EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2004-1344-MLM-E TCEQ ID NO.: RN100225945 CASE NO.: 12064
RESPONDENT NAME: THE DOW CHEMICAL COMPANY

ORDER TYPE:		
__1660 AGREED ORDER	X FINDINGS AGREED ORDER	__FINDINGS ORDER FOLLOWING SOAH HEARING
__FINDINGS DEFAULT ORDER	__SHUTDOWN ORDER	__IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
__AMENDED ORDER	__EMERGENCY ORDER	
CASE TYPE:		
X AIR	X MULTI-MEDIA (check all that apply)	X INDUSTRIAL AND HAZARDOUS WASTE
__PUBLIC WATER SUPPLY	__PETROLEUM STORAGE TANKS	__OCCUPATIONAL CERTIFICATION
__WATER QUALITY	__SEWAGE SLUDGE	__UNDERGROUND INJECTION CONTROL
__MUNICIPAL SOLID WASTE	__RADIOACTIVE WASTE	__ DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: 2301 North Brazosport Boulevard, Freeport, Brazoria County

TYPE OF OPERATION: Chemical manufacturing operation

SMALL BUSINESS: ___ Yes _X_ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are four pending enforcement actions regarding this facility location: 2008-0843-AIR-E; 2008-0478-AIR-E; 2007-1981-AIR-E; and 2007-0923-AIR-E.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on January 28, 2008. No comments were received.

CONTACTS AND MAILING LIST:

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Respondent: Ms. Linda Bartholome, Responsible Care Leader, The Dow Chemical Company, 2301 North Brazosport Boulevard, Freeport, Texas 77541

Respondent's Environmental Manager: Ms. Julie Woodard, EH&S Regulatory Affairs Manager, The Dow Chemical Company, 2301 North Brazosport Boulevard, B-101, Freeport, Texas 77541

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: ___ Complaint _X_ Routine ___ Enforcement Follow-up ___ Records Review **Dates of Complaints Relating to this Case:** None **Dates of Investigations Relating to this Case:** April 3, 2003; April 14, 2003; April 25, 2003; April 30, 2003; March 10, 2004; March 26, 2004; April 23, 2004; August 13, 2004; October 25, 2004; November 5, 2004; March 31, 2005; May 5, 2005; July 18, 2005; July 21, 2005; August 12, 2005; August 25, 2005; February 7, 2006; February 16, 2006; June 19, 2006; and June 23, 2006. **Dates of NOEs Relating to this Case:** May 29, 2002; June 3, 2003; July 30, 2003; June 29, 2004; May 24, 2004; May 26, 2004; June 2, 2004; January 4, 2005; July 23, 2005; August 14, 2005; August 17, 2005; August 19, 2005; August 21, 2005; September 9, 2005; November 10, 2005; January 12, 2006; March 10, 2006; March 17, 2006; May 6, 2006; August 4, 2006; August 12, 2006; and August 20, 2006. **Background Facts:** This case involves 12 PCWs which were consolidated under docket number 2004-1344-MLM-E. Additional violations were added through October 2006. Resolution involved several meetings between staff and the Respondent to discuss issues related to penalties, violations, and corrective actions. **Current Compliance Status:** With regard to the violations in this enforcement action, the Facility is in compliance. **MLM:** 1. Failed to equip 27 open-ended lines with a cap or plug within the operating areas of B19G1FU1, B23G2FU2, and B68ALFU1 between April 19, 2004, and April 18, 2005, [30 TEX. ADMIN. CODE §§ 115.352(4) and 116.715(a), 40 CFR § 63.167(a)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Air Permit No. 20432, Special Condition 2.E.] (PCW #1).	**Total Assessed:** $648,904 **Total Deferred:** $0 **SEP Conditional Offset:** $324,452 **Total Paid to General Revenue:** $324,452 The Respondent has paid $324,452 of the administrative penalty. The remaining amount of $324,452 of the administrative penalty shall be conditionally offset by the completion of a Supplemental Environmental Project (SEP). **Site Compliance History Classification:** ___ High _X_ Average ___ Poor **Person Compliance History Classification:** ___ High _X_ Average ___ Poor **Major Source:** _X_ Yes ___ No **Applicable Penalty Policy:** September 2002 **Findings Order Justification:** Violations involve an emission or discharge of contaminants to the environment or other actions meeting the following criteria: 1. People have been exposed to pollutants which exceed levels that are protective; and 2. Environmental receptors have been exposed to pollutants which exceed levels that are protective (PCW #10 involves actual major harm).	**Corrective Actions Taken** The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant in response to this enforcement action: 1. Implemented measures to prevent unauthorized emissions related to the same causes as the emissions events; 2. Submitted corrective action plans (CAPs) to address excessive emissions events that occurred on March 5, 2003, May 26, July 9, and July 13, 2004; 3. Submitted documentation that 27 lines in areas B19G1FU1, B23G2FU2 and B68ALFU1 were equipped with a second valve and tested for leaks; implemented practices to ensure AVO checks for each shift for Chloride and Chlorine in area B68ALFU1; resumed monitoring of valves in HRVOC service; reprogrammed equipment of Scrubber B19G1T210 to perform permit requirement to perform in-stack conversions of concentrations of Carbon Monoxide emissions to lbs./hr to prevent false detections; implemented procedures to inspect, detect and repair corroding lines; equipped 27 lines in areas B27P3FU3, B25P2FU2, B37P4FU1 and B77APFU1 with caps; repaired components of 10 leaking components in Unit B41P4FU1 to prevent emissions; submitted as a documentation of a hydrogen chloride leak to correct the August 24, 2004 deviation report; and provided reports of unauthorized emissions of 663 lbs. of carbon. These corrective actions were completed on or before May 2, 2006 (PCW #1); 4. On October 18, 2005, performed test to determine proper liquid to gas ratio and ensure emissions to ensure emissions are within allowable limits (PCW #2); 5. Obtained and utilizes a replacement pump on NAPP-1 Unit to ensure compliance with permit limits; repaired scrubber valve on HHA Reactor System B6400; removed repaired, inspected and reinstalled pressure safety valve on Poly ethylene II Unit (PCW #3); 6. On September 17, 2004, records of continuous sampling of stripping towers; provided an implemented approved method to measure VOCs emissions; production of quarterly accuracy audit records for CEMS boiler; repaired pumps and valves required to detect VOC leaks; and implemented measures to ensure proper VOC leak detection tests (PCW #4);

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2. Failed to conduct auditory, visual, and olfactory (AVO) checks one shift each day for Hydrogen Chloride and Chlorine leaks within the operating area of B68ALFU1 between August 14 and 18, 2004 [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Permit No. 20432, Special Condition 3.A.] (PCW #1). 3. Failed to monitor five valves in highly reactive VOC ("HRVOC") service during the second quarter of 2004 [30 TEX. ADMIN. CODE § 115.354(2)(C) and TEX. HEALTH & SAFETY CODE § 382.085(b)] (PCW #1). 4. Failed to convert in-stack concentrations of Carbon Monoxide emissions to pounds per hour ("lbs/hr") from scrubber B19G1T210 for the 3rd and 4th quarters of 2004 [30 TEX. ADMIN CODE § 116.715(a), 40 CFR § 63.152(c)(2)(ii), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Air Permit No. 20432, Special Condition I-22.C.] (PCW#1). 5. Failed to prevent unauthorized emissions of 2,369 pounds ("lbs") of the HRVOC Ethylene at the Polyethylene IV Unit, Facility ID NO. B41P4RX1, emission point number ("EPN") B41RL1 during an emissions event that occurred on March 30, 2005, and lasted 15 minutes. These emissions are not authorized by the permit. Since this emissions event was avoidable and inadequately reported, the Respondent failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Air Permit No. 834, Special Condition 1] (PCW#1). 6. Failed to prevent unauthorized emissions of 1,160 lbs of volatile organic compounds ("VOCs") from the Light Hydrocarbons – 7 Unit, Facility ID No. B72L7RX1, EPN B60F3 and 546.9 lbs of Carbon Monoxide and 90% opacity from Facility ID No. B60L7F1 during an emissions event that occurred on April 28, 2005, and lasted 1 hour and 36 minutes. The release included 4.2 lbs of the HRVOC Butene, 1.1 lbs of the hazardous air pollutant ("HAP") and HRVOC 1.3 Butadiene, 0.4 lbs of the HAP Hexane, and 7.4 lbs of the HRVOC Propylene. Since the emission event was avoidable, the Respondent failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Air Permit No. 20432, Special Condition III-1] (PCW #1).		7. Implemented procedures to prevent unauthorized releases and maintain compliance with permit (PCW #5); 8. Implemented procedures and process to prevent employees from shutting off unit in a single step and incorporated improved discipline for TMA line clearing on September 24, 3003; installed tag and performed and incorporated an instrument monitoring fugitive emission inspection on pump #EAI273155, December 31, 2003; installed caps on four lines in the B6600 Quat 188 Plant for several component lines on June 28, 2004; on May 31, 2006, service components in the methylene chloride service and VOC compound service were properly incorporated into a cross-reference list to ensure tag numbers corresponded to proper components for reporting; properly monitored and recorded for fugitive emissions from 649 components of the VOC service; and submitted documentation regarding the permit for operation of the T-100c methylene chloride extraction tower (PCW #6); 9. On October 18, 2005, implemented procedures to ensure proper valve closure and maintenance to avoid emissions of the MAER for VOCs for HAL from VS-1 Scrubber (PCW #7); 10. October 31, 2006, monitored 269 valves in the VHAP to comply with special conditions of permit O-01388; installed and equipped 49 open-ended lines to comply with permit requirements of permit O-01388; implemented measures to ensure AVO proper and timely inspection of the closed vent system of the VHAP service and Chemicals and Metals 1 area; implemented measures to ensure AVO inspection forms contain necessary information of repairs and replacements; obtained additional authorization for Chlorine emissions from the J-20 HCI Scrubber (PCW #8); 11. On July 7, 2006, submitted and began to implement CAP for emission event that Occurred May 26, 2004, and submitted certification of compliance with CAP on January 8, 2008; and implemented measures to ensure proper reporting of emission events within 24 hours (PCW #9); 12. May 17, 2006, implemented measures to prevent unauthorized emissions due to same causes from form the Light Hydrocarbon-8 (PCW #10); 13. Replaced three flairs, installed thermocouples and ignited flairs to meet requirements of EPN Nos. BSRF-6-1, BSRFMW1T, and BSRFMNF; submitted PBR notification form PI-7 for storage wells EPN Nos.

