347	08/15/2006	(462106)
348	08/18/2006	(465699)
349	08/18/2006	(483113)
350	08/18/2006	(480155)
351	08/18/2006	(338817)
352	08/18/2006	(338822)
353	08/22/2006	(490091)
354	08/22/2006	(484727)
355	08/23/2006	(509637)
356	08/23/2006	(457315)
357	08/23/2006	(457302)
358	08/23/2006	(484737)
359	08/24/2006	(575540)
360	08/25/2006	(509011)

361	08/25/2006	(484732)
362	08/28/2006	(484741)
363	08/28/2006	(497117)
364	08/28/2006	(490104)
365	08/31/2006	(457309)
366	09/01/2006	(487866)
367	09/01/2006	(489802)
368	09/01/2006	(509414)
369	09/01/2006	(509787)
370	09/01/2006	(509679)
371	09/01/2006	(508889)
372	09/01/2006	(497542)
373	09/01/2006	(487340)
374	09/01/2006	(489195)
375	09/07/2006	(510182)
376	09/07/2006	(510901)
377	09/08/2006	(489713)
378	09/08/2006	(489814)
379	09/08/2006	(490187)
380	09/08/2006	(490183)
381	09/08/2006	(510155)
382	09/18/2006	(509863)
383	09/18/2006	(575542)
384	09/29/2006	(513116)
385	10/11/2006	(512347)
386	10/12/2006	(515784)
387	10/12/2006	(515660)
388	10/25/2006	(509774)
389	10/25/2006	(516468)
390	10/30/2006	(512117)
391	10/30/2006	(509665)
392	11/03/2006	(575544)
393	11/07/2006	(516999)
394	11/07/2006	(516589)
395	11/08/2006	(515899)
396	11/10/2006	(517068)
397	11/15/2006	(518266)
398	11/21/2006	(519005)
399	11/21/2006	(575546)
400	11/28/2006	(340237)
401	11/30/2006	(532072)
402	11/30/2006	(519472)
403	12/04/2006	(518693)
404	12/04/2006	(518648)
405	12/04/2006	(518746)
406	12/04/2006	(518847)
407	12/05/2006	(518987)
408	12/05/2006	(519433)
409	12/05/2006	(518994)
410	12/07/2006	(532408)
411	12/12/2006	(532985)
412	12/13/2006	(512466)
413	12/15/2006	(512613)
414	12/18/2006	(512614)
415	12/20/2006	(512546)
416	12/20/2006	(518862)
417	12/22/2006	(575548)
418	01/03/2007	(533504)
419	01/08/2007	(533024)
420	01/08/2007	(535581)
421	01/16/2007	(535585)
422	01/17/2007	(537051)
423	01/18/2007	(512465)
424	01/19/2007	(532798)
425	01/19/2007	(532792)
426	01/19/2007	(535582)
427	01/19/2007	(535584)
428	01/19/2007	(535587)
429	01/25/2007	(535586)
430	02/14/2007	(537570)

431	02/15/2007	(532539)
432	02/16/2007	(532501)
433	02/16/2007	(538485)
434	02/20/2007	(537571)
435	02/26/2007	(575524)
436	02/27/2007	(518917)
437	02/28/2007	(540981)
438	03/22/2007	(542323)
439	03/22/2007	(538381)
440	03/22/2007	(536044)
441	03/23/2007	(553947)
442	03/23/2007	(554153)
443	03/23/2007	(538331)
444	03/23/2007	(542214)
445	03/23/2007	(543884)
446	03/23/2007	(554156)
447	03/26/2007	(554162)
448	03/26/2007	(575526)
449	03/30/2007	(489600)
450	03/30/2007	(489438)
451	04/02/2007	(532635)
452	04/09/2007	(554548)
453	04/09/2007	(554546)
454	04/12/2007	(543310)
455	04/18/2007	(514268)
456	04/19/2007	(535999)
457	04/19/2007	(531924)
458	04/19/2007	(575529)
459	04/19/2007	(531943)
460	04/24/2007	(555828)
461	04/27/2007	(532788)
462	04/30/2007	(515463)
463	05/07/2007	(514793)
464	05/07/2007	(511310)
465	05/08/2007	(511682)
466	05/08/2007	(511545)
467	05/08/2007	(557566)
468	05/08/2007	(511841)
469	05/08/2007	(557567)
470	05/08/2007	(533412)
471	05/09/2007	(555628)
472	05/10/2007	(558512)
473	05/10/2007	(558404)
474	05/11/2007	(462109)
475	05/14/2007	(516561)
476	05/14/2007	(398934)
477	05/14/2007	(516545)
478	05/14/2007	(516563)
479	05/14/2007	(559653)
480	05/14/2007	(559614)
481	05/17/2007	(513875)
482	05/18/2007	(554549)
483	05/21/2007	(538079)
484	05/23/2007	(560258)
485	05/24/2007	(575532)
486	05/25/2007	(561809)
487	05/25/2007	(560311)
488	05/25/2007	(560284)
489	05/25/2007	(561826)
490	05/25/2007	(561833)
491	05/25/2007	(560273)
492	05/31/2007	(561133)
493	05/31/2007	(541434)
494	05/31/2007	(561026)
495	06/01/2007	(562217)
496	06/01/2007	(562270)
497	06/08/2007	(515992)
498	06/11/2007	(555138)
499	06/21/2007	(575535)
500	06/22/2007	(563821)

501	06/22/2007	(563870)
502	06/25/2007	(556660)
503	06/26/2007	(557013)
504	06/26/2007	(556265)
505	07/03/2007	(565234)
506	07/09/2007	(564733)
507	07/11/2007	(532793)
508	07/16/2007	(561727)
509	07/16/2007	(563110)
510	07/18/2007	(575538)
511	07/31/2007	(564288)
512	08/06/2007	(568658)
513	08/06/2007	(568639)
514	08/06/2007	(564280)
515	08/09/2007	(564283)
516	08/09/2007	(563748)
517	08/09/2007	(570823)
518	08/10/2007	(563126)
519	08/13/2007	(571129)
520	08/13/2007	(571130)
521	08/14/2007	(568679)
522	08/14/2007	(568640)
523	08/15/2007	(571282)
524	08/15/2007	(570829)
525	08/16/2007	(543314)
526	08/16/2007	(563635)
527	08/21/2007	(601683)
528	08/28/2007	(572069)
529	08/30/2007	(568613)
530	08/31/2007	(543556)
531	08/31/2007	(568778)
532	08/31/2007	(512665)
533	09/05/2007	(571679)
534	09/06/2007	(573171)
535	09/07/2007	(573940)
536	09/07/2007	(571291)
537	09/20/2007	(601684)
538	09/28/2007	(564703)
539	09/28/2007	(565429)
540	09/28/2007	(564652)
541	10/03/2007	(573174)
542	10/03/2007	(543554)
543	10/03/2007	(574254)
544	10/04/2007	(594925)
545	10/10/2007	(567008)
546	10/10/2007	(566738)
547	10/11/2007	(567653)
548	10/12/2007	(571215)
549	10/15/2007	(597177)
550	10/15/2007	(567828)
551	10/17/2007	(601685)
552	10/18/2007	(569785)
553	10/18/2007	(569776)
554	10/18/2007	(569781)
555	10/18/2007	(569770)
556	10/18/2007	(569841)
557	10/19/2007	(594927)
558	10/23/2007	(566959)
559	10/25/2007	(594929)
560	10/25/2007	(597157)
561	10/25/2007	(594923)
562	10/26/2007	(573825)
563	10/26/2007	(597159)
564	10/26/2007	(570354)
565	10/26/2007	(574064)
566	11/02/2007	(574293)
567	11/05/2007	(595620)
568	11/05/2007	(595623)
569	11/07/2007	(573328)
570	11/09/2007	(596374)
571	11/15/2007	(597987)

572	11/19/2007	(619609)
573	11/21/2007	(569810)
574	11/26/2007	(570031)
575	11/26/2007	(570030)
576	11/26/2007	(567381)
577	11/26/2007	(568480)
578	11/27/2007	(570515)
579	11/27/2007	(608728)
580	11/27/2007	(570526)
581	11/27/2007	(599343)
582	11/28/2007	(568431)
583	11/30/2007	(596467)
584	12/04/2007	(596985)
585	12/07/2007	(597234)
586	12/07/2007	(573480)
587	12/12/2007	(602163)
588	12/13/2007	(573122)
589	12/18/2007	(619610)
590	12/19/2007	(612289)
591	12/19/2007	(599266)
592	12/20/2007	(598138)
593	12/21/2007	(567605)
594	01/03/2008	(613134)
595	01/09/2008	(597713)
596	01/09/2008	(597720)
597	01/09/2008	(597717)
598	01/10/2008	(595628)
599	01/10/2008	(595622)
600	01/17/2008	(595617)
601	01/17/2008	(619611)
602	01/24/2008	(614965)
603	01/28/2008	(610685)
604	01/29/2008	(615960)
605	01/30/2008	(613449)
606	01/30/2008	(613921)
607	01/31/2008	(613922)
608	02/06/2008	(616428)
609	02/06/2008	(616278)
610	02/11/2008	(616069)
611	02/11/2008	(616044)
612	02/11/2008	(616074)
613	02/11/2008	(616066)
614	02/11/2008	(616039)
615	02/11/2008	(615351)
616	02/11/2008	(617102)
617	02/13/2008	(610665)
618	02/13/2008	(566562)
619	02/15/2008	(617796)
620	02/27/2008	(613204)
621	02/27/2008	(613391)
622	03/03/2008	(617333)
623	03/05/2008	(637300)
624	03/06/2008	(595630)
625	03/10/2008	(619156)
626	03/10/2008	(617583)

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

Date: 04/30/2003 (159599)

Self Report? YES

Classification: Moderate

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

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

Date: 05/24/2003 (29063)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 116, SubChapter G 116.715(a)

Description: Dow failed to report the emissions and quantities by facility per 30 TAC 101.201(2)(G).

Date: 05/30/2003 (60877)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
 Description: Notification updates under TAC 335.6 are required.

Date: 06/30/2003 (296010)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 07/25/2003 (133869)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to maintain compliance with the permit effluent limits, at outfall 601, for the daily-maximum pounds/day of zinc.

Date: 08/07/2003 (61967)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to prevent the release of 1,202 lbs of unauthorized ethylene emissions.

Date: 08/29/2003 (151240)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
 Description: Failure to prevent the release of unauthorized emissions during an emissions event.

Date: 08/30/2003 (152221)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
 Description: Failure to control VOC emissions during an emissions event.

Date: 08/31/2003 (296014)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2003 (296016)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/2003 (249732)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
 Description: Dow failed to report an emissions event (Investigation No. 435278) after final emissions from a scheduled maintenance event exceeded emissions reported on the Initial Notification.