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7. Failed to equip 27 open-ended lines with a cap or plug within the operating areas of B27P3FU3, B25P2FU1, B25P2FU2, B37P4FU1, B41P4FU1, and B77APFU1 between February 27, 2004, and August 29, 2004 [30 TEX. ADMIN. CODE §§ 115.352(4), 116.115(c), and 122.143(4), 40 CFR § 60.482-6(a)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), TCEQ Air Permit No. O-02215, Special Condition 1.A. and 11, TCEQ Air Permit No. 19519, Special Condition 5.E., TCEQ Air Permit No. 48813, Special Condition 5.E., TCEQ Air Permit No. 6803, Special Condition 9.E., TCEQ Air Permit No. 834, Special Condition 9.E., and TCEQ Air Permit No. 8567, Special Condition 8.E.] (PCW #1). 8. Failed to either repair or place on the delay of repair list 10 leaking components in Unit B41P4FU1 within 15 days after the leak was discovered [30 TEX. ADMIN. CODE §§ 115.352(2), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Air Permit No. O-02215, Special Conditions 1.A. and 11, TCEQ Air Permit No. 834, Special Condition 9.I.] (PCW #1). 9. Failed to include the hydrogen chloride leak in Unit B41P4CT1 on July 2, 2004, as a deviation in the August 24, 2004, deviation report [30 TEX. ADMIN. CODE § 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Air Permit No. O-02215, General Terms and Conditions] (PCW #1). 10. Failed to prevent unauthorized emissions of 663 lbs of Carbon released on February 10, 2004, for approximately two minutes, which were not reported within 24 hours (reported in a deviation report submitted August 24, 2004). Since this emissions event was inaccurately reported, the Respondent failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), TCEQ Air Permit No. 48813, Special Condition 1, and TCEQ Air Permit No. O-02215, Special Condition 11] (PCW #1). 11. Failed to report within 24 hours the emissions event of 663 lbs of Carbon released on February 10, 2004, for approximately two minutes. The regulated entity reported the event on a deviation report on August 24, 2004 [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Air Permit No. O-02215, Special Conditions 2.F.] (PCW #1).		BSRPSR2 and BSRPR2L; performed fugitive emission monitoring on 504 valves and connectors for area EPN No. BSRFUBRCK and submitted complete deviation report on the valves; performed maintenance and conducted checks of engine for NOx and CO on EPN No. BSRGE601; provided correct final control report to comply with special conditions of permit on or before February 6, 2006 (PCW # 11); and 14. On November 23, 2005, implemented procedures to ensure acceptable emission limits and destruction efficiency requirements for NSR Permit 46431 and Special Conditions; implemented proper maintenance program providing for regular inspections of electrical wires and oversight of flair for Flexible Air Permit 20432, Special Condition lll-17 to prevent unauthorized emissions; performed required oversight of drilling operations to monitor for ignition sources related to NSR Permit No. 834, Special Condition 1; and repaired rupture disk related to the Holyethylene #4, NSR Permit No. 834, Special Condition 1 to prevent unauthorized emissions (PCW #12). **Ordering Provisions** The Respondent shall undertake the following technical requirements: 1. Within 30 days, the Executive Director may send the Respondent any written requests for information concerning the Approved CAPs and the Respondent's compliance with these CAPs. The Respondent shall respond completely and adequately, to any such written requests for information concerning the approved CAPs within 15 days after receipt of such requests. 2. Comply with the CAPs as approved by the TCEQ and submit written certification to demonstrate compliance with Ordering Provision No. 1. * 3. The Respondent shall implement and complete a Supplemental Environmental Project (SEP) (See SEP Attachment A). * The Respondent is now in compliance with the CAPs.

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12. Failed to establish minimum liquid to gas ("L/G") ratio for the operation of the scrubber (halogen reduction device) in the polycarbonate facility in the engineering thermoplastics unit during the performance test conducted on December 12, 2002. Without the L/G ratio established, compliance with the mass emission rate requirement of less than 0.45 kilograms per hour ("kg/hr") cannot be determined [30 TEX. ADMIN. CODE §§ 101.20(2), 116.115(c) and 122.143(4), 40 CFR §§ 63.994(b)(1) and 63.1103(d), TCEQ Federal Operating Permit ("FOP") O-02210, Special Terms and Condition 10, and TCEQ New Source Review ("NSR") Air Permit No. 7531, Special Condition 6] (PCW #2). 13. Failed to comply with the permitted limit established in the Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. 37884 for propylene (C3H6O), carbon monoxide (CO), and nitric oxide (NOx). Specifically, the Respondent failed to prevent the unauthorized emission of C3H6O, CO, and NOx at the Respondent's North American Propylene (NAPP-1) Unit during the period between January 4 and 25, 2003. The reported value of C3H6O, CO and NOx released to the atmosphere were 39,360 lbs, 37,030 lbs and 6,910 lbs respectively. The permitted VOC limit including propylene is 3,600 lbs. The permitted CO and NOx limits are 3,220 lbs and 960 lbs respectively [30 TEX. ADMIN. CODE § 116.115(b)(2)(G), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 37884, Maximum Allowable Emission Rate Table] (PCW #3). 14. Failed to comply with the permitted limit established in the MAERT of Air Permit No. X-7386 for ethylene oxide. Specifically, the Respondent failed to prevent the unauthorized emission of ethylene oxide at the Respondent's Hydroxyalkyl Acrylate (HHA Reactor System B6400) Unit for a period of one hour 45 minutes on March 12, 2003. The reported value of ethylene oxide released from the VS-1 Scrubber valve to the atmosphere was 5,795 lbs. The permitted ethylene oxide limit is 0.20 lbs/hr [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. X-7386, Maximum Allowable Emission Rate Table, Special Condition No. 1] (PCW #3). 15. Failed to prevent the unauthorized emission of ethylene at the Respondent's Plant B Polyethylene (PE) Unit for a period of 33 hours starting on April 7, 2003. The reported value of ethylene released to the atmosphere, as		

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a result of malfunctioning of the Train 2 safety relief valve, was 203,000 lbs [30 TEX. ADMIN. CODE §§ 115.121(a)(1) and 115.122(a), and TEX. HEALTH & SAFETY CODE § 382.085(a)] (PCW #3). 16. Failed to have available the records to demonstrate that samples were being continuously collected from the bottoms of stripping towers T-444 and T-445 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and New Source Review ("NSR") Permit No. 19041, Special Condition No. 9] (PCW #4). 17. Failed to use an approved method to establish the pounds per hour of VOCs emitted into the atmosphere from cooling towers CT-320 and CT-2320 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Permit No. 19041, Special Condition No. 13] (PCW #4). 18. Failed to conduct a quarterly accuracy audit for the CEMS on Boiler No. 2 FTB-402 (EPN No. OC5SV404) for the third quarter (July through September) of 2002 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Permit No. 19041, Special Condition No. 19B] (PCW #4). 19. Failed to meet the requirements of the VOC leak detection and repair programs. Specifically, one pump was not attempted to be repaired within five days; and two pumps, one valve, and two connectors were not repaired within 15 days. The estimated amount of emissions from the three pumps are as follows: Tag #EAI67373 (10/16-24/03) – 9.54 lbs; Tag #EAI106430 (12/19/03-1/20/04) – 33.92 lbs; Tag #EAI89844 (12/19/03-1/20/04)-33.92 lbs. The estimated amount of emissions from one valve is as follows: Tag #02140 (6/4-13/03) – 1.98 lbs. The estimated amount of emissions from the two connectors are as follows: Tag #02359 (6/4-23/03) – 0.38 lbs, and Tag #EAI35470 (12/6-10/03) – 0.1 lbs [30 TEX. ADMIN. CODE §§ 101.20(2) and 116.115(c), 40 CFR §§ 63.163(c)(1) and (2), 63.168(f)(1), and 63.174(d), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Permit No. 19041, Special Condition Nos. 1, 15, and 16] (PCW #4). 20. Failed to perform VOC leak detection monitoring of valves according to 40 CFR Part 60, Appendix A-7, Method 21, 8.3.1 during the fourth quarter of 2003. The estimated amount of VOC emissions from the 25 valves were		

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20.24 lbs of VOCs [30 TEX. ADMIN. CODE §§ 101.20(2) and 116.115(c), 40 CFR § 63.1004(b), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Permit No. 19041, Special Condition No. 1] (PCW #4). 21. Failed to prevent the disposal of unauthorized hazardous waste into an on-site hazardous waste landfill. Specifically, instead of sending the waste to an on-site incinerator, or performing the on-site waste stabilization treatment, 355 cubic yards of non-treated waste (contaminated soil) was placed in Cell IV of the Respondent's Block-51 landfill between the period of January 14, 2003, and September 23, 2003 [30 TEX. ADMIN. CODE §§ 335.2(b) and 335.431, 40 CFR §§ 268.1(a) and 268.40(a), and TCEQ Hazardous Waste Permit No. 50161, Permit Provision III-E 10 and V-EE] (PCW #4). 22. Failed to prevent the lock-nut from falling off the positioner pin, which disconnected the feedback arm from the coupler block in the LHC-8. This resulted in the release of unauthorized emissions which exceeded permitted limits. Specifically, the total unauthorized emissions above the emissions cap from this incident were 80,525 lbs of VOCs, 4,599 lbs of benzene, and 10,050 lbs of CO [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Air Flexible Permit No. 2043/PSD-TX-894] (PCW #4). 23. Failed to submit a complete final emissions event report [30 TEX. ADMIN. CODE § 101.201(b) and TEX. HEALTH & SAFETY CODE § 382.085(b)] (PCW #4). 24. Failed to comply with Air Permit No. 20432, Special Condition III-1, by allowing the release of unauthorized emissions at the Light Hydrocarbon 7 facility during a nonexempt emissions event which lasted from 4:35 a.m. until 9:30 a.m. on August 13, 2004. The emissions event was caused by an error made by maintenance personnel who left a valve closed on a backup hydrogen line for one of the facility's reactors. The event was avoidable and does not meet the demonstrations for an affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 20432, Special Condition III-1] (PCW #5). 25. Failed to maintain pH and water flow rates for Scrubber D-27. The maximum allowable pH is 4.0 and the minimum required flow rate is		

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0.6 gallons per minute 9 or 5 pounds per minute (lbs/min)]. On September 24, 2003, at 2:10 p.m., redundant pH readings were 9.1 and 8.6 and were caused by blow-back of trimethylamine (TMA) in the line after unloading a railcar. On September 3, 2004, an employee shut down the scrubber system in error, reducing the flow to 0 to 4.6 lbs/min for a 45-min period and causing the pH to rise above 4.0 for 10 min. (Redundant pH readings were 8.0 and 7.7 at 1:20 p.m.) [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 20776, Special Condition 8] (PCW #6). 26. Failed to conduct an instrument-monitored fugitive emission inspection on a pump, Tag #EAI273155, for two quarters, fourth quarter 2003 and first quarter 2004 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 20776, Special Condition 7.G.] (PCW #6). 27. Failed to maintain caps and/or plugs on four open-ended lines in the B6600 Quat 188 Plant for components EAI272070 (T-100c/EPN B6610V100), EAI272990 (T-100c/EPN B6610V100), EAI1273010 (D-57/EPN Unknown), and EAI272471 (P-53A/EPN B6610V53) [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 20776, Special Condition 6.E. and 7.E.] (PCW #6). 28. Failed to retain two-year fugitive emission monitoring records for 21 components in methylene chloride service and 22 components in VOC service [30 TEX. ADMIN. CODE § 116.115(b)(2)(F), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 20776, General Condition 7] (PCW #6). 29 Failed to monitor for fugitive emissions all connectors, regardless of size, in VOC service. A total of 649 components were not monitored [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 20776, Special Condition 10] (PCW #6). 30. Failed to obtain a permit prior to constructing and operating methylene chloride extraction Tower T-100c [30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b)] (PCW #6).		

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31. Exceeded the maximum allowable emission rate (MAER) for VOC during an avoidable emissions event at the Hydroxy Alkyl Acrylates Plant on December 23, 2004. The Respondent failed to close a valve after maintenance which resulted in an over pressurization, blown rupture disc, and release of 1,061 lbs of propylene oxide from the VS-1 Scrubber. The duration was one hour and 45 minutes. The MAER for VOCs is 0.20 lbs per hour. Because the event was avoidable, the Respondent failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 7386, Special Condition 1] (PCW #7). 32. Failed to monitor 269 valves in VHAP service in the Chemicals and Metals (1) area from February 3, 2004 to September 30, 2004, as reported during the deviation reporting period of August 3, 2004, to February 2, 2005 [30 TEX. ADMIN. CODE §§ 115.354(2)(C), 101.20(2) and 122.143(4), 40 CFR § 63.168(b)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A.] (PCW # 8). 33. Failed to equip 49 open-ended lines in the Chemicals and Metals (1) area with a second valve, blind flange, cap, or plug. Specifically, during the deviation reporting periods of February 3, 2004, to August 3, 2004, and August 3, 2004, to February 2, 2005, it was reported there were 11 open-ended lines in VHAP service on February 3, 2004, and 38 open-ended lines in VHAP service from August 17, 2004 to January 7, 2005 [30 TEX. ADMIN. CODE §§ 115.352(4), 101.20(2) and 122.143(4), 40 CFR § 63.167(a)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A.] (PCW #8). 34. Failed to conduct an annual AVO inspection of the closed vent system in VHAP service in the Chemicals and Metals (1) area, as reported during the deviation reporting period of August 3, 2004, to February 2, 2005 [30 TEX. ADMIN. CODE §§ 101.20(2) and 122.143(4), 40 CFR § 63.148(b), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A.] (PCW # 8). 35. Failed to adequately maintain records regarding repairs and replacements done as a result of leaks documented during AVO inspections of the Chemicals and Metals (1) areas once per shift, as reported during the deviation reporting period of August 3, 2004, to		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
February 2, 2005 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), TCEQ Air Permit No. 5339, Special Condition No. 11, TCEQ Air Permit No. 48478, Special Condition No. 2, and TCEQ Air Permit No. 5661, Special Condition No. 6] (PCW #8). 36. Failed to operate within permit representations. Specifically, TCEQ Air Permit No. 5661 does not authorize chlorine emissions from the J-20 HCI absorber in the Chemicals and Metals (1) area (EPN B15V20), however, during the deviation reporting period of August 3, 2004, to February 2, 2005, unauthorized chlorine emissions from the J-20 HCI absorber were reported [30 TEX. ADMIN. CODE § 116.116(b)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b)] (PCW #8). 37. Failed to prevent unauthorized emissions of 10,085 lbs of the HRVOC ethylene during an emissions event that occurred on May 26, 2004, and lasted 4 hours and 30 minutes. These emissions were not authorized by the permit. Since the emissions event was avoidable, not reported within the required timeframe, and determined to be excessive, the Respondent failed to meet the demonstration criteria for an affirmative dense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ New Source Review Permit No. 834, Special Condition 1] (PCW #9). 38. Failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on May 26, 2004, at 9:30 a.m., but was not reported until May 27, 2006, at 1:59 p.m. [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)] (PCW #9). 39. Failed to prevent unauthorized emissions of 307.52 lbs of the HAP 1.3-butadiene, 236.54 lbs of the HRVOC 1-butene, 204.36 lbs of 1-pentene, 6.91 lbs of acetylene, 161.71 lbs of the HAP benzene, 87.61 lbs of butane, 40,064.50 lbs of carbon monoxide, 39.12 lbs of cyclohexane, 6,397.78 lbs of ethane, 24,787.55 lbs of the HRVOC ethylene, 2,009.76 lbs of hydrogen, 0.11 lbs of hydrogen sulfide, 0.62 lbs of isobutene, 11,622.74 lbs of methane, 1,981 lbs of methyl acetylene, 280.23 lbs of nitrogen dioxide, 5,324.46 lbs of nitrogen oxide, 58.75 lbs of propadiene, 2,662.36 lbs of propane, 7,116.38 lbs of the HRVOC propylene, 49.24 lbs of the HAP toluene, and 10.77 lbs of the HAP xylene for a total of 32,477.99 lbs of HRVOCs and 529.24 lbs of HAPs during an event at the Light		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Hydrocarbon-8 Unit which began March 5, 2003, and lasted 27 hours and 30 minutes. These emissions were not authorized by the permit. Since the emissions event was avoidable and determined to be excessive, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and TCEQ Flexible Permit No. 20432, Special Condition Chapter III-1] (PCW #10). 40. Failed to meet the flare requirements for 3 flares (EPN Nos. BSRF601, BSRFMW1T, and BSRFMNF). Specifically, the Respondent failed to monitor the flare pilot flames in order to maintain the continuous presence of a flame using a thermocouple or other equipment device which detects the presence of a flame [30 TEX. ADMIN. CODE §§ 115.126(1)(B), 116.115(c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), General Operating Permit No. O-012212, Special Condition Nos. 1E and 16, and Air Permit No. 22072, Special Condition No. 4] (PCW #11). 41. Failed to maintain the continuous presence of a flame on five occasions for three flares (EPN Nos. BSRFMNF, BSRF601, and BSRFMW1T) [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.08 5(b), General Operating Permit No. O-02212, Special Condition Nos. 1E and 16, and Air Permit No. 22072, Special Condition Nos. 4 and 5] (PCW #11). 42. Failed to submit Permit by Rule ("PBR") notification (Form PI-7) within ten days following modifications to the brine process for the aromatic storage wells (EPN Nos. BSRPSR2 and BSRPR2L) in to Lake Warder and SR-2 (benzene brine ponds) [30 TEX. ADMIN. CODE §§ 106.262(3) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and General Operating Permit No. O-02212, Special Condition No. 17 (PCW #11). 43. Failed to monitor 504 valves and 1,716 connectors in the fugitive emissions area (EPN No. BSRFUBRCK) during the third and fourth quarters of 2004, and the second quarter of 2005. The estimated amount of VOCs fugitive emissions during this time period of 273 days is 14.71 tons from the valves, and 2.82 tons from the connectors, for a combined total of 17.53 tons of VOCs. The permitted limit of VOCs from this EPN is 2.04 tons per year [30 TEX. ADMIN CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), General Operating Permit No. O-02212, Special Condition No. 16, and Air Permit No. 22072, Special Condition No. 8(F)] (PCW #11).		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
44. Failed to report the deviation of failure to conduct fugitive emissions monitoring on 504 valves and 1,716 connectors in the fugitive area (EPN No. BSRFUBRCK) during the second quarter of 2005 in the deviation report dated August 5, 2005 [30 TEX. ADMIN. CODE § 122.145(2)(A) and TEX. HEALTH & SAFETY CODE § 382.085(b)] (PCW #11). 45. Failed to check for proper operation of the engine (EPN No. BSRGE601) by recorded measurements of NOx and CO emissions after engine maintenance was conducted on February 26, 2005 [30 TEX. ADMIN. CODE §§ 117.208(d)(7) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and General Operating No. O-02212, Special Condition No. 1D] (PCW #11). 46. Failed to include the specific rule citations for units with a claimed exemption from the emission specifications of 30 TEX. ADMIN. CODE § 117.206 in the final control report submitted March 31, 2005 [30 TEX ADMIN. CODE §§ 117.216(a)(5) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and General Operating Permit No. O-02212, Special Condition No. 1D] (PCW #11). 47. Failed to comply with hydrogen chloride ("HCl") emissions limits of 0.40 lbs/hr and 12.0 parts per million ("ppm") and Chlorine ("Cl2") emissions limits of 0.03 lbs/hr and failed to comply with the minimum destruction efficiency of 99.99% for VOCs. Specifically, results of stack testing conducted on July 28, 2005 at emission point number ("EPN") A36S531 in the SK-531 Thermal Treatment Unit (TTU/BU-520) and Tail Scrubber showed emissions of 0.56 lbs/hr and 19.7 ppm of HCl and 0.49 lbs/hr of Cl2 and a VOC destruction efficiency of 98.95% [30 TEX. ADMIN. CODE §§ 16.115(b)(2)(F) and (c) and 101.20(2), 40 CFR § 63.9000(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and New Source Review ("NSR") Air Permit No. 46431, General Condition 8 and Special Condition 5] (PCW #12). 48. Failed to prevent unauthorized emissions, failed to prevent visible emissions from a process gas flare for more than five minutes in any two-hour period, and failed to operate a process gas flare with a pilot flame present at all times. Specifically, unauthorized emissions of 200,551.26 lbs of VOCs, 94,184.1 lbs of CO, and 100% opacity were released through the Elevate Flare F-1, EPN OC6L8RX1, in the Light Hydrocarbon – 8 Block OC-601 Unit (Incident Nos. 42477 and 42478) during an emissions event that occurred on July 9, 2004, and lasted 111 hours and 17 minutes, including 7 minutes during which there was no pilot flame. Since the emissions event was avoidable and determined to be excessive, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
§ 101.222 [30 TEX. ADMIN. CODE §§ 111.111(a)(4)(A)(I), 116.715(a) and 101.20(1), 40 CFR § 60.18(c)(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit No. 20432, Special Condition III-1 and Special Condition-Flexible Permit General Requirements 4 (now Special Condition III-17)] (PCW #12). 49. Failed to prevent unauthorized emissions and failed to prevent visible emissions with opacity greater than 30% for any 6-minute period. Specifically, unauthorized emissions of 66,711.24 lbs of VOCs, 12,260.37 lbs of CO, 307.06 lbs of nitrogen oxide, 5,834.24 lbs of nitric oxide, and 100% opacity were released from a hole in the ground (from drilling operations) located underneath a drilling rig in the Stratton Ridge Unit (Incident Nos. 42709 and 42710) during an emissions event that occurred on July 13, 2004, and lasted 25 hours and 45 minutes. These emissions are not authorized by the permit. Since the emissions event was avoidable and determined to be excessive, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 111.111(a)(8)(A) and 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Air Permit No. 834, Special Condition 1] (PCW #12). 50. Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 3, 401 lbs of the HRVOC ethylene were released from an inconel rupture disc in the Polyethylene #4 Unit (Incident 73950) during an emissions event that occurred on April 4, 2006, and lasted 6 minutes. These emissions are not authorized by the permit. Since the emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Air Permit No. 834, Special Condition 1] (PCW #12).		

Attachment A
Docket Number: 2004-1344-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**DOW Chemical Company**
Penalty Amount:	**Six hundred forty-eight thousand nine hundred four dollars ($648,904)**
SEP Amount:	**Three hundred twenty-four thousand four hundred fifty two dollars ($324,452)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Houston-Galveston Area Emission Reduction Credit Organization ("AERCO")** ***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 shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used in accordance with the Supplemental Environmental Project Agreement between AERCO and the Texas Commission on Environmental Quality for the *Clean Cities/Clean Vehicles Program* in Brazoria County. SEP monies will be used to aid local school districts and area transit agencies, and may be used to reach local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of retrofitting or replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older "high emission" buses will be permanently retired and sold only for scrap.