Date: 11/30/2003 (249734)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
 Description: Dow failed to notify the TCEQ when the maintenance event became an emissions event.

Date: 12/02/2003 (250021)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT 7531
 Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal oxidizer.

Date: 01/12/2004 (253974)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: PA Flexible Permit #20432, SC #4 and # I-17

Description: Failure to meet the minimum heating value of 300 Btu/scf for a steam-assisted flare (FS-801) in accordance with 40 CFR 60.18 when waste streams containing significant quantities of hydrogen are sent to the flare.

Self Report? NO Classification: Moderate

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

Description: Dow exceeded the NOx emission cap established in the Maximum Allowable Emission Rate (MAER) table under Flexible Permit # 20432 for the three emission points (EPNs B68FU1, B70FU1 and B70F801).

Date: 02/06/2004 (251940)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT TCEQ AIR PERMIT #21596, SC #1

Description: Avoidable emissions event with emissions of benzene.

Date: 03/29/2004 (264622)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)

Description: Failure to provide a ground storage capacity which is equal to 50% of the maximum daily demand.

Date: 03/31/2004 (296006)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)

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

Date: 04/29/2004 (255279)

Self Report? NO Classification: Moderate

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

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

Rqmt Prov: PERMIT TCEQ Air Permit #8567 S.C.#1

Description: Exceeded VOC permit limit during an emissions event.

Date: 04/30/2004 (254073)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter D 106.124(5)(A)

30 TAC Chapter 116, SubChapter B 116.110(a)(4)

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

Description: Exceeded VOC PBR limit during an emissions event.

Date: 06/01/2004 (254581)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(2)

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

Description: Avoidable emissions event.

Date: 06/03/2004 (258305)

Self Report? NO Classification: Moderate

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(c)(3)(ii)

Rqmt Prov: PERMIT 1472

OP O-02220

Description: Failure to maintain minimum BTU requirement in gas stream to Flare A26VELR02.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 1472

OP O-02220

Description: Failure to maintain the minimum operating temperature in Waste Gas Boiler EPN A26S500.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472
OP O-02220
Description: Exceedance of permitted fill/drain rates for Tank D-275, Tank D-550 and Tank D-20M.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472
OP O-02220
Description: Exceedance of MAERs for Tank R-1B and Tank D-15C.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472
OP O-02220
Description: Failure to use submerged fill loading for railcar equipment A26VELR02 and drum loading equipment A26VELR04.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472
OP O-02220
Description: Failure to equip open-ended valve with a plug.

Date: 06/30/2004 (352357)

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

Date: 07/12/2004 (258308)

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 VV 60.482-6(a)(1)
Rqmt Prov: PERMIT 18561
OP O-02221
Description: Failure to cap open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 18561
OP O-02221
Description: Failure to maintain partial pressure records.

Date: 07/12/2004 (258307)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
Description: Failure to report a deviation in the semiannual deviation report.

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)
Rqmt Prov: PERMIT 19519, Special Condition 5(E)
PERMIT 48813, Special Condition 5(E)
PERMIT 834, Special Condition 9(E)
PERMIT 8567, Special Condition 8(E)
OP O-02215
Description: Failure to seal open-ended lines.

Self Report? NO Classification: Moderate
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)
Rqmt Prov: PERMIT 8567

OP O-02215
Description: Failure to monitor valves for fugitive emissions.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 8567
OP O-02215
Description: Failure to monitor pump seals for fugitive emissions.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 19519
OP O-02215
Description: Cooling tower emissions exceeded MAER for VOCs.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.144(1)(E)

Description: Failure to maintain records of daily flare observations.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP O-02215
Description: Late submittal of PBR registration.

Self Report? NO Classification: Moderate
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(c)(3)(II)
Rqmt Prov: PERMIT 834
OP O-02215

Description: Failure to maintain minimum BTU requirement in feed stream to flare.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 19519, Special Condition 5(I)
PERMIT 48813, Special Condition 5(I)
PERMIT 6803, Special Condition 8(I)
PERMIT 8567, Special Condition 8(H)
OP O-02215
Description: Failure to re-monitor fugitive components within 15 days.

Date: 08/27/2004 (267540)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit #21596, SC #1
Description: Exceeded VOC permit limit during an avoidable emissions event.

Date: 08/27/2004 (266751)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit #21596, SC #1
Description: Dow exceeded VOC permit limit during an avoidable emissions event.

Date: 08/29/2004 (265955)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Exceeded HCL permit limit.

Date: 11/05/2004 (338243)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter B 115.126(1)(A)(I)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT U 63.506(d)

Rqmt Prov: PA NSR Permit #3320, General Provision #5
OP Special Term & Condition #6A

Description: Failure to maintain continuous data records of thermal oxidizer (EPN B20TOX) firebox temperature on 8/27/2003, 3/3/2004 and 7/6/2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP Special Term and Condition #5

Description: Failure to maintain working pressure data of Acrylonitrile Storage Tank D-121A on 8/27/2003, 3/3/2004 and 7/6/2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP Special Term and Condition #1A

Description: Failure to monitor with an instrument after repair a leaking component found via AVO inspection on 11/14/2003 and 1/3/2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.356(2)(F)(iii)
30 TAC Chapter 115, SubChapter D 115.356(2)(F)(iv)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)(3)

Rqmt Prov: PA NSR Permit #3320, General Provision #7K
OP Special Term and Condition #1A

Description: Failure to keep records of the date of first repair attempt and date of leak repair for two leaking valves.

Date: 11/22/2004 (335797)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-02210, SC No. 10
PA Permit No. 7531, SC No. 1

Description: Unauthorized emissions which could have been avoided by good design, operation or maintenance practices.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)

Rqmt Prov: OP O-02210, SC No. 10
PA Permit No. 7531, SC No. 3E.

Description: Failure to cap or plug open-ended lines per the Permit No. 7531, SC No. 3E

Date: 12/16/2004 (289573)

Self Report? NO Classification: Moderate

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

Description: Failure to report an emissions event within 24 hours following incident 35402

Self Report? NO Classification: Moderate

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

Description: Failed to report an emissions event within 24 hours during Incident 35402

Date: 12/22/2004 (289567)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 5340

Description: Incident 40337 was an avoidable emissions event.

Date: 12/28/2004 (334606)

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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: PERMIT 2472, SC 9E

Description:	PERMIT 2773, SC12E OP O-02206, SC 1A and SC 12 Failure to plug open ended valves.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 1 OP O-02206, SC 12		
Description:	THROX unit exceeded CO MAER.	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 6 OP O-02206, SC 12		
Description:	Exceeded vinyl chloride average feedrate limit.	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 18 OP O-02206, SC 12		
Description:	Exceeded firebox temperatures for THROX & TOX	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 17 OP O-02206, SC 12		
Description:	Flowmeters on vent stream to TOX not operational.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 1 OP O-02206, SC 12		
Description:	Flare A32CSF1 exceeded hourly VOC MAER	Classification:	Moderate
Self Report?	NO		
Citation:	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 63.168(d)(4)		
Rqmt Prov:	PERMIT 2472, SC 9F PERMIT 2773, SC 12F OP O-02206, SC 1A and SC 12		
Description:	Failure to monitor valves and pressure sensing devices	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iii)		
Rqmt Prov:	OP O-02206, SC 1A		
Description:	Failure to monitor connectors		
Date:	12/28/2004 (256034)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 941		
Description:	Incident 7827 was an avoidable emissions event.		
Date:	12/31/2004 (338842)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H) 30 TAC Chapter 101, SubChapter F 101.201(c)		
Description:	Dow failed to report accurately. Avoidable emissions event during Incident 43280.		
Self Report?	NO	Classification:	Major
Citation:	30 TAC Chapter 116, SubChapter B 116.115(a) 30 TAC Chapter 116, SubChapter B 116.115(b) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Air Permit No. 48479 SC 1 and 4		
Description:	Incident #43280 was avoidable.		
Date:	12/31/2004 (381959)		

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

Date: 01/14/2005 (338682)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-02214, Spec Terms/Cond. 1.D.
PERMIT Standard Permit #49187
Description: Dow exceeded the hourly emission limit for CO on unit B246PGT62 as authorized by Standard Permit (SP) 49187, at the following times:
a) 8/13/03, 16:00 to 17:00, release of 290.38 lbs/hr, an exceedence of 213%
b) 7/1/04, 19:00 to 20:00, release of 129 lbs/hr, an exceedence of 39%

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-02214, Spec. Terms/Conds. #1.D.
PERMIT Standard Permit #49187
Description: Dow exceeded the hourly emission limit for NOx on unit B246PGT62 as authorized by the Standard Permit (SP) 49187 limit of 38.3 lbs/hr, at eight (8) documented times.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-02214, Spec. Terms/Conds. #1.A.
PERMIT NSR Permit #9044, Gen. Conditions #8
Description: Dow exceeded the hourly emission limit for NOx on unit B246PGT63 as authorized by the NSR Permit 9044 limit of 585 lbs/hr, on 1/6/04, from 11:00 to 12:00, with a release of 590.89 lbs/hr, an exceedence of 1%.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-2214, Spec. Terms/Conds. #1.A.
PERMIT NSR Permit #9046, Gen. Condition #8
Description: Dow exceeded the hourly emission limit for NOx on unit B246PGT66 as authorized by the NSR Permit 9046 limit of 826.99 lbs/hr, documented as eighteen (18) occurrences.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(d)
Description: Dow failed to accurately report periods of excess emissions for NOx in two semi-annual NOx RACT reports, dated January 14, 2004, and June 14, 2004.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)
Rqmt Prov: OP FOP O-02214, Spec. Terms/Cond. #1.A.
Description: Dow failed to make a timely submission of a semi-annual NOx RACT report. The deadline for the report submittal was 12/15/03, and the report was not submitted until 1/14/04.

Date: 03/23/2005 (347781)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
Rqmt Prov: PERMIT NSR Permit No. 37884, SC 8E
Description: Failed to seal open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
Description: Failed to perform quarterly fugitive monitoring.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
Description: Failed to attempt to repair leaks.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)

Description: Failed to attempt to repair leaks.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP Title V Permit No. O-02313, SC 14

Description: Failed to meet risk management plan requirements.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 Rqmt Prov: PERMIT NSR Permit No. 37884, SC 6A

Description: Failed to maintain a minimum Btu for a flare.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT NSR Permit No. 37884, SC 1

Description: Failed to meet maximum allowable emission rates.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)

Description: Failed to create a final record of an emissions event.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT NSR Permit No. 37884, SC 1

Description: Failed to meet maximum allowable emission rates.