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

B. Environmental Benefit

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

Environmental Projection Agency (EPA), model 2007 and newer buses are also cleaner in terms of particulate matter (PM) emissions than model year 2004 buses. New NOx and HC standards phased in between 2007 and 2010 will result in new school bus engines being 72% cleaner for HC and 90% cleaner for NOx than a bus produced to meet the 2004 federal standards for these pollutants.

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

C. Minimum Expenditure

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent 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, TX 77227-2777

3. Records and Reporting

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

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

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

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

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
P.O. Box 13088
Austin, Texas 78711-3088

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) *PCW Revision May 19, 2005*

DATES						
Assigned	22-Aug-2005					
PCW	05-Dec-2007	Screening	22-Sep-2005	EPA Due	21-May-2006	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	12064	No. of Violations	11
Docket No.	2004-1344-MLM-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Trina Grieco
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty $ Limit	Minimum $0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* $22,800

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 373% Enhancement *Subtotals 2, 3, & 7* $85,044

Notes: Penalty enhancement due to 36 same or similar NOVs, 31 non-similar NOVs, which includes 21 self-reported effluent violations, 2 agreed orders with denial of liability, 3 agreed orders without denial of liability, and Repeat Violator status. Penalty reduction due to 7 notice of audits and 1 disclosure of violations.

Culpability No 0% Enhancement *Subtotal 4* $0

Notes: The Respondent does not meet culpability criteria.

Good Faith Effort to Comply 0% Reduction *Subtotal 5* $0

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

Notes: The Respondent completed corrective actions on May 2, 2006.

Economic Benefit 0% Enhancement* *Subtotal 6* $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$196
Approx. Cost of Compliance	$4,400

SUM OF SUBTOTALS 1-7 Final Subtotal $107,844

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount $107,844

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty $100,544

DEFERRAL 0% Reduction Adjustment $0

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

Notes: No deferral is offered since this is not an expedited case.

PAYABLE PENALTY $100,544

EXHIBIT

tabbies

PCW 1

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action *(number of NOVs meeting criteria)*	36	180%
	Other written NOVs	31	62%
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*	7	-7%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	1	-2%

		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) **348%**

>> Repeat Violator (Subtotal 3)

Yes

Adjustment Percentage (Subtotal 3) **25%**

>> Compliance History *Person* Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) **0%**

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 36 same or similar NOVs, 31 non-similar NOVs, which includes 21 self-reported effluent violations, 2 agreed orders with denial of liability, 3 agreed orders without denial of liability, and Repeat Violator status. Penalty reduction due to 7 notice of audits and 1 disclosure of violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **373%**

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number	1
Primary Rule Cite(s)	TCEQ Air Permit No. 20432, Special Condition 2.E., 30 Tex. Admin. Code § 115.352(4), and 40 Code of Federal Regulations ("CFR") § 63.167(a)(1))
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.715(a) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to equip 27 open-ended lines in hazardous air pollutant ("HAP") and/or volatile orgranic compound ("VOC") service with a second valve, blind flange, cap, or plug within the operating areas of B19G1FU1, B23G2FU2, and B68ALFU1 between April 19, 2004 and April 18, 2005.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Estimated emissions of 2.592 lbs were calculated utilizing the Facility Specific Fugitive Emission Factors in the "Air Permit Technical Guidance for Chemical Sources: Equipment Leak Fugitives" publication.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 1

mark only one use a small x

daily	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $2,500

One annual event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $47

Statutory Limit Test

Violation Final Penalty Total $11,825

This violation Final Assessed Penalty (adjusted for limits) $11,825

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$675	19-Apr-2004	18-Apr-2005	1.0	$2	$45	$47
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to equip 27 open-ended lines with a second valve, blind flange, plug, or cap. Date required based on the first day of the first deviation period during which the deviation was reported. Final date based on the last day of the last deviation period during which the deviation was reported (all lines were sealed the same day they were discovered open).

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: $675

TOTAL $47

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number	2
Primary Rule Cite(s)	TCEQ Permit No. 20432, Special Condition 3.A.
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.715(a) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to conduct auditory, visual, and olfactory (AVO) checks one shift each day for Hydrogen Chloride and Chlorine leaks within the operating area of B68ALFU1 between August 14 and 18, 2004.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential		x	

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Failure to conduct AVO checks can result in the exposure of a significant amount of contaminants which would not exceed levels that are protective to human health and the environment.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended for the five days (August 14-18, 2005) that AVO checks were not conducted.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $11,825

This violation Final Assessed Penalty (adjusted for limits) $11,825

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$50	14-Aug-2004	19-Aug-2004	0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to implement measures designed to ensure AVO checks of Hydrogen Chloride and Chlorine leaks within the operating area of B68ALFU1 are conducted daily. Date required based on the date the first check was not conducted. Final date based on the compliance date.

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: $50

TOTAL $0

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number	3
Primary Rule Cite(s)	30 Tex. Admin. Code § 115.354(2)(C)
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to monitor five valves in highly reactive VOC ("HRVOC") service during the second quarter of 2004.

Base Penalty $10,000

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

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential		x	

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Failure to monitor five valves in HRVOC service can result in the exposure of a significant amount of contaminants which may not exceed levels that are protective to human health and the environment.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 1

mark only one use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended for the second quarter of 2004 during which the valves were not monitored.

Economic Benefit (EB) for this violation

Estimated EB Amount $6

Statutory Limit Test

Violation Final Penalty Total $11,825

This violation Final Assessed Penalty (adjusted for limits) $11,825

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$500	30-Jun-2004	01-Sep-2004	0.2	$0	$6	$6
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to monitor the five valves. Date required based on the last day of the quarter during which monitoring was required. Final date based on the date monitoring was conducted and no leaks were detected.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance: $500

TOTAL $6

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 4

Primary Rule Cite(s)	TCEQ Air Permit No. 20432, Special Condition I-22.C. and 40 CFR § 63.152(c)(2)(ii)
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.715(a) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to convert in-stack concentrations of Carbon Monoxide emissions to pounds per our ("lbs/hr") from scrubber B19G1T210 for the 3rd and 4th quarters of 2004.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Failure to convert in-stack concentrations to lbs/hr means that less than 30% of the permit requirement was not met.

Adjustment -$9,900

Base Penalty Subtotal $100

Violation Events

Number of Violation Events: 2

mark only one, use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $200

Two quarterly events are recommended for the two quarters (3rd and 4th quarters of 2004) during which in-stack concentrations of Carbon Monoxide emissions were not converted to lbs/hr.

Economic Benefit (EB) for this violation

Estimated EB Amount $28

Statutory Limit Test

Violation Final Penalty Total $946

This violation Final Assessed Penalty (adjusted for limits) $946

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$1,000	30-Sep-2004	25-Feb-2005	0.4	$1	$27	$28
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to program equipment to detect and alarm on erroneous Carbon Monoxide emission measurements. Date required based on the end of the 3rd quarter of 2004 during which in-stack concentrations were not converted to lbs/hr. Final date based on the date the equipment was reprogrammed to ensure the lbs/hr reduction would be calculated each quarter (compliance date).

Avoided Costs (ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs))							
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance: $1,000

TOTAL $28

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number	5
Primary Rule Cite(s)	TCEQ Air Permit No. 834, Special Condition 1
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to prevent unauthorized emissions of 2,369 pounds ("lbs") of the HRVOC Ethylene at the Polyethylene IV Unit, Facility ID No. B41P4RX1, emission point number ("EPN") B41RL1 during an emissions event that occurred on March 30, 2005 and lasted 15 minutes. These emissions are not authorized by the permit. Since this emissions event was avoidable and inadequately reported, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Failure to prevent unauthorized emissions of 2,369 lbs of Ethylene resulted in the exposure of an insignificant amount of contaminants which did not exceed levels that are protective to human health and the environment.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $1

Statutory Limit Test

Violation Final Penalty Total $11,825

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$100	30-Mar-2005	18-May-2005	0.1	$0	$1	$1
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated expense to modify procedures to include the check of valve control prior to start-up. Date required based on the emissions event date. Final date based on the compliance date.						
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 $100

TOTAL $1

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 6

Primary Rule Cite(s)	TCEQ Air Permit No. 20432, Special Condition III-1
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.715(a) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to prevent unauthorized emissions of 1,160 lbs of volatile organic compounds ("VOCs") from the Light Hydrocarbons - 7 Unit, Facility ID No. B72L7RX1, emission point number ("EPN") B60F3 and 546.9 lbs of Carbon Monoxide and 90% opacity from Facility ID No. B60L7F1 during an emissions event that occurred on April 28, 2005 and lasted 1 hour and 36 minutes. The release included 4.2 lbs of the HRVOC Butene, 1.1 lbs of the hazardous air pollutant ("HAP") and HRVOC 1,3 Butadiene, 0.4 lbs of the HAP Hexane, and 7.4 lbs of the HRVOC Propylene. Since this emissions event was avoidable, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Failure to prevent unauthorized emissions of 1,160 lbs of VOCs and 546.9 lbs of Carbon Monoxide resulted in the exposure of an insignificant amount of contaminants which did not exceed levels that are protective to human health and the environment.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $71

Statutory Limit Test

Violation Final Penalty Total $11,825

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$1,000	28-Apr-2005	02-May-2006	1.0	$3	$67	$71
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to implement an inspection program to detect corroding air lines and repair/replace corroded lines upon discovery. Date required based on the emissions event date. Final date based on the projected date the respondent will implement measures designed to prevent the recurrence of an emissions event due to the same cause.

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

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $1,000

TOTAL $71

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 7

Primary Rule Cite(s)	TCEQ Air Permit No. O-02215, Special Condition 1.A. and 11, TCEQ Air Permit No. 19519, Special Condition 5.E., TCEQ Air Permit No. 48813, Special Condition 5.E., TCEQ Air Permit No. 6803, Special Condition 9.E., TCEQ Air Permit No. 834, Special Condition 9.E., TCEQ Air Permit No. 8567 Special Condition 8.E., 30 Tex. Admin. Code § 115.352(4), and 40 CFR 60.482-6(a)(1)
Secondary Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to equip 27 open-ended lines in VOC service with a second valve, blind flange, cap, or plug within the operating areas of B27P3FU3, B25P2FU1, B25P2FU2, B37P4FU1, B41P4FU1, and B77APFU1 between February 27, 2004 and August 29, 2004.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Estimated emissions of 2.592 lbs were calculated utilizing the Facility Specific Fugitive Emission Factors in the "Air Permit Technical Guidance for Chemical Sources: Equipment Leak Fugitives" publication.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $2,500

One annual event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $24

Statutory Limit Test

Violation Final Penalty Total $11,825

This violation Final Assessed Penalty (adjusted for limits) $11,825

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$675	27-Feb-2004	29-Aug-2004	0.5	$1	$23	$24
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to equip 27 open-ended lines with a second valve, blind flange, plug, or cap. Date required based on the earliest documentation of the deviation. Final date based on the latest documentation of the deviation (all lines were sealed the same day they were discovered open).