Date: 03/31/2005 (575527)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 05/04/2005 (338714)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #9
 Description: Dow failed to record the outlet gas temperature, at least weekly, of scrubber B5010SV110, for the weeks beginning 8/21/03, 10/5/03, 11/9/03, 11/30/03, 12/7/03, 12/14/03, 12/21/03, and 12/28/03.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #9
 Description: Dow failed to comply with the requirement to operate the scrubber B5010SV110 under the maximum stack gas temperature of 95 degrees F.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #10
 PERMIT NSR Permit #20607, Special Condition #7
 Description: Dow failed to comply with the permit condition by filling a tank truck without employing the vapor balancing method from the truck to the tank.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #10
 PERMIT NSR Permit #20774, Special Cond. #15.E.
 Description: Dow failed to maintain caps and/or plugs on nine open-ended lines in the B5016 Contract Manufacturing Plant.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #10
 PERMIT NSR Permit #20774, Spec. Cond. #9
 Description: Dow failed to maintain the water flow rate minimum on Scrubber T-543 during periods of vent gas flow.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.05181(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-02205, Gen. Terms and Conditions

Description: Dow failed to register the production processes of various Maxistab products under either a PBR or NSR permit.

Date: 05/24/2005 (380324)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O-02217, Special Condition #1

Description: Dow failed to keep monthly visual inspection records for three cold solvent degreasers.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)

Description: Dow failed to report eighteen deviations in the First Semi-Annual Report, reporting period October 16, 2003, through April 15, 2004.

Self Report? NO Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O-02217, Special Condition #15

PERMIT NSR Permit #21596, General Condition #8

Description: Dow failed to minimize emissions on 12/24/03 by allowing absorbent pads contaminated with styrene used during a pump replacement to be discarded into a secondary containment area, which then collected rain water.

Date: 06/17/2005 (376522)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Description: Failure to equip open-ended lines with a cap or plug.

Self Report? NO Classification: Minor

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

Description: Failure to create records of five non-reportable emissions events within the required time frame.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA NSR Permit 20432, SC 1-8

Description: Failure to complete pressure testing of tank trucks for loading operations.

Self Report? NO Classification: Moderate

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

Description: Failure to monitor five pump seals monthly from March 2004 through July 2004.

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(a)(1)

Description: Failure to monitor three agitators monthly from March 2004 through July 2004.

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(c)

Description: Failure to inspect continuous parameter monitoring data from EPNs OC3U3B901, OC3U3B902, OC3U3B903 daily from January 16, 2004 through January 29, 2004. Failure to inspect continuous parameter monitoring data from EPNs OC3U3B901, OC3U3B902, OC3U3B903 daily from January 16, 2004 through January 29, 2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)

Description: Failure to monitor an accessible valve in August 2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP Title V Permit O-02207, SC 13

Description: Failure to perform monthly inspection of a solvent cleaning station in October 2004.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT NSR Permit 3434, SC 1

Description: Failure to meet the emission specifications for HCl, Cl₂, SO₂, and CO from EPNs OCD3SB901, OCD3SB902, and OCD3SB903.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)

Description: Failure to submit a Title V permit revision application to include EPN B39RX210 in the permit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: PERMIT NSR Permit 20432, SC 2E
Description: Failure to equip open-ended lines with a cap or plug.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT NSR Permit 21512, SC 9E
Description: Failure to equip open-ended lines with a cap or plug.
Failure to equip open-ended lines with a cap or plug.

Date: 06/29/2005 (378760)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to maintain compliance with the permitted effluent limits.

Date: 07/08/2005 (376056)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit No. 19041, SC No. 1
Description: Dow had an avoidable emissions event during Incident 51417.

Date: 07/22/2005 (397876)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.62
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(a)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(b)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(c)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(c)(1)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(c)(2)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)
Description: Complete hazardous waste determination is required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Description: NOR update required.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)
40 CFR Chapter 268, SubChapter I, PT 268, SubPT E 268.50(b)

Description: CSA, LDR, one year storage limit exceeded.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

Description: Tank containment should be free of cracks.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

Description: Tank, inspection information should be documented.

Date: 08/08/2005 (396518)

Self Report? NO Classification: Moderate

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

Description: Dow incident 55412 was avoidable. The incident was not excessive.

Date: 08/15/2005 (393373)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT TCEQ Air Permit 20775, SP No. 1

Description: Dow had an avoidable emissions event during Incident 55560.

Date: 08/15/2005 (398936)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 19519 GC No. 8

Description: Dow had an avoidable emissions event during Incident 59062. Not an excessive

event.

Date: 08/22/2005 (404732)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 4021, SC 1
OP O-02202, SC 10

Description: Exceedance of MAER for chlorine for T-307; Permit 4021, SC1

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 4021, SC 7
OP O-02202, SC 10

Description: Exceedance of the concentration limit for chlorine; Permit 4021, SC 7

Date: 08/26/2005 (403273)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 1472, SC 5
OP O-02220, SC 7

Description: Exceedance of permitted tank fill rate stipulated in Permit 1472, SC 5.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 1472, SC 1
OP O-02220, SC 7

Description: Exceedance of the MAER for ammonia for Tank D-330; Permit 1472, SC 1

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: Deviations omitted from 3 semiannual deviation reports

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(c)(2)

Rqmt Prov: PERMIT 1472, SC 8
OP O-02220, SC 1A & SC 7

Description: Operation of Flare A26VEF1 without a flame present; Permit 1472, SC 8

Date: 08/31/2005 (403238)

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 VV 60.482-6(a)(1)

Rqmt Prov: OP FOP O-02221, Special Condition #12
PERMIT NSR Permit #18561, Special Condition 6E

Description: Dow failed to maintain caps and/or plugs on two open-ended lines in the B1300 Poly Glycol Methyldiethanolamines (MDEA) and Aminoethylethanolamines (AEEA) Plants for components.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)
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 60.482-7(a)

Rqmt Prov: OP FOP O-02221, Special Condition 12
PERMIT NSR Permit #18561, Special Condition 6F
PERMIT NSR Permit 18561, Spec. Conds. 6E and 6K

Description: Dow failed to fugitive emission monitor fifty-nine (59) components, 16 valves and 43 connectors.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O-02221, Special Condition 12
PERMIT NSR Permit 18561, Special Condition 17

Description: Dow failed to maintain the minimum scrubber water flow rate for the SC-2 Kettle Scrubber (EPN B13SV3).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-02221, Special Condition 12
PERMIT NSR Permit 18561, Special Condition 17
Description: Dow failed to maintain the minimum scrubber water flow rate for the SC-2 Scrubber (EPN B13SV2).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1438(f)
Description: Dow failed to maintain a daily average scrubber water flow for the SC-2 Kettle Scrubber (EPN B13SV3).

Date: 09/30/2005 (575543)

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

Date: 10/31/2005 (575545)

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

Date: 01/17/2006 (593182)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 03/02/2006 (431805)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT U 63.506(d)
Description: Failure to store required data from November 1, 2004 to November 3, 2004.

Self Report? NO Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
Rqmt Prov: PERMIT # 3320, General Provision 7 E
Description: Failure to maintain a plug on an open ended line.

Date: 03/27/2006 (374721)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Air Permit 22072 - SC 4
Description: During Dow Inc. No. 80470 Dow sent emissions to an unlit flare.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit 22072 - SC 1
Description: During Dow Inc No. 92568 Dow did not determine the status of the salt dome prior to drilling.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT Flexible Air Permit 20432 SC III-1 & -21
Description: During Dow Incident 92771 the flame of the flare was not present.

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 Flexible Air Permit 20432 SC III-1		
Description:	During Dow Incident 94567 (Inv 374721) a valve was inadvertently opened.		
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 Flexible Air Permit 20432 SC III-1		
Description:	Incident 51360 at Dow was an avoidable emissions event.		
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 Flexible Air Permit 20432 SC III-1		
Description:	Dow had an avoidable emissions event during Incident 94909.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Permit 48813 - SC 1		
Description:	During Incidents 84700, 84701, and 93405 Dow had avoidable emissions events		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 48813 Special Condition 1		
Description:	During Recordable Incident 95308, Dow had an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 48813 SC 1		
Description:	Dow had an avoidable emissions event during recordable Incident 90045.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 48813 Special Condition 1		
Description:	Dow had an avoidable emissions event during recordable Incident 101031.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Incident 83616 at Dow was avoidable.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 88672 was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 89747 was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 93432 was an avoidable incident.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 93975 was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 95602 was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 97687 was an avoidable emissions event.		
Self Report?	NO	Classification:	Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 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)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or second valve. Two valves at Furnace F-7 with monitoring tag Nos 193757 and 197365 were observed with open-ended lines during the on-site investigation.

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)

Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or second valve. An open ended line in HRVOC service at the R102/S102 bay wall area was observed during the on-site investigation.

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)

Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or second valve. An open ended line in HRVOC service at the R102/S102 bay wall area was observed during the on-site investigation.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 115, SubChapter D 115.354
 30 TAC Chapter 115, SubChapter H 115.781(b)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(a)

Description: Failure to demonstrate that each applicable HRVOC valve in the process unit was monitored in accordance with the requirements described in 30 TAC § 115.354, as directed by 30 TAC § 115.781(b).
 Failure to demonstrate that each applicable HRVOC valve in the process unit was monitored in accordance with the requirement

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354
 30 TAC Chapter 115, SubChapter H 115.781(b)

Description: Failure to demonstrate that at least ten unmarked valves in HRVOC service were complying with the monitoring requirements described in the applicable sections of 30 TAC § 115.354 and 115.781(b). Ten unmarked valves in HRVOC service were subsequently numbered in the field with monitoring program identification numbers

Date: 04/18/2006 (433179)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 101, SubChapter F 101.201(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 2008, SC1

Description: Failure to notify and report in a timely manner following a reportable emissions event (Incident No. 64153).

Date: 04/20/2006 (459137)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT Permit 46306, Special Condition 7(C)

Description: Exceeded permitted limits of ammonia (NH3). Violation of Permit # 46306 Special Condition 7(C), 30 TAC 117.206 (e)(2), 30 TAC 116.115 (c), and 5 THC Chapter 382.085(b).

Date: 04/26/2006 (433177)

Self Report? NO **Classification:** Moderate

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

Rqmt Prov: PERMIT TCEQ Air Permit No. 2008, SC 1

Description: Failure to provide a backup dempster resulting in unauthorized emissions. (Incident No. 64154)

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)		
Description:	Dow did not report in a timely manner during Incident 64154.		
Date:	06/22/2006	(458889)	
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 NSR 20432, SC III-5 OP Title V O-02213, SC 16		
Description:	Dow failed to meet the NOx emissions hourly standard of 0.1 lb/MMBtu 87 times, and the CO emissions hourly standard of 0.034 lb/MMBtu 276 times from Pyrolysis Furnace Nos. 1 through 7 (OC6L8H1~7) as required by NSR Permit 20432, Special Condition (SC) III-5.		
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 NSR 20432, SC III-6 OP Title V O-02213, SC 16		
Description:	Dow failed to meet the NOx emissions hourly standard of 0.06 lb/MMBtu 301 times, and the CO emissions hourly standard of 0.015 lb/MMBtu 47 times from Pyrolysis Furnace Nos. 8 and 10 (OC6L8H8&10) as required by NSR Permit 20432, SC III-6.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR 20432, SC 1E OP Title V O-02213, SC IA and 16		
Description:	Dow failed to equip open-ended lines with a valve or plug on 23 occasions.		
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 NSR 20432, SC III-1 OP Title V O-02213, SC 16		
Description:	Dow failed to meet the permit allowables 4 times for NOx and 2 times for CO from Gas Turbine GT-30 (B72L7GT30).		
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:	PERMIT NSR 20432, SC 4 OP Title V O-02213, SC 16		
Description:	Dow failed to meet the specified requirement of 300 BTU/SCF for the Flare B60L7F1 on November 15, 2004.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 1A		
Description:	that Dow failed to record daily review of the operating parameters for 8 days as required by 40 CFR 61.354(a)(2).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 15		
Description:	Dow failed to collect flare pilot monitoring data for the Flares FS-1 and FX-1000 (OC6L8F1, and OC6L8F1000) on four occasions, and failed for the Flare B71S2F1 on three occasions.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.702(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 1A		
Description:	Dow failed to route off gas from the processes subject to 40 CFR 60 Subpart RRR to		

its primary control device Furnaces OC6L8S1 thru OC6L8S10. The off gas was routed to the Flares OC6L8F1000 and OC6L8F1 on nineteen occasions.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 10C		
Description:	Dow failed to follow precisely the written startup, shutdown, and malfunction plan on three occurrences.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 10C		
Description:	Dow failed to update the written startup, shutdown, and malfunction plan as required.		
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 61.242-7(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR 20432, SC III-3B OP Title V O-02213, SC 1A and 16		
Description:	Dow failed to monitor nine valves on six monthly monitoring activities during the period of April 19, 2004 through September 15, 2004.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 3B(iii)		
Description:	Dow failed to keep records of visible emissions observations for ten furnaces, one thermal oxidizer and one decoke vent during the 3rd quarter of 2004.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.132(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 1A		
Description:	Dow failed to maintain the compartment totally enclosed and have all openings sealed for the Water Separator OC6L8D27 as one leaking connector was noted between October 14, 2004 and October 19, 2004.		
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 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2) 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 NSR 20432, SC 1E OP Title V O-02213, SC 1A and 16		
Description:	Dow failed to equip open-ended lines with a valve or plug on four occasions.		
Self Report?	NO	Classification:	Moderate
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 VV 60.482-7(c) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR 20432, SC 1F OP Title V O-02213, SC 1A and 16		
Description:	Dow failed to monitor 97 valves and 8 flanges on two quarterly monitoring activities during the period of April 19, 2004 through October 18, 2004.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(A) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 1A		
Description:	Dow failed to perform annual fugitive monitoring of components of the benzene waste management units on an annual basis.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)		

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow failed to inspect daily the operating parameters for benzene waste operations for 20 days to ensure proper operations.

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 63.163(b)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow failed to perform one weekly visual inspection of pumps as required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow failed to perform 13 weekly visual inspections of pumps as required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow f Failed to perform nine weekly visual inspections of flanges as required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT NSR 21596, SC 11E
 OP Title V O-02213, SC 1A and 16
 Description: Dow failed to equip open-ended lines with a valve or plug on 10 occasions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: ORDER Title V O-02213, SC 1A
 Description: Dow failed to perform monthly visual car-seal inspections on Benzene Waste Management Units' closed vent system in September and October of 2004.

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 Title V O-02213, SC 1A
 Description: Dow failed to perform eight daily visual flare observations as required.

Date: 07/14/2006 (457318)

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: PERMIT NSR 654, SC 4
 OP Title V O-02203, SC 14
 Description: Dow failed to install a pressure gauge or its equivalent between the rupture disk and the pressure safety valve on T-4 Tower.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT NSR 654, SC 10E
 OP Title V O-02203, SC 1A and 14
 Description: Dow failed to equip open-ended lines with plugs/caps on two occasions.

Date: 07/18/2006 (462748)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 7(c)

Description: Failure to meet permitted ammonia emission standard.

Date: 07/18/2006 (462746)

Self Report? NO

Classification: Moderate

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

Description: Ammonia limit exceedence. Violation of permit #46306 SC 7, 30 TAC 116.115(c), and 5 THC Chapter 382.085(b).

Date: 07/21/2006 (457258)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 18561, SC 6E
OP O-02221, STC 12
OP O-02221, STC 1A

Description: Failure to cap or plug the Twelve (12) open-ended lines in VOC service in Specialty Chemicals 2 Unit.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter C 122.222(k)(3)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to register the PBRs 106.261 and 106.262 within 10 days of increase in VOC emissions of 0.79 lbs/hr and 0.85 tons per year as a result of production of new line of products and failed to submit off-permit notification concurrently.

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 D 382.085(b)

Rqmt Prov: PERMIT 18561, SC 17
OP O-02221, STC 12

Description: Failure to maintain minimum flow rate of 10 gallons per minute (gpm) of water as required by NSR permit 18561, Special Condition 17 for the SC-2 kettle scrubber (EPN B13SV3).

Date: 08/11/2006 (457284)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.216(a)(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02216, SC 6C

Description: Dow failed to include the specific rule citation for any unit with a claimed exemption from the emission specification of §117.206 in the final NOx control report submitted on March 31, 2005.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT NSR 20525, SC 15E
PERMIT NSR 46429, SC 12E
PERMIT NSR 46431, SC 13E
OP Title V O-02216, SC 1A and 15

Description: Dow failed to equip open-ended lines in hazardous air pollutant (HAP) with plugs/caps on fourteen occasions.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
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 63.163(b)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT NSR 46431, SC 13E
OP Title V O-02216, SC 1A and 15

Description: Dow failed to conduct one weekly fugitive inspection by visual, audible, and/or olfactory means.

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:	PERMIT NSR Permit 46431, SC 21 OP Title V Permit O-02216, SC 15		
Description:	Dow failed to conduct daily analysis on the selective catalytic reduction (SCR) unit on four occasions.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 117, SubChapter B 117.211(a)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02216, SC 1A		
Description:	Dow failed to conduct stack sampling on the furnace exhaust stack (EPN A36S621) within 60 days of startup of the emissions control.		
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:	PERMIT NSR Permit 46431, SC 17 OP Title V Permit O-02216, SC 15		
Description:	Dow failed to maintain the pH in the scrubber (EPN A36S531) at 7.5 or greater on two occasions.		
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 63, SubChapter C, PT 63, SubPT A 63.7(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 46431, SC 12C OP Title V Permit O-02216, SC 10D and 15		
Description:	Dow failed to conduct performance test on the thermal treatment unit (TTU) and the tail scrubber (EPN A36S531) within 180 days as required by 40 CFR 63.7(a)(2) and 63.116(c), and as required by NSR Permit 46431, SC 12C.		
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:	PERMIT NSR Permit 46431, SC 22A OP Title V Permit O-02216, SC 15		
Description:	Dow failed to monitor the carbon bed during unloading operation for the tank (EPN A40S741).		
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:	PERMIT NSR Permit 2008, SC 1 OP Title V Permit O-02216, SC 15		
Description:	NOx, CO, SO2 emissions in lb/hr from the flare (EPN B4F19A) exceeded the allowables specified in the Maximum Allowable Emission Rate Table for NSR Permit 2008 during a period from January 10, 2005 through March 13, 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:	PERMIT NSR Permit 2008, SC 9 OP Title V Permit O-02216, SC 15		
Description:	Dow failed to maintain the minimum requirement of 300 BTU/scf for the flare (EPN B4F19A) during a period from January 10, 2005 through June 10, 2005.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 2008, SC 14E OP Title V Permit O-02216, SC 1A and 15		
Description:	Dow failed to equip one open-ended line in VOC service with a cap or plug.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4)		

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP Title V Permit O-02216, SC 1A and 14
Description: Dow failed to maintain pilots for the flare (EPNA36MDF532), which was used as a control device for tank vents V-103 and V-534 at the time the pilots went out on September 19, 2005.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP Title V Permit O-02216, SC 14

Description: Dow failed to keep two monthly inspection records for the degreaser (A36MDSC1).

Self Report? NO Classification: Moderate

Citation: 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 63.168(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT NSR Permit 46431, SC 13F
OP Title V Permit O-02216, SC 1A and 15

Description: Dow failed to monitor 107 valves during the first and second quarters of 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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT NSR Permit 46431, SC 14A
OP Title V Permit O-02216, SC 1A and 15

Description: Dow failed to monitor 324 connectors during the first and second quarters of 2005.

Date: 08/18/2006 (465699)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT TCEA Air Permit No. 21596, SC 1

Description: Dow had an avoidable emissions event during Incident No. 73674.

Date: 08/19/2006 (480155)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP# O-02205, Special Condition #10
PA NSR Permit #20774, Special Condition 10E

Description: Failure to cap 6 open-ended valves/lines in HAP service per 63.167(a)(1).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP# O-02205, Special Condition #11
OP FOP# O-02205, Special Condition #1A
PA NSR Permit 20774, Special Condition #10E

Description: Failure to cap one open-ended valve or line in general VOC service as required by 115.352(4).

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP# O-02205, Special Condition #9

Description: Failure to limit the outlet gas temperature of PT-110 to 95 degrees fahrenheit during venting operations.

Date: 08/22/2006 (484727)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)

Rqmt Prov: PERMIT VII.A.1.

Description: Failure to report the burning of Waste Stream 2196219H in Boiler B-901 (NOR 089) on the 2005 Annual Waste Summary.

Date: 08/23/2006 (457315)

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: PERMIT NSR 20909, SC 5
OP Title V O-02211, SC 14
Description: Dow failed to install pressure indicators for all vent streams from process vessels that are routed to an emissions control device so that the pressure indicators would indicate positive flows from the vessels to the primary thermal oxidizer (EPN B35EWS200).

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: PERMIT NSR 20909, SC 8
OP Title V O-02211, SC 14
Description: Dow failed to operate upset diverter valves and the backup oxidizer start-up automatically when a diversion is needed from the primary thermal oxidizer (EPN B35EWS200) to the backup thermal oxidizer (EPN B34EWS201).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.216(a)(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP Title V O-02211, SC 6C
Description: Dow failed to include the specific rule citation for any unit with a claimed exemption from the emission specification of §117.206 in the final NOx control report.

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: PERMIT NSR 313, SC 14
OP Title V O-02211, SC 14
Description: Dow failed to record fan amperage readings once every shift.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.697(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP Title V O-02211, SC 1A
Description: Dow failed to submit the required semiannual report within the time frame allowed.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP Title V O-02211, SC 11C
Description: Dow failed to follow malfunction procedure as it was written during a malfunction of a flow meter.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP Title V O-02211, SC 1A
Description: Dow failed to submit the required semiannual report within the time frame allowed.