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: $675

TOTAL $24

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 8

Primary Rule Cite(s)	TCEQ Air Permit No. O-02215, Special Conditions 1.A. and 11, TCEQ Air Permit No. 834, Special Condition 9.I., and 30 Tex. Admin. Code § 115.352(2)
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c), 122.143(4), and 30 Tex. Admin. Code § 382.085(b)
Violation Description	Failed to either repair or place on the delay of repair list 10 leaking components in Unit B41P4FU1 within 15 days after the leak was discovered.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Estimated emissions of 33.408 lbs were calculated utilizing the Facility Specific Fugitive Emission Factors in the "Air Permit Technical Guidance for Chemical Sources: Equipment Leak Fugitives" publication.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one / use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended from the date the first component should have been repaired (June 9, 2004) to the date the last component was either repaired or put on the delay of repair list (July 26, 2004).

Economic Benefit (EB) for this violation

Estimated EB Amount $2

Statutory Limit Test

Violation Final Penalty Total $11,825

This violation Final Assessed Penalty (adjusted for limits) $11,825

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$250	09-Jun-2004	26-Jul-2004	0.1	$0	$2	$2
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to either repair the components or put them on the delay of repair list. Date required based on the date the first component should have been repaired. Final date based on the compliance date (when the last component was either repaired or put on the delay of repair list).

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: $250

TOTAL $2

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 9

Primary Rule Cite(s)	TCEQ Air Permit No. O-02215, General Terms and Conditions and 30 Tex. Admin. Code § 122.145(2)(A)
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to include the hydrogen chloride leak in Unit B41P4CT1 on July 2, 2004 as a deviation in the August 24, 2004 deviation report.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment -$9,900

Base Penalty Subtotal $100

Violation Events

Number of Violation Events: 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $1

Statutory Limit Test

Violation Final Penalty Total $473

This violation Final Assessed Penalty (adjusted for limits) $473

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$50	27-Aug-2004	28-Oct-2004	0.2	$0	$1	$1
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to prepare and submit the deviation. Date required based on the date the deviation was due to be reported. Final date based on the compliance date (the date it was reported).

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: $50

TOTAL: $1

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 10

Primary Rule Cite(s)	TCEQ Air Permit No. 48813, Special Condition 1
Secondary Rule Cite(s)	TCEQ Air Permit No. O-02215, Special Condition 11, 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to prevent unauthorized emissions of 663 lbs of Carbon released on February 10, 2004 for approximately two minutes, which were not reported within 24 hours (reported in a deviation report submitted August 24, 2004). Since this emissions event was inaccurately reported, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Failure to prevent unauthorized emissions of 633 lbs of Carbon resulted in the exposure of an insignificant amount of contaminants which did not exceed levels that are protective to human health and the environment.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $16

Statutory Limit Test

Violation Final Penalty Total $11,825

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$100	11-Feb-2004	02-May-2006	2.2	$1	$15	$16
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated expense to implement appropriate measures to ensure that reportable emissions events are reported to the TCEQ within 24 hours of discovery. Date required based on the date the event was required to be reported. Final date based on the projected compliance date.						
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 $100

TOTAL $16

Screening Date 22-Sep-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 11

Primary Rule Cite(s)	TCEQ Air Permit No. O-02215, Special Conditions 2.F. and 30 Tex. Admin. Code § 101.201(a)(1)(B)
Secondary Rule Cite(s)	30 Tex. Admin. Code § 122.143(4) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to report within 24 hours the emissions event of 663 lbs of Carbon released on February 10, 2004 for approximately two minutes. The regulated entity reported the event on a deviation report on August 24, 2004.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes: Failure to report an emission event within 24 hours means that 100% of the rule requirement was not met.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $11,825

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Economic benefit for this violation is included in the economic benefit calculation for violation 11.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $0

TOTAL $0

Compliance History

Customer/Respondent/Owner-Operator: CN600356976 The Dow Chemical Company Classification: AVERAGE Rating: 5.060

Regulated Entity: RN100225945 DOW TEXAS OPERATIONS FREEPORT Classification: AVERAGE Site Rating: 6.81

ID Number(s):

WASTEWATER	PERMIT	TX0059447000
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50161
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496
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AIR NEW SOURCE PERMITS	PERMIT	46174

EXHIBIT

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AIR NEW SOURCE PERMITS	PERMIT	3320
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WASTEWATER LICENSING	LICENSE	WQ0000007000
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106

AIR OPERATING PERMITS	PERMIT	2697
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AIR NEW SOURCE PERMITS	PERMIT	53897
AIR NEW SOURCE PERMITS	PERMIT	52884
AIR NEW SOURCE PERMITS	PERMIT	50488
AIR NEW SOURCE PERMITS	PERMIT	53954
AIR NEW SOURCE PERMITS	PERMIT	52201
AIR NEW SOURCE PERMITS	PERMIT	53903
AIR NEW SOURCE PERMITS	PERMIT	52179
AIR NEW SOURCE PERMITS	PERMIT	52153
AIR NEW SOURCE PERMITS	PERMIT	52180
AIR NEW SOURCE PERMITS	REGISTRATION	71781
AIR NEW SOURCE PERMITS	REGISTRATION	71584
AIR NEW SOURCE PERMITS	REGISTRATION	105095
AIR NEW SOURCE PERMITS	PERMIT	8105
AIR NEW SOURCE PERMITS	PERMIT	PSDTX994
AIR NEW SOURCE PERMITS	PERMIT	N59
AIR NEW SOURCE PERMITS	PERMIT	71209
AIR NEW SOURCE PERMITS	REGISTRATION	71091
AIR NEW SOURCE PERMITS	REGISTRATION	71090
AIR NEW SOURCE PERMITS	REGISTRATION	71089
AIR NEW SOURCE PERMITS	REGISTRATION	71088
AIR NEW SOURCE PERMITS	REGISTRATION	71087
AIR NEW SOURCE PERMITS	PERMIT	71080
AIR NEW SOURCE PERMITS	PERMIT	71062
AIR NEW SOURCE PERMITS	PERMIT	71039
AIR NEW SOURCE PERMITS	REGISTRATION	70945
AIR NEW SOURCE PERMITS	PERMIT	70940
AIR NEW SOURCE PERMITS	REGISTRATION	70776
AIR NEW SOURCE PERMITS	REGISTRATION	70760
AIR NEW SOURCE PERMITS	REGISTRATION	70592
AIR NEW SOURCE PERMITS	REGISTRATION	70458
AIR NEW SOURCE PERMITS	PERMIT	48892
AIR NEW SOURCE PERMITS	REGISTRATION	70195
AIR NEW SOURCE PERMITS	REGISTRATION	70194
AIR NEW SOURCE PERMITS	REGISTRATION	56851
AIR NEW SOURCE PERMITS	REGISTRATION	56833
AIR NEW SOURCE PERMITS	AFS NUM	0016
AIR NEW SOURCE PERMITS	REGISTRATION	76138
AIR NEW SOURCE PERMITS	REGISTRATION	75512
AIR NEW SOURCE PERMITS	REGISTRATION	75513
AIR NEW SOURCE PERMITS	REGISTRATION	75531
AIR NEW SOURCE PERMITS	REGISTRATION	76039
AIR NEW SOURCE PERMITS	REGISTRATION	76295
AIR NEW SOURCE PERMITS	REGISTRATION	75526
AIR NEW SOURCE PERMITS	REGISTRATION	75579
AIR NEW SOURCE PERMITS	PERMIT	75751
AIR NEW SOURCE PERMITS	REGISTRATION	76012
AIR NEW SOURCE PERMITS	REGISTRATION	75908
AIR NEW SOURCE PERMITS	REGISTRATION	75817
AIR NEW SOURCE PERMITS	REGISTRATION	55537
AIR NEW SOURCE PERMITS	REGISTRATION	55411
AIR NEW SOURCE PERMITS	REGISTRATION	55032
AIR NEW SOURCE PERMITS	PERMIT	54200
AIR NEW SOURCE PERMITS	PERMIT	53895
AIR NEW SOURCE PERMITS	PERMIT	52998
AIR NEW SOURCE PERMITS	PERMIT	52999
AIR NEW SOURCE PERMITS	PERMIT	52200
AIR NEW SOURCE PERMITS	PERMIT	22091
AIR NEW SOURCE PERMITS	PERMIT	52724
AIR NEW SOURCE PERMITS	PERMIT	52152
AIR NEW SOURCE PERMITS	REGISTRATION	72132
AIR NEW SOURCE PERMITS	REGISTRATION	71888
AIR NEW SOURCE PERMITS	PERMIT	2602
AIR NEW SOURCE PERMITS	REGISTRATION	71636
WATER LICENSING	LICENSE	0200232
WASTEWATER	PERMIT	TPDES0006484
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232

INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50161
WASTEWATER	PERMIT	TX0006483
WASTEWATER	PERMIT	TPDES0006483
WASTEWATER	PERMIT	WQ0000007000
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
AIR OPERATING PERMITS	PERMIT	N041
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0023K
AIR NEW SOURCE PERMITS	PERMIT	19041
AIR NEW SOURCE PERMITS	PERMIT	18320
AIR NEW SOURCE PERMITS	PERMIT	18211
AIR NEW SOURCE PERMITS	PERMIT	15988
AIR NEW SOURCE PERMITS	PERMIT	15718
AIR NEW SOURCE PERMITS	PERMIT	12755
AIR NEW SOURCE PERMITS	PERMIT	12173
AIR NEW SOURCE PERMITS	PERMIT	11832
AIR NEW SOURCE PERMITS	PERMIT	11275
AIR NEW SOURCE PERMITS	PERMIT	10770
AIR NEW SOURCE PERMITS	PERMIT	3947
AIR NEW SOURCE PERMITS	PERMIT	3941
AIR NEW SOURCE PERMITS	PERMIT	3434
AIR NEW SOURCE PERMITS	PERMIT	2417
AIR NEW SOURCE PERMITS	PERMIT	941
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008092793
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
AIR NEW SOURCE PERMITS	PERMIT	3914
AIR NEW SOURCE PERMITS	PERMIT	3347
AIR NEW SOURCE PERMITS	PERMIT	3302
AIR NEW SOURCE PERMITS	PERMIT	2773
AIR NEW SOURCE PERMITS	PERMIT	2772
AIR NEW SOURCE PERMITS	PERMIT	2728
AIR NEW SOURCE PERMITS	PERMIT	2606
AIR NEW SOURCE PERMITS	PERMIT	2472
AIR NEW SOURCE PERMITS	PERMIT	2367
AIR NEW SOURCE PERMITS	PERMIT	2008A
AIR NEW SOURCE PERMITS	PERMIT	1715
AIR NEW SOURCE PERMITS	PERMIT	1658
AIR NEW SOURCE PERMITS	PERMIT	1655
AIR NEW SOURCE PERMITS	PERMIT	1559
AIR NEW SOURCE PERMITS	PERMIT	1558
AIR NEW SOURCE PERMITS	PERMIT	1515
AIR NEW SOURCE PERMITS	PERMIT	1472
AIR NEW SOURCE PERMITS	PERMIT	1258
AIR NEW SOURCE PERMITS	PERMIT	770
AIR NEW SOURCE PERMITS	PERMIT	120
AIR NEW SOURCE PERMITS	PERMIT	119
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0022M
AIR NEW SOURCE PERMITS	PERMIT	30002
AIR NEW SOURCE PERMITS	PERMIT	21596
AIR NEW SOURCE PERMITS	PERMIT	20495
AIR NEW SOURCE PERMITS	PERMIT	20433
AIR NEW SOURCE PERMITS	PERMIT	20266
AIR NEW SOURCE PERMITS	PERMIT	19792
AIR NEW SOURCE PERMITS	PERMIT	19720
AIR NEW SOURCE PERMITS	PERMIT	19715
AIR NEW SOURCE PERMITS	PERMIT	19243
AIR NEW SOURCE PERMITS	PERMIT	19202
AIR NEW SOURCE PERMITS	PERMIT	18145
AIR NEW SOURCE PERMITS	PERMIT	6911
AIR NEW SOURCE PERMITS	PERMIT	12340
AIR NEW SOURCE PERMITS	PERMIT	4022
AIR NEW SOURCE PERMITS	PERMIT	15386
AIR NEW SOURCE PERMITS	PERMIT	14935
AIR NEW SOURCE PERMITS	PERMIT	13950
AIR NEW SOURCE PERMITS	PERMIT	13132

AIR NEW SOURCE PERMITS	PERMIT	13104
AIR NEW SOURCE PERMITS	PERMIT	12970
AIR NEW SOURCE PERMITS	PERMIT	12613
AIR NEW SOURCE PERMITS	PERMIT	12265
AIR NEW SOURCE PERMITS	PERMIT	12104
AIR NEW SOURCE PERMITS	PERMIT	12051
AIR NEW SOURCE PERMITS	PERMIT	12045
AIR NEW SOURCE PERMITS	PERMIT	12008
AIR NEW SOURCE PERMITS	PERMIT	12007
AIR NEW SOURCE PERMITS	PERMIT	11919
AIR NEW SOURCE PERMITS	PERMIT	11745
AIR NEW SOURCE PERMITS	PERMIT	11691A
AIR NEW SOURCE PERMITS	PERMIT	11691
AIR NEW SOURCE PERMITS	PERMIT	11159
AIR NEW SOURCE PERMITS	PERMIT	11092
AIR NEW SOURCE PERMITS	PERMIT	10955
AIR NEW SOURCE PERMITS	PERMIT	10845
AIR NEW SOURCE PERMITS	PERMIT	10794
AIR NEW SOURCE PERMITS	PERMIT	10792
AIR NEW SOURCE PERMITS	PERMIT	10766
AIR NEW SOURCE PERMITS	PERMIT	10731
AIR NEW SOURCE PERMITS	PERMIT	10689
AIR NEW SOURCE PERMITS	PERMIT	10677
AIR NEW SOURCE PERMITS	PERMIT	10674
AIR NEW SOURCE PERMITS	PERMIT	10613
AIR NEW SOURCE PERMITS	PERMIT	10534
AIR NEW SOURCE PERMITS	PERMIT	10469
AIR NEW SOURCE PERMITS	PERMIT	9838
AIR NEW SOURCE PERMITS	PERMIT	9837
AIR NEW SOURCE PERMITS	PERMIT	9773
AIR NEW SOURCE PERMITS	PERMIT	9045
AIR NEW SOURCE PERMITS	PERMIT	7942
AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	6932
AIR NEW SOURCE PERMITS	PERMIT	6744
AIR NEW SOURCE PERMITS	PERMIT	6383
AIR NEW SOURCE PERMITS	PERMIT	6161
AIR NEW SOURCE PERMITS	PERMIT	6069A
AIR NEW SOURCE PERMITS	PERMIT	5746
AIR NEW SOURCE PERMITS	PERMIT	5340
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541 Rating Date: 9/1/05 Repeat Violator: YES

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: September 20, 2005

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 20, 2000 to September 20, 2005

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

6. Comments: STEERS

Components (Multimedia) for the Site :

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

1660 Order **Effective Date: 2/17/03** ADMINORDER 2002-0689-IHW-E
Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)
Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Findings **Effective Date: 1/7/02** ADMINORDER 2000-1459-AIR-E
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to submit complete notifications for 29 upsets.
Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has allowed unauthorized emissions into the atmosphere.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC No. 2 PERMIT
Description: Failure to properly control emissions from Benzene Tank AD-20X.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2 PERMIT
Description: Failure to properly control emissions from Reactor R-5.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2A PERMIT
Description: Failure to properly control emissions from Distillation Tower T-30.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 13E PERMIT
Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 8F PERMIT

Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9A PERMIT
SP No. 8B PERMIT
SP No. 8E PERMIT
Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: Not Specified PERMIT
Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.7[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete final report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Findings **Effective Date: 3/22/02** ADMINORDER 2001-0854-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]
Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

Findings **Effective Date: 8/7/05** ADMINORDER 2004-0572-AIR-E
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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)
Citation: 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)
Citation: 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)
Citation: 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)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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.

1660 **Effective Date: 11/11/04** 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)
Citation: 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)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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)
Citation: 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.

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.)

2 08/13/2002 (8036)
4 02/28/2003 (26378)
6 07/03/2002 (4135)
8 10/24/2002 (159615)
10 10/24/2001 (159614)
12 08/21/2003 (151151)
14 07/19/2002 (4762)
16 06/24/2003 (60303)
18 09/26/2002 (12350)
20 10/15/2002 (12337)
22 08/15/2002 (6894)
24 02/03/2003 (286198)
26 08/31/2004 (272564)
28 10/20/2000 (159613)
30 02/05/2004 (258950)
32 01/07/2005 (338837)
34 07/07/2004 (258307)
36 09/26/2002 (11829)
38 08/24/2005 (403273)
40 06/28/2005 (376054)
42 10/31/2004 (276897)
44 03/07/2005 (372291)
46 12/22/2004 (289575)
48 01/21/2005 (337408)
50 09/25/2002 (159612)
52 03/18/2005 (346350)
54 07/30/2003 (133869)
56 10/29/2002 (14541)
58 12/15/2003 (254080)

60 09/24/2001 (159611)
62 07/22/2005 (397876)
64 11/27/2001 (IE0001062003001)
66 06/17/2005 (376522)
68 08/25/2005 (404533)
70 05/30/2003 (60877)
72 09/22/2000 (159610)
74 09/17/2003 (248098)
76 06/16/2004 (247738)
78 08/26/2002 (159609)
80 12/17/2004 (286731)
82 05/17/2005 (376212)
84 04/12/2004 (264619)
86 02/11/2004 (260442)
88 07/12/2005 (393369)
90 06/30/2004 (266880)
92 06/02/2004 (272991)
94 07/28/2005 (380321)
96 12/16/2004 (285097)
98 08/27/2001 (159608)
100 03/07/2003 (21400)
102 04/30/2004 (255002)
104 08/31/2004 (273678)
106 08/23/2002 (4928)
108 03/02/2005 (372448)
110 09/04/2002 (9088)
112 02/23/2004 (260927)
114 05/23/2005 (262475)
116 07/31/2002 (5786)
118 08/04/2003 (36623)
120 07/29/2002 (159606)
122 12/20/2004 (339119)
124 08/07/2002 (7213)
126 07/08/2005 (376056)
128 03/07/2005 (372281)
130 03/23/2005 (347781)
132 07/01/2005 (378760)
134 08/19/2002 (4885)
136 08/30/2003 (152221)
138 01/03/2003 (15110)
140 10/11/2002 (11055)
142 08/25/2002 (8609)
144 01/07/2005 (339147)
146 07/02/2003 (35418)
148 11/18/2002 (12073)
150 03/22/2004 (263436)
152 07/22/2005 (397878)
154 07/31/2002 (6169)
156 07/23/2001 (159605)
158 08/08/2005 (396518)
160 12/31/2004 (338842)
162 08/18/2004 (277856)
164 02/24/2005 (339179)
166 02/21/2005 (337409)
168 12/17/2004 (339587)
170 01/27/2005 (347186)
172 03/29/2004 (264628)
174 02/23/2005 (346354)
176 05/14/2004 (248280)
178 06/03/2004 (258305)
180 03/10/2004 (261603)
182 08/08/2003 (159603)
184 06/02/2005 (376058)
186 06/25/2002 (159602)
188 02/21/2005 (344830)
190 08/22/2003 (150711)
192 08/31/2004 (273416)
194 07/22/2005 (397880)
196 08/14/2003 (150122)
198 01/27/2003 (21017)
200 09/04/2003 (247717)
202 06/26/2001 (159601)
204 10/16/2002 (12820)
206 09/14/2005 (431669)

208	11/04/2004	(338243)
210	09/01/2004	(267453)
212	12/09/2002	(14830)
214	07/22/2005	(397881)
216	08/14/2002	(7906)
218	08/11/2005	(377164)
220	08/25/2003	(151529)
222	01/28/2002	(IE0018454001001)
224	12/28/2004	(251988)
226	08/31/2004	(273127)
228	05/19/2003	(159599)
230	02/06/2004	(251940)
232	02/03/2004	(257672)
234	05/23/2005	(345033)
236	05/20/2005	(392573)
238	08/04/2005	(398933)
240	03/20/2003	(23813)
242	05/20/2002	(159598)
244	06/02/2005	(376059)
246	12/16/2004	(286819)
248	12/13/2004	(339850)
250	06/23/2003	(35416)
252	07/09/2002	(2159)
254	03/06/2003	(26396)
256	05/29/2001	(159597)
258	12/17/2004	(338429)
260	01/06/2005	(339121)
262	01/31/2005	(347857)
264	05/17/2005	(376280)
266	04/28/2003	(159595)
268	12/28/2004	(256034)
270	07/28/2004	(276490)
272	08/31/2004	(273881)
274	08/20/2002	(7588)
276	07/31/2003	(33803)
278	07/19/2002	(4827)
280	04/30/2002	(159594)
282	07/17/2002	(4563)
284	07/11/2005	(393361)
286	05/27/2003	(29063)
288	08/30/2003	(149187)
290	05/26/2004	(352355)
292	04/24/2001	(159593)
294	05/28/2003	(31177)
296	02/21/2005	(337411)
298	06/28/2004	(352356)
300	08/22/2005	(396197)
302	01/16/2002	(120354)
304	08/29/2005	(398935)
306	05/24/2005	(380324)
308	07/26/2004	(352357)
310	05/08/2001	(159592)
312	07/19/2002	(5014)
314	05/27/2005	(379484)
316	08/27/2004	(267540)
318	06/15/2005	(380845)
320	11/26/2003	(250021)
322	01/07/2005	(339138)
324	08/24/2004	(352358)
326	07/13/2005	(397022)
328	11/05/2004	(334318)
330	09/23/2004	(352359)
332	02/25/2005	(345303)
334	08/31/2002	(10381)
336	08/15/2005	(398936)
338	10/22/2004	(352360)
340	11/01/2004	(285137)
342	02/21/2005	(345433)
344	08/15/2005	(393373)
346	08/16/2002	(7720)
348	08/31/2004	(272729)
350	03/21/2003	(159590)
352	08/17/2004	(284165)
354	08/15/2002	(7525)