Date: 08/23/2006 (457302)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP Title V O-02218, SC 6
Description: Dow failed to equip 23 open-ended lines with caps or plugs as fugitive emissions were represented and authorized through Permit by Rule (PBR) 106.262.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP Title V O-02218, SC 6
Description: Dow failed to provide notification using Form PI-7 within ten days following the modification of the facility.

Date: 08/23/2006 (484737)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(18)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1052(e)

Rqmt Prov: PERMIT VI.A.21.a.

Description: Failure to conduct annual monitoring for fugitive emissions from Pump MP-506.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(18)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1061(b)(2)

Rqmt Prov: PERMIT VI.A.21.a.

Description: Failure to provide the notification and perform annual monitoring of valves in light liquid service.

Date: 08/28/2006 (497117)

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 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-02206, Special Condition #11

OP FOP #O-02206, Special Condition #1A

PA NSR Permit 2773, Special Condition #12E

Description: Failure to cap 53 open-ended valves or lines in HAP service.

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 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP #O-02006, Special Condition #1A

OP FOP #O-02206, Special Condition #11

PA NSR Permit 2472, Special Condition #9.I

PA NSR Permit 2773, Special Condition #12.I

Description: Failure to perform Method 21 remonitoring to three valves in HAP service within 15 days.

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 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)

Rqmt Prov: OP FOP #O-02206, Special Condition #11

OP FOP #O-02206, Special Condition #1A

PA NSR Permit #2472, Special Condition #9.I

Description: Failure to remonitor the P-206 pump seal, after repairs, within 15 days.

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 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP #O-02006, Special Condition #11

OP FOP #O-02206, Special Condition #1A

PA NSR Permit 2472, Special Condition #9.I

Description: Failure to remonitor four flanges in HAP service, after completion of repairs, within 15 days.

Date: 08/31/2006 (457309)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-2710, Special Condition 3(B)(iii)

Description: Failure to conduct the visible emissions observations for the units in B6200, B4300 area during the compliance years 2004 and 2005.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 20432, Special Condition I-38.c
 OP O-02207, Special Condition 14
 Description: Failure to conduct the quarterly cylinder gas audit (CGA) analysis of the continuous emissions monitoring system (CEMS) for the EPN B62CB1.
 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 D 382.085(b)
 Rqmt Prov: PERMIT 3434, Special Condition 27.B
 OP O-02207, Special Condition 14
 Description: Failure to maintain the sulfur content of the waste oils burned in the boilers below 50 ppmw.
 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 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 20432, Special Condition 1.E
 PERMIT 3434, Special Condition 7.E
 OP O-02207, Special Condition 14
 OP O-02207, Special Condition 1A
 Description: Failure to cap or plug the Eight (8) open-ended lines in VOC service in the O-02207 Title V permit area.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
 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 63.163(b)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 3434, Special Condition 7.G
 OP O-02207, Special Condition 14
 OP O-02207, Special Condition 1A
 Description: Failure to monitor nine pumps in VHAP service in the O-02207 Title V permit area.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-2207, General Terms & Conditions
 Description: The RE failed to report some instances of deviations in the deviation report dated November 17, 2005.

Date: 10/12/2006 (515660)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT TCEQ Air Permit No. 48813, SC 1
 Description: Dow failed to prevent an operator error resulting in unauthorized emissions during Incident No. 79109.

Date: 10/25/2006 (509774)

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 TCEQ Air Permit No. 46429 MAERT
 Description: Investigation 509774 determined that Dow failed to communicate with a contractor technician properly to prevent unauthorized emissions during Incident 76828.

Date: 11/30/2006 (519472)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT TCEQ Permit No. 48813, SC 1
 Description: Investigation No. 519472 determined that Dow had an avoidable emissions event during Incident No. 79942.

Date: 12/13/2006 (512466)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02212, SC 16.A.
Description: The Dow Chemical Company, Dow Texas Operations Freeport, failed to submit Form PL-7 on March 31, 2005, for the increase of ethylene and propylene emissions to the monitor well flare (BSRSRMW1T). This constitutes a violation of 30 Texas Administrative Code (TAC) § 106.261(a)(7)(B).

Self Report? NO Classification: Moderate
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(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b).
Rqmt Prov: OP O-02212, SC 16.A.
PERMIT Permit No. 22072, SC 4
Description: the Dow Chemical Company ("Dow"), Dow Texas Operations Freeport, failed to maintain the minimum heat value for Monitor Well Flare no. 1 (unit I.D. BSRSRFMW1) and Brine Flare 2 (unit I.D. BSRF401).

Date: 12/18/2006 (512614)

Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(b)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Dow failed to maintain records of daily average pH data for the T-734 Scrubber System (EPN B84S734) on October 5 and 6, 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 D 382.085(b)
Rqmt Prov: PERMIT NSR 7531, SC 1
OP Title V O-02210, SC 10
Description: Dow failed to meet the maximum permit allowable of 0.06 lb/hr for Cl2 from the T-734 Scrubber System (EPN B84S734) on the following dates during performance testing:
08-18-05 10:33 to 11:15 0.13 lb/hr; 08-29-05 11:23 to 12:14 0.38 lb/hr; 08-30-05 10:52 to 17:04 1.63 lb/hr; 10/12/05 9:43 to 13:23 0.1 lb/hr

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP Title V O-02210, SC 10
Description: Dow failed to register a minor process modification made in April 2005 under Permits by Rule (PBR) 106.262(a)(3) within ten days following the modification of the facility.

Date: 01/18/2007 (512465)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02214, SC 15.A.(i)
Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the CO limit of 400 ppmv on Boiler No. 5 (Unit ID no. B664PB5, EPN FB-45). This constitutes a violation of 30 TAC 117.206(e)(1).

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 D 382.085(b)
Rqmt Prov: OP O-02214, SC 9.A.
PERMIT Permit No. 46306, SC 7.C.
Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the ammonia limit of 10 ppmvd on boiler FB-93 (EPN: B56SB3). This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, Special Condition (SC) 7.C.

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 D 382.085(b)
 Rqmt Prov: OP O-02214, SC 9.A.
 PERMIT Permit No. 46306, SC 1
 Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the maximum allowable emission rate for NOx for boiler FB-92 (EPN: B56SB2) on March 3, 2006. This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, SC 1.

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 D 382.085(b)
 Rqmt Prov: OP O-02214, SC 9.A.
 PERMIT Permit No. 46306, SC 7.A.
 Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the lb/mmBtu emission rate for NOx for boilers FB-92 (EPN: B56SB2) and FB-94 (EPN: B56SB4) on March 3, 2006. This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, SC 7.A.

Date: 02/16/2007 (532501)

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 D 382.085(b)
 Rqmt Prov: OP O-02219, SC 1.A.
 Description: Failure to record 188 daily observation of the flare (Unit I.D. B3808F1) beginning February 3, 2006, through September 30, 2006. This constitutes a violation of 30 Texas Administrative Code (TAC) § 111.111(a)(4)(A)(ii).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02219, SC 2.F.
 Description: Failure to create a final onsite record of emissions events. This constitutes a violation of 30 TAC § 101.201(b).

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02219, General Terms and Conditions
 Description: Failure to report all incidents of deviations as required by 30 TAC § 122.145(2)(A).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02219, SC 13.A.
 PERMIT Permit No. 20775, SC 7.E.
 Description: Failure to maintain secondary enclosures on the following open-ended line tag nos. EAI 128564.2, EAI 80701.2, EAI 80353, and 80701.2.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.767(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02219, SC 1.1.(iv)
 Description: Failure to maintain the pressure between on the cooling water side at a minimum of 5 psig for HRVOC greater than the process fluid side for cooling tower B3831CT1.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to test HRVOC vents in the Research Reactor (BX250RX1).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter C 122.217(a)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to submit an Application for Minor Permit Revisions prior to operating the Research Reactor (B250RX1).

Date: 02/28/2007 (542323)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Flex Air Permit No. 20432, SC III-1
Description: Investigation No. 542323 determined that Dow had an avoidable emissions event during Incident No. 84696.

Date: 03/27/2007 (542214)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit No. 770, SC 1
Description: Investigation No. 542214 determined that Dow Incident No. 84425 could have been avoided by good operations practices.

Date: 03/31/2007 (553947)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit No. 834, SC1
Description: Investigation No. 553947 determined that Dow Incident No. 85437 was caused by operator error. The incident was avoidable.

Date: 04/02/2007 (532635)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Site failed to represent volatile organic compound (VOC) emissions from Catalyst Mix Tanks D-10, D-10A, D-11, D-11A, D-12, and D-12A (B77APPT10, B77APPT10A, and B77APPT11, B77APPT11A, B77APPT12, and B77APPT12A) in the permit application for NSR Permit 8567.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02215, SC 2F
Description: Site failed to create final records of seven emissions events no later than two weeks after the end of the emissions events.

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(c)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT NSR 8567, SC 6
OP Title V O-02215, SC 11
Description: Site failed to operate the flare (B78APF1) with a flame present for a total of 21 minutes on February 14, 2006.

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 D 382.085(b)
Rqmt Prov: PERMIT NSR 8567, SC 1
OP Title V O-02215, SC 11
Description: Site failed to maintain the hourly permitted emission limit of 0.34 lbs/hr of VOC for a tank (B78APST5).

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 D 382.085(b)
Rqmt Prov: PERMIT NSR 6803, SC 9E
PERMIT NSR 834, SC 9E
PERMIT NSR 8567, SC 8E
OP Title V O-02215, SC 11
OP Title V O-02215, SC 1F(v)

Description: Site failed to equip five open-ended lines with plugs/blinds. The regulated entity also discovered to fail to equip nine open-ended lines with second valves/plugs on the non-threaded drain lines of D-10, D-11, and D-12 on May 11, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP Title V O-02215, SC 1F(v)

Description: Site failed to conduct weekly visual inspections of pumps, compressors, and agitators in highly reactive volatile organic compound (HRVOC) service during the week of January 15, 2006.

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 D 382.085(b)

Rqmt Prov: OP Title V O-02215, SC 1F(ii)

Description: Site failed to operate Train 1 Make Hoppers, MH-101, MH-102 & MH-103, Check Hoppers CH-101A & CH-101B, and Spin Dryer SD-102 within the established operating limits for the selected operating parameters to establish maximum potential HRVOC hourly emission data expected during normal operation for the vent (B25P2RX101).

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 D 382.085(b)

Rqmt Prov: PERMIT NSR 48813, SC 1
OP Title V O-02215, SC 11

Description: Site failed to limit the VOC emissions from Train 2 Make Hoppers MH-201, MH-202, and MH-203 (B25P2SB201, B25P2SB202, and B25P2SB203) within the permit allowables of 1.98 lbs/hr from each hopper vent.