356	11/24/2004	(352361)
358	08/05/2005	(398937)
360	08/25/2005	(397853)
362	01/09/2004	(254701)
364	02/03/2003	(285652)
366	08/31/2002	(8599)
368	08/27/2004	(266751)
370	08/07/2002	(7201)
372	03/20/2002	(159589)
374	06/14/2005	(375259)
376	08/30/2005	(398938)
378	07/26/2003	(61449)
380	02/26/2004	(296001)
382	09/05/2002	(10360)
384	12/19/2002	(18859)
386	03/10/2005	(346208)
388	03/15/2004	(262011)
390	03/26/2001	(159588)
392	06/30/2003	(35785)
394	05/14/2004	(263118)
396	02/01/2005	(347843)
398	10/01/2003	(250440)
400	11/05/2004	(334295)
402	05/08/2001	(159587)
404	03/22/2004	(296004)
406	10/31/2003	(253956)
408	02/28/2003	(159586)
410	06/24/2005	(396413)
412	08/31/2004	(272789)
414	04/19/2004	(296006)
416	03/10/2004	(264415)
418	05/28/2003	(31159)
420	02/20/2002	(159585)
422	09/07/2004	(291280)
424	05/06/2005	(376209)
426	08/29/2004	(265955)
428	02/28/2005	(381956)
430	08/05/2005	(396199)
432	11/22/2004	(335797)
434	08/27/2004	(279078)
436	10/30/2002	(10265)
438	03/28/2005	(381957)
440	05/24/2004	(31438)
442	07/28/2004	(282417)
444	12/16/2004	(114225)
446	12/10/2004	(114224)
448	08/19/2005	(404732)
450	05/19/2003	(28851)
452	02/23/2001	(159584)
454	12/23/2004	(381958)
456	04/23/2004	(265028)
458	08/31/2004	(272814)
460	01/21/2005	(381959)
462	10/31/2004	(276789)
464	03/15/2004	(261999)
466	01/31/2005	(347762)
468	05/12/2004	(257994)
470	07/23/2003	(296010)
472	12/13/2004	(336762)
474	09/01/2004	(277902)
476	09/30/2002	(7575)
478	05/10/2005	(346362)
480	12/17/2002	(15107)
482	04/14/2003	(27517)
484	01/14/2005	(338682)
486	10/31/2004	(289698)
488	07/21/2005	(393364)
490	08/15/2003	(140682)
492	11/30/2003	(126059)
494	11/01/2004	(284370)
496	08/26/2003	(296012)
498	08/27/2002	(9435)
500	08/15/2002	(7533)
502	08/19/2003	(150391)

504	01/31/2003	(159627)
506	03/18/2005	(346346)
508	08/16/2004	(281509)
510	12/21/2004	(334606)
512	03/21/2005	(346710)
514	04/23/2004	(258324)
516	10/01/2003	(296014)
518	05/31/2005	(346355)
520	06/26/2003	(60783)
522	01/05/2005	(285365)
524	02/05/2004	(260440)
526	01/29/2002	(159626)
528	05/26/2004	(258253)
530	10/16/2002	(12725)
532	06/22/2005	(350704)
534	09/07/2004	(333240)
536	08/31/2004	(274129)
538	10/01/2003	(250457)
540	01/27/2003	(21168)
542	01/29/2001	(159625)
544	04/29/2004	(255279)
546	10/23/2003	(296016)
548	11/01/2004	(285135)
550	06/24/2005	(396517)
552	04/30/2004	(254073)
554	04/13/2004	(265611)
556	07/28/2004	(282469)
558	08/29/2003	(152748)
560	03/30/2004	(264622)
562	11/15/2001	(97516)
564	08/05/2005	(393374)
566	02/23/2005	(346345)
568	11/24/2003	(296017)
570	03/04/2003	(26394)
572	06/01/2004	(254581)
574	12/23/2002	(159623)
576	04/01/2005	(345046)
578	08/17/2004	(273076)
580	05/04/2005	(347119)
582	09/01/2005	(403238)
584	08/09/2002	(7520)
586	08/07/2003	(61967)
588	07/06/2001	(97515)
590	05/17/2005	(376237)
592	01/07/2005	(339177)
594	12/24/2003	(296018)
596	11/01/2004	(286768)
598	12/27/2001	(159622)
600	11/30/2003	(249732)
602	12/22/2004	(289567)
604	03/22/2005	(346347)
606	07/20/2004	(278387)
608	05/23/2005	(376200)
610	07/06/2001	(97514)
612	08/12/2005	(285295)
614	07/06/2001	(97513)
616	01/21/2004	(296019)
618	08/17/2004	(284292)
620	03/15/2004	(261987)
622	12/26/2000	(159621)
624	11/12/2003	(254614)
626	02/11/2004	(260085)
628	01/09/2005	(339130)
630	08/07/2002	(7186)
632	02/12/2003	(22520)
634	08/16/2002	(8175)
636	05/04/2005	(338714)
638	01/31/2005	(347883)
640	08/16/2002	(7857)
642	07/06/2004	(258308)
644	08/19/2002	(6722)
646	11/27/2002	(159619)
648	02/11/2004	(260441)
650	06/14/2005	(350783)

652 12/16/2004 (289573)
654 06/29/2005 (347598)
656 11/19/2001 (159618)
658 04/08/2005 (347573)
660 09/12/2005 (406575)
662 02/21/2005 (345507)
664 01/09/2004 (253974)
666 12/13/2004 (334315)
668 08/15/2002 (7408)
670 05/17/2004 (253533)
672 06/30/2004 (267508)
674 06/30/2004 (267938)
676 11/21/2000 (159617)
678 01/09/2004 (254710)
680 12/06/2004 (284914)
682 08/27/2002 (9436)
684 08/31/2002 (4886)
686 08/19/2005 (393378)
688 07/19/2002 (5209)
690 01/17/2005 (249734)
692 08/29/2003 (151240)
694 05/27/2005 (374664)
696 12/20/2004 (339116)
698 02/21/2005 (344930)

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

NS = non-similar
DMR = self-reported effluent violations
S/S = same and/or similar

NS Date: 03/05/2003 (26396)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

DMR Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

DMR Date: 09/30/2000 (159613)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S 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.

DMR Date: 08/31/2002 (159612)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Exceedance of the concentration limit for chlorine; Permit 4021, SC 7

S/S 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 IA
Description: Exceeded VOC permit limit during an emissions event.

NS 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(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(c)[G]
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]
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: Major
Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)[G]
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.

S/S 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 IA
PERMIT IA
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)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
Rqmt Prov: OP IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
Description: Dow failed to maintain a daily average scrubber water flow for the SC-2 Kettle Scrubber (EPN B13SV3).

S/S 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 IA
Description: Dow had an avoidable emissions event during Incident 51417.

S/S 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 after final emissions from a scheduled maintenance event exceeded emissions reported on the Initial Notification.

DMR Date: 06/30/2001 (159605)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S Date: 08/20/2002 (7575)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.
Self Report? NO Classification: Moderate
Citation: TEXAS HEALTH AND SAFETY CODE 382.085
Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

S/S Date: 05/24/2003 (29063)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
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).

DMR 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)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S 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.

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

S/S 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 IA
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 IA
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 IA
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 IA
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 IA
Description: Failed to meet maximum allowable emission rates.

S/S 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 IA
Description: Incident 40337 was an avoidable emissions event.

S/S 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 IA
Description: Exceeded VOC permit limit during an avoidable emissions event.

S/S 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 emissons event.

DMR Date: 03/31/2001 (159593)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

NS 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.

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

NS Date: 01/07/2002 (120354)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

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

DMR 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)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S Date: 05/24/2005 (380324)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
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 IA
PERMIT IA
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.

S/S 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

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

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

NS 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.

S/S 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.

S/S 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Operation of Flare A26VEF1 without a flame present; Permit 1472, SC 8

S/S 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 IA
Description: Dow exceeded VOC permit limit during an avoidable emissions event.

S/S 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 IA
Description: Incident #43280 was avoidable.

DMR Date: 01/31/2001 (159584)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

DMR 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)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S 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.

DMR 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)[G]
Description: Failure to meet the limit for one or more permit parameter

NS Date: 03/05/2003 (26394)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have proper grade of licensed operator.

S/S 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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 IA
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: OP IA
PERMIT IA

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: OP IA
PERMIT IA
Description: Failure to re-monitor fugitive components within 15 days.

DMR 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)[G]
Description: Failure to meet the limit for one or more permit parameter

DMR Date: 12/31/2002 (159627)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

DMR Date: 12/31/2001 (159626)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

DMR Date: 12/31/2000 (159625)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S Date: 08/15/2005 (398936)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Dow had an avoidable emissions event during Incident 59062. Not an excessive event.

S/S 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: OP IA
PERMIT IA
Description: Failure to plug open ended valves.
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 IA
PERMIT IA
Description: THROX unit exceeded CO MAER.
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 IA
PERMIT IA
Description: Exceeded vinyl chloride average feedrate limit.
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 IA
PERMIT IA
Description: Exceeded firebox temperatures for THROX & TOX
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 IA
PERMIT IA
Description: Flowmeters on vent stream to TOX not operational.
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 IA
PERMIT IA
Description: Flare A32CSF1 exceeded hourly VOC MAER
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)(4)
Rqmt Prov: OP IA
PERMIT IA
Description: Failure to monitor valves and pressure sensing devices
Self Report? NO Classification: Moderate
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 IA
Description: Failure to monitor connectors

DMR 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)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S 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 IA
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).

S/S 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to equip open-ended valve with a plug.

S/S Date: 01/14/2005 (338682)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
PERMIT IA

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 IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
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 IA
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.

S/S 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 IA
Description: Incident 7827 was an avoidable emissions event.

DMR Date: 11/30/2002 (159623)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

DMR 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)[G]
Description: Failure to meet the limit for one or more permit parameter

NS Date: 07/09/2001 (97515)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

DMR Date: 11/30/2001 (159622)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

NS 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.

DMR Date: 11/30/2000 (159621)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S Date: 05/04/2005 (338714)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
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 IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.05181(a)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP IA
Description: Dow failed to register the production processes of various Maxistab products under either a PBR or NSR permit.

DMR Date: 10/31/2002 (159619)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

S/S 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: OP IA
PA IA
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 IA
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 IA
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: OP IA

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

S/S 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 emissons during an emissions event.

S/S Date: 02/06/2004 (251940)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Avoidable emissions event with emissions of benzene.

S/S Date: 12/31/2002 (15110)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)
5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to control emissions.

DMR Date: 10/31/2000 (159617)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

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

F. Environmental audits.

Notice of Intent Date: 12/11/2001
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 02/18/2004
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 04/14/2004
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 03/19/2004
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 12/17/2004
Disclosure Date: 05/18/2005
Citation: Viol. Classification: Moderate
30 TAC Chapter 116, SubChapter G 116.715(c)(10)
Description: identified connectors and valves that were not monitored under a prescribed keak Detection and Repair Program
Citation: Viol. Classification: Moderate
30 TAC Chapter 116, SubChapter G 116.715(c)(10)
Description: failed to monitor 90% of the hot insulated connectors in VOC service in the plant as required by Flexible Permit
Notice of Intent Date: 03/30/2005
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 04/20/2005
No DOV Associated
Citation: No Classification

Description:

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

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002)

PCW Revision May 19, 2005

DATES						
Assigned	21-Nov-2005					
PCW	10-Dec-2007	Screening	13-Dec-2005	EPA Due	01-Aug-2006	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	12064	No. of Violations	1
Docket No.	2004-1344-MLM-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Trina Grieco
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1*: $1,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 234% Enhancement — *Subtotals 2, 3, & 7*: $2,340

Notes: Penalty enhancement due to 64 non-similar NOVs, which includes 18 self-reported effluent violations, 2 agreed orders with denial of liability, and 3 agreed orders without denial of liability. Penalty reduction due to 9 notice of audits.