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 D 382.085(b)

Rqmt Prov: OP Title V O-02215, SC 1F(i)

Description: Site failed to operate Make Hoppers MH-241, MH-243, MH-244 and MH-311 within the established operating limits for the selected operating parameters to establish maximum potential HRVOC hourly emission data expected during normal operation for the vent (B25P2VOGS).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(3)
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)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 19519, SC 10H
PERMIT NSR 48813, SC 5H
PERMIT NSR 6803, SC 9H
OP Title V O-02215, SC 11

Description: Site failed to place leaker tags on six leaking valves and four leaking connectors.

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 D 382.085(b)

Rqmt Prov: PERMIT NSR 834, SC 1
OP Title V O-02215, SC 11

Description: Site failed to limit the VOC emissions from Train 1 Blending Silos RB-1, RB-5, RB-9, and RB-13 (B41P4SB1, B41P4SB5, B41P4SB9, and B41P4SB13) within the permit allowables of 3.11 lbs/hr from each silo vent.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
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)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 834, SC 3
PERMIT NSR 8567, SC 6
OP Title V O-02215, SC 11
OP Title V O-02215, SC 1F(iii)

Description: Site failed to maintain the minimum net heating value of 300 Btu/scf for the gas being combusting at the flare (B78APF1) on two occasions for a total of two hours on June 2 and 30, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP Title V O-02215, SC 2

Description: Site failed to determine an emissions event (Incident # 79942) occurred on August 13, 2006 is a reportable emissions event and failed to notify the commission regional office the reportable event no later than 24 hours after the discovery of the emissions event.

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 D 382.085(b)

Rqmt Prov: PERMIT NSR 6803, SC 1
OP Title V O-02215, SC 11

Description: Site failed to maintain VOC emissions from the flare (B27P3F1) within the emissions allowable of 10.95 lbs/hr for one hour on September 11, 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP Title V O-02215, SC 1F(i)

Description: Site failed to conduct testing on the Poly 4 hold up hopper vents (B41V1 and B41V2) to establish maximum potential HRVOC hourly emission data by the compliance date of January 30, 2006.

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 D 382.085(b)

Rqmt Prov: PERMIT NSR 8567, SC 1
OP Title V O-02215, SC 11

Description: Site failed to maintain VOC emissions from Tanks T-10 and T-11 within the permitted allowables of 0.02 lbs/hr for each of the tanks, and 0.06 tons/yr for T-10 and 0.03 tons/yr for T-11.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP Title V O-02215, General Conditions

Description: Site failed to report all instances of deviations in deviation reports.

Date: 04/13/2007 (543310)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02203, SC 14.A.
PERMIT Permit No. 4031, SC 16.E.

Description: Failure to seal an open-ended line (OEL) in organic hazardous air pollutant service (unit ID: B13GBFU3).

Date: 04/27/2007 (532788)

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 D 382.085(b)

Rqmt Prov: OP FOP O-02217, SC #15
PERMIT TCEQ Air Permit No. 6932, SC #3A

Description: Dow failed to prevent inadequate fuel supply to the flares.

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 D 382.085(b)

Rqmt Prov: OP FOP O-02217, SC #15
PERMIT TCEQ Air Permit No. 6932, S C #1

Description: Dow failed to control the release of unauthorized VOCs.
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 D 382.085(b)
Rqmt Prov: OP FOP O-02217, SC 15
PERMIT TCEQ Air Permit No. 19720 SC 3
Description: Dow exceeded their annual permitted throughput loading rate.

Date: 06/30/2007 (575538)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/11/2007 (532793)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP Permit # O-02311, General Terms & Cond.
OP Permit # O-02311, Special Condition #10
PERMIT Permit #20776, Special Condition #5
Description: Failure to prevent the solvent recovery tank system pressure from exceeding 10 psig.

Date: 07/27/2007 (563635)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.15(3)(A)
Rqmt Prov: PERMIT Provision IV.A
Description: Failure to notify acceptance of unmanifested wastes within 15 days from the date the wastes were accepted.

Date: 08/06/2007 (568640)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit a deviation report by the submittal due date.

Date: 08/14/2007 (568679)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit semiannual deviation report within 30 days of end of deviation reporting period.

Date: 08/31/2007 (512665)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP FOP Permit No. O-02206, STC 11
PERMIT NSR Permit No. 2472 SC 9E
PERMIT NSR Permit No. 2773 SC 12 E
Description: Failure to plug 35 open-ended lines.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP FOP No. O-02206 STC 10
OP FOP No. O-02206 STC 1D
Description: failure to record solvent flow and pH for the units A32TO560, A32STHROX, A32CPST06C&D, and A32CSST284 during February 20, 2006 at 3:03 p.m. through

February 21, 2006 till 7:35 a.m.

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 D 382.085(b)		
Rqmt Prov:	OP FOP O-02206 STC 11 PERMIT NSR Permit No. 770 SC 11		
Description:	failed to complete annual refresher training for the year 2005.		
Self Report?	NO	Classification:	Minor
Citation:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)		
Description:	failure monitor 29 connectors initially and annually as required from January 16, 2005 through July 15, 2006.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP FOP O-02206 STC 11		
Description:	failure to record firebox temperature of incinerators A32CPSTO6D and A32CPSTO6C and failed to detect pilot flame for flare A32CSST284 for one hour between April 25, 2006 at 9:00 a.m. through April 26, 2006 at 10:00 a.m. while compute files were backed-up.		
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 D 382.085(b)		
Rqmt Prov:	OP FOP O-02206 STC 11 PERMIT NSR Permit No. R-770 SC 17 B(2)		
Description:	failure to maintain minimum Liquid / Gas (L/G) ratio for the Huntsman's ammonia scrubber 36 times during July 16, 2005 through January 15, 2006.		
Date:	08/31/2007 (543556)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-2208, STC 3(A)(ii)		
Description:	Failure to conduct visible emission observations for unit ID B19S2, each quarter from April 4, 2004 through September 30, 2005.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit No. 20432 SC 2E OP O-02208 STC 1(F)		
Description:	Failure to plug 12 open-ended lines during October 19, 2005 through September 27, 2006. This is an alleged violation of 40 CFR 63.167(a)(1) and 30 TAC 115.352(4).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.722(d) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit No. 20232 SC 4 OP O-02208 STC 17		
Description:	Failure to maintain minimum BTU of 300 Btu/scf for the flares B23G1FS865, B70ALF1, and B70ALF801 during April 19, 2006 through October 17, 2006 and November 5, 2005 through April 18, 2006.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02208 STC 1M		
Description:	Failure to analyze grab samples when the on-line analyzer data unavailable for 15 instances from June 13, 2006 through August 13, 2006 for the unit B23G2F865 and for two instances from February 1, 2006 through June 27, 2006 for the unit B70AKF1.		
Self Report?	NO	Classification:	Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
PERMIT NSR Permit No. 20432 SC 1-12A
OP O-0228 STC 17

Description: failure to install a rupture disc upstream of PSV in HAP service. This is an alleged violation of NSR Permit No. 20432 SC I-12A

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.14(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02208 STC 9G

Description: failure to maintain monitoring data for the flare, B23G2F865 from July 4, 2006 through July 5, 2006.

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 63.163(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02208 STC 1F

Description: failure to monitor a pump during September 1, 2006 through October 18, 2006. This is an alleged violation of 40 CFR 63.163(b)(1).

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 D 382.085(b)

Rqmt Prov: PERMIT NSR Permit 20432 SC 2F
OP O-02208 STC 17

Description: failure to replace rupture disc at the earliest convenience during January 31, 2006 through March 29, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02208 STC 11

Description: failed to install car seal on the ten (10) bypass valves on closed vent system during December 13, 2005 through December 14, 2005.

Date: 10/03/2007 (543554)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 20432; SC I-9.C., SC I-9.D., SC I-9.E.
OP Title V O-02207; SC 14.A.

Description: failed to maintain water flow rates to scrubbers with a minimum rate as indicated in the permit

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP Title V O-02207; SC 14.A.

Description: failed to maintain water flow to the Scrubber, EPN B64VS3, with a minimum rate of 30 gallons per minute on November 27, 2005.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 20432; SC I-38.C.
OP Title V O-02207; SC 14.A.

Description: failed to perform quarterly cylinder gas audits (CGAs) on the continuous emissions monitoring system (CEMS) for Epoxy 2 Carbon Bed, EPN B62CB1 from April 1, 2005 through June 30, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP Title V O-02207; SC 3.B.(iii)

Description: failed to perform annual observations of the stationary vents, EPN B62E2RX1 and

B43E3RX1 from January 16, 2004 to April 18, 2006, and failed to keep records of annual observations of the stationary vent, EPN B52V001 from April 18, 2004 to October 18, 2006

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT NSR 20432; SC I-37.C.
OP Title V O-02207; SC 14.A.
Description: failed to convert volatile organic compounds (VOC) concentrations to pounds per hour from April 1, 2005 to July 31, 2006 for Epoxy 2 Carbon Bed, EPN B62CB1.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT NSR 20432; SC 2E
OP Title V O-02207; SC 1.A., 14.A.
Description: failed to equip open-ended lines in hazardous air pollutant (HAP) and in VOC service with a cap or plug.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.345(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP Title V O-02207; SC 1.A.
Description: failed to submit a semi-annual NOx CEMS report for Boilers B-901, B-902, and B-903, EPN OC3U3B901, EPN OC3U3B902, and EPN OC3U3B903, within the established deadline.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(e)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT W 63.528(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP Title V O-02207; SC 1.A.
OP Title V O-02207; SC 8.G.
Description: failed to submit a semi-annual report for the Epoxy Products (1) Unit, within the established deadline.

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 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT NSR 3434; SC 6.F.
OP Title V O-02207; SC 1.A., 14.A.
Description: failed to re-monitor of a fugitive leaker within 15 days of the detection of the leak.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP Title V O-02207; General Conditions
Description: failed to report all instances of deviations in the deviation report dated November 18, 2005

Date: 10/23/2007 (566959)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT NSR 20909; SC 7.
OP Title V O-02211; SC 14.
Description: Site failed to maintain a positive flow from the vent header system to the thermal oxidizer (EPN B35EWS200) on November 14 and 15, 2006.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.69(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP Title V O-02211; SC 20
Description: Site failed to certify the operating procedures required by 40 CFR 68.69(c) pertaining

to risk management processes to assure that they are current and accurate.

Date: 01/09/2008 (595622)

Self Report? NO Classification: Moderate
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(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP 2212, SC # 16
OP FOP 2212, SC # 1A
PERMIT NSR # 22072 SC # 4
Description: Failure to maintain minimum flare heating values of 300 Btu/scf for flares BSRFMNF and BSRF401

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP 2212, SC #16
PERMIT NSR # 22072, SC # 1
Description: Failure to maintain maximum allowable VOC emissions of 0.94 lb/hr during the times the BSRFMNF flare was below 300 Btu/scf on July 24, 2006 from 1500-1600, and from August 11, 2006 at 1900 to August 14, 2006 at 0700.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(2)(C)
5C THSC Chapter 382 382.085(b)
Description: Failure to record permanent records of the daily NOx emissions and fuel usage (or exhaust stack flow) from January 1, 2007 to March 28, 2007 for EPN BSRHDHTR.

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 THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP 2212, SC # 17
PERMIT NSR # 22072, SC # 10A
Description: Failure to consistently conduct audio, visual, & olfactory (AVO) inspections for chlorine leaks within the operating area every four hours (19 times) from January 1, 2007 to July 6, 2007.

Date: 01/09/2008 (595628)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT NSR #770, SC26E
OP O-02206, STC 11
OP O-02206, STC 1A
Description: Failed to seal 10 open-ended valves or lines with a cap, blind flange, plug or a second valve.

Self Report? NO Classification: Moderate
Citation: 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 63.169(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT NSR#770, SC26F
OP O-02206, SC12
OP O-02206, SC1A
Description: Failed to monitor nine fugitive components.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.116(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(2)(ii)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-02206, STC1A

Description: Failed to record two periodic monitoring records.

Date: 01/28/2008 (610685)

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 THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT 37884, SC 3 (C)
OP O-02313, SC 9

Description: Failure to stay below the maximum operating limit for NOx on flare FV600.

Date: 01/29/2008 (615960)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PA 20774

Description: Failure to inspect relief valves as required by permit No. 20774.

Date: 02/13/2008 (610665)

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 THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR Permit 20776, Special Condition 5
OP O-02311, Special Terms and Conditions 10

Description: Failure to operate at a minimum pressure of 2 psig and a maximum pressure of 10 psig on Unit B6610QUV53.

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 THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR Permit 20776, Special Condition 8
OP O-02311 Special Terms and Conditions 10

Description: Failure to maintain the minimum flow rate of 0.6 gallon per minute on the Acid Scrubber System (D-27).

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 THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR Permit 20776, Special Condition 7I
OP O-02311, Special Terms and Conditions 10

Description: Failure to monitor one component out of 3814 fugitive components for three monitoring periods.

Date: 02/28/2008 (637300)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)

Description: Failure to provide a ground storage capacity which is equal to 50% of the maximum daily demand.

Date: 03/06/2008 (595630)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 1(L)(iii)

Description: Failure to collect grab samples when the on-line analyzer (OC6L8F1000) data was unavailable (2 instances) from November 1, 2006 at 0833 to November 30, 2006 at 0955.

Self Report? NO

Classification: Moderate

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 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 1(A)
OP FOP O-02213, SC 1(D)

OP FOP O-02213, SC 16
 PERMIT NSR 20432, SC 1(E)
 Description: Failure to seal fifty (50) open-ended lines containing volatile organic compounds for B72L2FU1 and OC6L8FU01 from May 16, 2006 at 1500 to August 3, 2006 at 1159 and from November 29, 2006 at 1200 to March 21, 2007 at 1150.

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)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 1(A)
 OP FOP O-02213, SC 1(D)
 OP FOP O-02213, SC 16
 PERMIT NSR 20432 (GMA) SC 1(F)

Description: Failure to monitor 61 newly installed valves as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 20432 (GMA), SC 1(E)

Description: Failure to monitor 512 newly installed connectors as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

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)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 1(A)
 OP FOP O-02213, SC 1(D)
 OP FOP O-02213, SC 16
 PERMIT NSR 20432 (GMA), SC 1(G)

Description: Failure to monitor 2 newly installed pumps as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

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)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 1(A)
 OP FOP O-02213, SC 1(D)
 OP FOP O-02213, SC 16
 PERMIT NSR 21596, SC 13

Description: Failure to monitor one fugitive component (pump EAI266096 in light liquid service) from November 1, 2006 at 0000 to April 18, 2007 at 2350 for A17FU2.

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 THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 20432, Ch. III, SC III-24(G)(1)(b)

Description: Failure to complete analysis of cracked gas sulfur content which was collected but not analyzed by the end of the 1st quarter, from April 1, 2007 at 0000 to April 18, 2007 at 2359.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16

Description: Failure to submit a permit-by-rule for HRVOC analyzer vents B72L7FU1, OC6L8FU01, A17EAFU2, B31S1FU1, and B71S2FU1 from January 30, 2006 at 0000 to October 18, 2006 at 2350 and from October 19, 2006 at 0000 to April 18, 2007.

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 THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 20432, Ch. IV, SC IV-10(D)
 PERMIT NSR 21596, SC 15(C)

Description: Failure to reduce the individual average NOx and CO concentrations to units of the applicable permit allowable emission rates at the required frequency as stated in the permit from April 19, 2004 at 0000 to April 4, 2007 at 2359 for B31HMOD1B and 71S123/A17S551.

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 THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 20432 (GMA), SC 4

Description: Failure to prevent five (5) occurrences of excess the flare tip exit velocity for flare waste gas from May 03, 2006 at 0200 to May 11, 2006 at 2100 (2 occurrences) and from November 22, 2006 at 0800 to February 2, 2007 at 1500 (3 occurrences) for flare OC6L8F1000.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 20432, Ch. III, SC III-1

Description: Failure to prevent Maximum Allowable Emissions Rate Table (MAERT) occurrences due to excess the flare tip exit velocity for flare waste gas on February 4, 2007 for flare OC6L8F1000. Total VOC emissions were 267.6 lbs/hr (126.0 lbs/hr maximum allowed per the interim CAP effective from December 31, 2005 to July 1, 2008).

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 THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 1(A)
 OP FOP O-02213, SC 16
 PERMIT NSR 21596, SC 8

Description: Failure to maintain minimum flare Btu/scf value at or above 300 on August 6, 2006 from 1300-1400 for A17EAF11.

Self Report? NO Classification: Moderate

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 NNN 60.662(a)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 21596, SC 3

Description: Failure to maintain minimum firebox temperature at or above 663 degrees Celsius on May 21, 2006 from 1300 to 2100 for A17EAH551.

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 THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 21596, GC 8
 PERMIT NSR 21596, SC 1

Description: Failure to prevent Maximum Allowable Emission Rate Table (MAERT) exceedance for A17S551 due to low firebox temperature below 663 degrees Celsius on May 21, 2006 from 1300 to 2100 for A17EAH551.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213 SC 2F

Description: Failure to make a final record of a recordable event within 14 days (2 occurrences) for the loss of 2 lbs of VOC from A17EAF11 and the 3 lbs of VOC from A17EAF11.

Date: 03/10/2008 (619156)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)

Rqmt Prov: PERMIT TCEQ Air Permit No. 21596, SC 3
PERMIT TCEQ Air Permit No. 21596, SC 8

Description: Dow failed to maintain the net heating value of the flare for one hour during an emissions event (Incident 101569) that occurred on December 19, 2007 and lasted 15 hours and 17 minutes.

F. Environmental audits.

Notice of Intent Date: 02/18/2004 (265119)

No DOV Associated

Notice of Intent Date: 03/19/2004 (336700)

No DOV Associated

Notice of Intent Date: 04/14/2004 (274298)

No DOV Associated

Notice of Intent Date: 06/14/2004 (347895)

No DOV Associated

Notice of Intent Date: 12/17/2004 (347242)

Disclosure Date: 11/23/2005

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)

30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(b)(8)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)

Rqmt Prov: PERMIT NSR Permit 20432

PERMIT NSR Permit 22072

Description: Failure to monitor Valves, Connectors, Pressure Relief Valves, Pumps, Compressors, Agitator and Instrumentation Systems in the Salt Dome Operation, LHC-7 and LHC8.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring in emissions inventory calculations.

Notice of Intent Date: 03/30/2005 (378947)

No DOV Associated

Notice of Intent Date: 04/20/2005 (380855)

Disclosure Date: 10/28/2005

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)

Rqmt Prov: PERMIT NSR Permit 2473

Description: Failed to monitor all components under a prescribed Leak Detection and Repair Program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to include missed monitored components in emissions inventory.

Notice of Intent Date: 08/16/2005 (434104)

Disclosure Date: 02/22/2006

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR permit 37884

Description: Failure to monitor 369 Valves, 1156 Connectors and 31 Pressure Relief Valves in the OC4 Polypropylene Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)

40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30

Description: Failed to report emission calculations of components that were not monitored under a prescribed LDAR program

Notice of Intent Date: 09/16/2005 (436340)

Disclosure Date: 11/28/2005

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to monitor components within an LDAR program.

Notice of Intent Date: 10/26/2005 (465631)

Disclosure Date: 04/27/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(b)(3)

30 TAC Chapter 115, SubChapter H 115.781(b)(8)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT 19519

PERMIT 48813

PERMIT 6803

Description: Failure to monitor Valves, Connectors, Pressure Relief Valves in B25 Polyethylene 2 and failure to monitor Valves, Connectors, Pressure Relief Valves, Agitator and Pumps in B27 Polyethylene 3.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring (B25 Polyethylene 2 and B27 Polyethylene 3) in the emissions inventory calculations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

Description: Failure to close open ended lines.

Disclosure Date: 10/25/2006.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(b)(3)

30 TAC Chapter 115, SubChapter H 115.781(b)(8)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT 19519

PERMIT 48813

PERMIT 6803

Description: Failure to monitor Valves, Connectors, Pressure Relief Valves in B25 Polyethylene 2 and failure to monitor Valves, Connectors, Pressure Relief Valves, Agitator and Pumps in B27 Polyethylene 3.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring (B25 Polyethylene 2 and B27 Polyethylene 3) in the emissions inventory calculations.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

Description: Failure to close open ended lines.

Notice of Intent Date: 10/31/2005 (597298)

Disclosure Date: 05/01/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)

Rqmt Prov: PERMIT NSR 20432

Description: Failure to monitor components under a prescribed LDAR program

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components on EIQ.

Notice of Intent Date: 01/06/2006 (452904)

Disclosure Date: 05/12/2006

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)

Description: RQ emissions event records missing information.

Viol. Classification: Moderate
Rqmt Prov: PERMIT NSR Permit 22070

Description: Failure to maintain monthly emissions records for all storage tanks and loading operations.

Viol. Classification: Minor
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(h)(1)

Description: Failure to maintain documentation for the design criteria of the seal system, the barrier fluid system or both for dual mechanical seal pumps in benzene service.

Viol. Classification: Minor
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)

Description: Failure to label lines for Pygas.

Notice of Intent Date: 02/06/2006 (458261)

Disclosure Date: 08/04/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.789(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-4
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)(1)

Description: Failure to monitor valves, connectors and pressure relief valves under a prescribed Leak Detection and Repair Program.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to submit emissions inventories for missed component monitoring.

Notice of Intent Date: 02/27/2006 (459089)

Disclosure Date: 08/24/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)(1)

Rqmt Prov: PERMIT NSR Permit 5339
Description: Failure to monitor 146 Valves and 499 Connectors in the B15 Trichloroethanes Unit.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.1

Description: Failure to include components which missed monitoring in emissions inventory calculations.

Notice of Intent Date: 03/29/2006 (464367)

Disclosure Date: 08/30/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)

Rqmt Prov: PERMIT NSR permit 2606
Description: Failure to monitor components
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ submittals

Notice of Intent Date: 03/29/2006 (464509)

Disclosure Date: 10/02/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.782(b)
30 TAC Chapter 115, SubChapter H 115.789(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

Description: Failure to monitor 146 valves and 398 connectors.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions calculations reporting.

Notice of Intent Date: 03/29/2006 (464513)

Disclosure Date: 08/30/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)(1)

Rqmt Prov: PERMIT NSR Permit 5340
Description: Failed to monitor 341 Valves and 1018 Connectors in the A18 Chlorinated Methane Unit.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring in the emissions inventory calculations.

Notice of Intent Date: 03/29/2006 (466306)

Disclosure Date: 09/28/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(1)

Rqmt Prov: PERMIT NSR Permit 8567
Description: Failure to monitor 261 Valves and 715 Connectors in the B77 Adhesive Polymers Plant.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to include components that missed monitoring in emissions inventory calculations.

Notice of Intent Date: 03/29/2006 (466317)

Disclosure Date: 09/28/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR Permit 834

Description: Failure to monitor 828 Valves, 3981 Connectors, 4 Pumps, and 6 Relief Valves in the B41 Polyethylene Plant.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

Description: Failure to close 80 open ended lines in B41 Polyethylene Plant.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions inventory calculations.

Notice of Intent Date: 04/21/2006 (465958)

Disclosure Date: 10/22/2006

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)

Rqmt Prov: PERMIT NSR Flex Permit 20432

Description: Failure to monitor 633 Valves, 5175 Connectors, 4 Relief Devices and 38 Pumps in the B71 Styrene Plant.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring in emissions inventory calculations.

Notice of Intent Date: 04/25/2006 (480426)

Disclosure Date: 10/22/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1052

40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1058

40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1062(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(1)

Rqmt Prov: PERMIT NSR Flex Permit 20525

PERMIT NSR Flex Permit 46429

PERMIT NSR Permit 8567

Description: Failure to monitor Valves, Connectors and Agitators in B44 Voranol Plant, failure to monitor Valves and Connectors in B46 SPC Plant and failure to monitor Valves and Connectors in B46 Blending Plant.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR Flex Permit 20525

PERMIT NSR Flex Permit 46429

Description: Failure to include 2 Pumps and 14 Relief Valves in the LDAR Program in B44 Voranol Plant, failure to include 3 Pumps in the LDAR Program in B46 SPC Plant.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring into Emissions Inventory calculations.

Notice of Intent Date: 05/12/2006 (465966)

Disclosure Date: 11/15/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1052

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR Flex permit 20432

Description: Failure to monitor 108 Valves, 392 Connectors and 3 Pumps in the B43 Epoxy 3. Failure to monitor 898 Valves, 3018 Connectors, 12 Pressure Relief Valves, 10 Pumps and 1 Agitator in the B62 Epoxy 2.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions inventory calculations.

Viol. Classification: Minor

Citation: 1 THC Chapter 1 1.001(a)

Rqmt Prov: PERMIT Title V permit O-02207

Description: Failure to included missed monitored components in previous Title V Deviation Reports.

Notice of Intent Date: 06/13/2006 (484536)

Disclosure Date: 05/14/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR permit 20432

Description: Failure to monitor components

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components on EIQ reports

Notice of Intent Date: 06/20/2006 (486601)

No DOV Associated

Notice of Intent Date: 06/26/2006 (488476)

No DOV Associated

Notice of Intent Date: 08/15/2006 (511065)

Disclosure Date: 11/15/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1052

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to monitor 402 Valves, 1425 Connectors, 8 Relief Devices and 2 Pumps in the B64 HydroxyAlkylAcrylate Plant.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in the emissions inventory calculations.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V permit O-02207

Description: Failure to include missed monitored components in previous Title V deviation reports.

Notice of Intent Date: 08/28/2006 (514018)

No DOV Associated

Notice of Intent Date: 10/24/2006 (461404)

Disclosure Date: 04/25/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to monitor valves, connectors, relief devices and pumps.

Viol. Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include emissions of missed monitored components in emission calculation reporting.

Viol. Classification: Moderate

Citation: 1 THC Chapter 1 1.001(a)

Rqmt Prov: PERMIT Title V Permit O-2207

Description: Failure to include missed monitored components in Title V deviation reports.

Notice of Intent Date: 12/13/2006 (536545)

Disclosure Date: 06/13/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)

Rqmt Prov: PERMIT Permit 20777

Description: Failure to monitor components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ submittals.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V Operating Permit O-02218

Description: Failure to include missed monitored components in the Title V deviation report.

Notice of Intent Date: 12/13/2006 (536549)

No DOV Associated

Notice of Intent Date: 12/27/2006 (537891)

No DOV Associated

Notice of Intent Date: 01/09/2007 (541786)

No DOV Associated

Notice of Intent Date: 01/12/2007 (554256)

No DOV Associated

Notice of Intent Date: 01/19/2007 (541798)

Disclosure Date: 07/12/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR permit 48715

Description: Failure to, under a prescribed LDAR program, monitor 462 valves, 2873 connectors, 1 pump, 5 relief valves.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQs.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02204

Description: Failure to include missed monitored components in Title V deviation report.

Notice of Intent Date: 01/19/2007 (541800)

Disclosure Date: 07/13/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR 3320

Description: Failure to monitor components under a prescribe LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02209

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 01/25/2007 (541805)

Disclosure Date: 07/30/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

Description: Failure to monitor components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02211

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 01/25/2007 (541810)

Disclosure Date: 07/25/2007

Viol. Classification: Moderate

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

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Description: Failure to monitor components under a prescribed LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02311

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 02/13/2007 (542642)

Disclosure Date: 07/30/2007

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1362(c)(6)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)

Description: Failure to monitor components under a prescribe LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02205

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 02/12/2007 (542650)

Disclosure Date: 07/14/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR 2008

Description: Failure to monitor components under a prescribed LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in Emissions Inventory.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Rqmt Prov: PERMIT O-02216

Description: Failure to include missed monitored components in Title V deviation report.

Notice of Intent Date: 02/26/2007 (554272)

No DOV Associated

Notice of Intent Date: 02/26/2007 (554275)

No DOV Associated

Notice of Intent Date: 04/02/2007 (557536)

No DOV Associated

Notice of Intent Date: 04/02/2007 (557539)

No DOV Associated

Notice of Intent Date: 04/02/2007 (557547)

No DOV Associated

Notice of Intent Date: 04/18/2007 (558622)

No DOV Associated

Notice of Intent Date: 04/16/2007 (558628)

No DOV Associated

Notice of Intent Date: 04/19/2007 (558643)

No DOV Associated

Notice of Intent Date: 04/19/2007 (558652)

No DOV Associated

Notice of Intent Date: 04/20/2007 (558658)

No DOV Associated

Notice of Intent Date: 04/18/2007 (558712)

No DOV Associated

Notice of Intent Date: 04/20/2007 (558725)

No DOV Associated

Notice of Intent Date: 04/18/2007 (558733)

No DOV Associated

Notice of Intent Date: 10/02/2007 (598845)

No DOV Associated

Notice of Intent Date: 10/25/2007 (600864)

No DOV Associated

Notice of Intent Date: 10/25/2007 (600866)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
THE DOW CHEMICAL COMPANY
RN100225945**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2008-0478-AIR-E**

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a chemical manufacturing plant at 2301 North Brazosport Boulevard in Freeport, Brazoria County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in Tex. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notices of the violations alleged in Section II ("Allegations") on or about March 8 and April 2, 2008.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Twenty Thousand Dollars (\$20,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand Dollars (\$8,000) of the administrative penalty and Four Thousand Dollars (\$4,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and

satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Eight Thousand Dollars (\$8,000) shall be conditionally offset by the Respondent'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 the Respondent 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 the Respondent has implemented the following corrective measures at the Plant:
 - a. With regard to Incident No. 100804, in December 2007, converted the automated valve on the methane supply line to the flare to a manual valve; and
 - b. With regard to Incident No. 102198:
 - i. By January 11, 2008, completed commissioning and startup procedures and implemented procedures for Operations personnel to verify valve position after testing; and
 - ii. By January 17, 2008, improved the code to prevent both upstream and downstream valves from being open during Maintenance Wait step.
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 the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 101.20(1), and 101.221(a), New Source Review Air Permit No. 834, Special Condition Nos. 1 and 3, 40 CODE OF FEDERAL REGULATIONS § 60.18(c)(2) and (e), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on December 17, 2007. Specifically, unauthorized emissions of 293 pounds ("lbs") of the highly reactive ("HR") volatile organic compound ("VOC") ethylene were released from an unlit flare, emissions point number ("EPN") B45F1, in the Poly 4 Unit, during an emissions event (Incident No. 100804) that occurred on December 2, 2007 and lasted 24 minutes. Emissions from an extinguished flare are not authorized by the permit. Since these emissions were avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), Flexible Air Permit No. 20432 and PSD-TX-994M1, Special Condition III-1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 18, 2008. Specifically, 7,805 lbs of VOCs, including 6,436 lbs of the HRVOCs propylene and ethylene and 354 lbs of hazardous air pollutants, were released from the H1 Furnace Vent, EPN B72SH1, in the Light Hydrocarbons - 7 Unit during an emissions event (Incident No. 102198) that occurred on January 8, 2008 and lasted 23 minutes. Since these emissions were avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Dow Chemical Company, Docket No. 2008-0478-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Eight Thousand Dollars (\$8,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement

the SEP defined in Attachment A, incorporated herein by reference. The Respondent'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 the Respondent. The Respondent 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 the Respondent 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, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent 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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent 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 the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, 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

John S. Sullivan
For the Executive Director

8/29/2008
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity 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 failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- 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;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Linda Bartholome
Signature

5-8-08
Date

LINDA BARTHOLOME
Name (Printed or typed)
Authorized Representative of
The Dow Chemical Company

RESPONSIBLE CARE LEADER
Title

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

Attachment A
Docket Number: 2008-0478-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: The Dow Chemical Company

Payable Penalty Amount: Sixteen Thousand Dollars (\$16,000)

SEP Amount: Eight Thousand Dollars (\$8,000)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program

Location of SEP: Brazoria 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 will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Brazoria County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

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

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

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 must 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, Texas 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:

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

4. Failure to Fully Perform

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

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

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

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

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 an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