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

Notes: The Respondent does not meet culpability criteria.

Good Faith Effort to Comply — 25% Reduction — *Subtotal 5*: -$250

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

Notes: The Respondent achieved compliance on October 18, 2005 and the NOE was issued November 15, 2005.

Economic Benefit — 0% Enhancement* — *Subtotal 6*: $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$285
Approx. Cost of Compliance	$2,000

SUM OF SUBTOTALS 1-7 — Final Subtotal: $3,090

OTHER FACTORS AS JUSTICE MAY REQUIRE — Adjustment: $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount: $3,090

STATUTORY LIMIT ADJUSTMENT — Final Assessed Penalty: $3,090

DEFERRAL — 0% Reduction — Adjustment: $0

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

Notes: No deferral as this is not an expedited case.

PAYABLE PENALTY: $3,090

EXHIBIT

tables

PCW 2

Screening Date 13-Dec-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action *(number of NOVs meeting criteria)*	0	0%
	Other written NOVs	64	128%
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*	9	-9%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) **234%**

>> 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 64 non-similar NOVs, which includes 18 self-reported effluent violations, 2 agreed orders with denial of liability, and 3 agreed orders without denial of liability. Penalty reduction due to 9 notice of audits.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **234%**

Screening Date 13-Dec-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 1

Primary Rule Cite(s)	TCEQ Federal Operating Permit ("FOD") O-02210, Special Terms and Condition 10, TCEQ New Source Review ("NSR") Air Permit No. 7531, Special Condition 6, 40 Code of Federal Regulations ("CFR") §§ 63.994(b)(1) and 63.1103(d)
Secondary Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(2), 116.115(c), and 122.143(4)
Violation Description	Failed to establish minimum liquid to gas ("L/G") ratio for the operation of the scrubber (halogen reduction device) in the polycarbonate facility in the engineering thermoplastics unit during the performance test conducted on December 12, 2002. Without the L/G ratio established, compliance with the mass emission rate requirement of less than 0.45 kilograms per hour ("kg/hr") cannot be determined.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
		x	

Percent 10%

Matrix Notes: Failure to demonstrate compliance with the mass emission rate means that approximately 50% of the rule requirements were not met.

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $285

Statutory Limit Test

Violation Final Penalty Total $3,090

This violation Final Assessed Penalty (adjusted for limits) $3,090

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$2,000	12-Dec-2002	18-Oct-2005	2.9	$285	n/a	$285
Notes for DELAYED costs	Estimated expense to complete a performance test to determine the L/G ratio and ensure emissions are below allowable limits. Date required based on the initial test date. Final date based on the compliance date.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $2,000

TOTAL $285

Compliance History

Customer/Respondent/Owner-Operator:	CN600356976	The Dow Chemical Company	Classification: AVERAGE	Rating: 2.71
Regulated Entity:	RN100225945	DOW TEXAS OPERATIONS FREEPORT	Classification: AVERAGE	Site Rating: 5.23

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0082R
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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
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PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200531
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200533
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232
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PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
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INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50161
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UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
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EXHIBIT

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CH 2

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AIR NEW SOURCE PERMITS	PERMIT	25205
AIR NEW SOURCE PERMITS	PERMIT	36554
AIR NEW SOURCE PERMITS	PERMIT	36523
AIR NEW SOURCE PERMITS	PERMIT	36569
AIR NEW SOURCE PERMITS	PERMIT	36634
AIR NEW SOURCE PERMITS	PERMIT	37000
AIR NEW SOURCE PERMITS	PERMIT	37290
AIR NEW SOURCE PERMITS	PERMIT	37122
AIR NEW SOURCE PERMITS	PERMIT	37569
AIR NEW SOURCE PERMITS	PERMIT	37884
AIR NEW SOURCE PERMITS	PERMIT	37625
AIR NEW SOURCE PERMITS	PERMIT	37667
AIR NEW SOURCE PERMITS	PERMIT	37618
AIR NEW SOURCE PERMITS	PERMIT	38157
AIR NEW SOURCE PERMITS	PERMIT	38156
AIR NEW SOURCE PERMITS	PERMIT	38861
AIR NEW SOURCE PERMITS	PERMIT	38759

AIR NEW SOURCE PERMITS	PERMIT	39609
AIR NEW SOURCE PERMITS	PERMIT	39450
AIR NEW SOURCE PERMITS	PERMIT	40046
AIR NEW SOURCE PERMITS	PERMIT	40479
AIR NEW SOURCE PERMITS	PERMIT	40430
AIR NEW SOURCE PERMITS	PERMIT	40854
AIR NEW SOURCE PERMITS	PERMIT	41273
AIR NEW SOURCE PERMITS	PERMIT	41163
AIR NEW SOURCE PERMITS	PERMIT	41108
AIR NEW SOURCE PERMITS	PERMIT	41498
AIR NEW SOURCE PERMITS	PERMIT	41179
AIR NEW SOURCE PERMITS	PERMIT	41304
AIR NEW SOURCE PERMITS	PERMIT	41302
AIR NEW SOURCE PERMITS	PERMIT	41283
AIR NEW SOURCE PERMITS	PERMIT	41542
AIR NEW SOURCE PERMITS	PERMIT	41760
AIR NEW SOURCE PERMITS	PERMIT	41271
AIR NEW SOURCE PERMITS	PERMIT	41555
AIR NEW SOURCE PERMITS	PERMIT	42190
AIR NEW SOURCE PERMITS	PERMIT	42611
AIR NEW SOURCE PERMITS	PERMIT	42327
AIR NEW SOURCE PERMITS	PERMIT	42464
AIR NEW SOURCE PERMITS	PERMIT	42384
AIR NEW SOURCE PERMITS	PERMIT	42923
AIR NEW SOURCE PERMITS	PERMIT	43382
AIR NEW SOURCE PERMITS	PERMIT	43381
AIR NEW SOURCE PERMITS	PERMIT	43417
AIR NEW SOURCE PERMITS	PERMIT	43416
AIR NEW SOURCE PERMITS	PERMIT	43592
AIR NEW SOURCE PERMITS	PERMIT	43698
AIR NEW SOURCE PERMITS	PERMIT	42443
AIR NEW SOURCE PERMITS	PERMIT	43813
AIR NEW SOURCE PERMITS	PERMIT	43859
AIR NEW SOURCE PERMITS	PERMIT	43959
AIR NEW SOURCE PERMITS	PERMIT	43960
AIR NEW SOURCE PERMITS	PERMIT	44002
AIR NEW SOURCE PERMITS	PERMIT	44001
AIR NEW SOURCE PERMITS	PERMIT	44036
AIR NEW SOURCE PERMITS	PERMIT	44056
AIR NEW SOURCE PERMITS	PERMIT	44118
AIR NEW SOURCE PERMITS	PERMIT	44370
AIR NEW SOURCE PERMITS	PERMIT	44411
AIR NEW SOURCE PERMITS	PERMIT	44464
AIR NEW SOURCE PERMITS	PERMIT	44465
AIR NEW SOURCE PERMITS	PERMIT	44608
AIR NEW SOURCE PERMITS	PERMIT	44622
AIR NEW SOURCE PERMITS	PERMIT	44718
AIR NEW SOURCE PERMITS	PERMIT	44719
AIR NEW SOURCE PERMITS	PERMIT	44742
AIR NEW SOURCE PERMITS	PERMIT	44833
AIR NEW SOURCE PERMITS	PERMIT	44834
AIR NEW SOURCE PERMITS	PERMIT	45097
AIR NEW SOURCE PERMITS	PERMIT	45152
AIR NEW SOURCE PERMITS	PERMIT	45449
AIR NEW SOURCE PERMITS	PERMIT	45762
AIR NEW SOURCE PERMITS	PERMIT	46009
AIR NEW SOURCE PERMITS	PERMIT	46051
AIR NEW SOURCE PERMITS	PERMIT	46174
AIR NEW SOURCE PERMITS	PERMIT	46173
AIR NEW SOURCE PERMITS	PERMIT	46306
AIR NEW SOURCE PERMITS	PERMIT	46378
AIR NEW SOURCE PERMITS	PERMIT	46429
AIR NEW SOURCE PERMITS	PERMIT	46428
AIR NEW SOURCE PERMITS	PERMIT	46431
AIR NEW SOURCE PERMITS	PERMIT	46481
AIR NEW SOURCE PERMITS	PERMIT	46568
AIR NEW SOURCE PERMITS	PERMIT	46658
AIR NEW SOURCE PERMITS	PERMIT	46682
AIR NEW SOURCE PERMITS	PERMIT	46767
AIR NEW SOURCE PERMITS	PERMIT	46798
AIR NEW SOURCE PERMITS	PERMIT	46911

AIR NEW SOURCE PERMITS	PERMIT	46987
AIR NEW SOURCE PERMITS	PERMIT	47095
AIR NEW SOURCE PERMITS	PERMIT	47092
AIR NEW SOURCE PERMITS	PERMIT	47203
AIR NEW SOURCE PERMITS	PERMIT	47114
AIR NEW SOURCE PERMITS	PERMIT	47374
AIR NEW SOURCE PERMITS	PERMIT	47347
AIR NEW SOURCE PERMITS	PERMIT	47352
AIR NEW SOURCE PERMITS	PERMIT	47564
AIR NEW SOURCE PERMITS	PERMIT	47970
AIR NEW SOURCE PERMITS	PERMIT	48027
AIR NEW SOURCE PERMITS	PERMIT	48343
AIR NEW SOURCE PERMITS	PERMIT	48337
AIR NEW SOURCE PERMITS	PERMIT	48497
AIR NEW SOURCE PERMITS	PERMIT	48414
AIR NEW SOURCE PERMITS	PERMIT	48567
AIR NEW SOURCE PERMITS	PERMIT	48715
AIR NEW SOURCE PERMITS	PERMIT	48478
AIR NEW SOURCE PERMITS	PERMIT	48479
AIR NEW SOURCE PERMITS	PERMIT	48813
AIR NEW SOURCE PERMITS	PERMIT	49187
AIR NEW SOURCE PERMITS	PERMIT	49235
AIR NEW SOURCE PERMITS	PERMIT	49253
AIR NEW SOURCE PERMITS	PERMIT	47314
AIR NEW SOURCE PERMITS	PERMIT	49685
AIR NEW SOURCE PERMITS	PERMIT	37957
AIR NEW SOURCE PERMITS	PERMIT	9871
AIR NEW SOURCE PERMITS	PERMIT	9938
AIR NEW SOURCE PERMITS	PERMIT	9973
AIR NEW SOURCE PERMITS	PERMIT	834
AIR NEW SOURCE PERMITS	PERMIT	13682
AIR NEW SOURCE PERMITS	PERMIT	313
AIR NEW SOURCE PERMITS	PERMIT	646
AIR NEW SOURCE PERMITS	PERMIT	654
AIR NEW SOURCE PERMITS	PERMIT	1407
AIR NEW SOURCE PERMITS	PERMIT	1430
AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	941
AIR NEW SOURCE PERMITS	PERMIT	2417
AIR NEW SOURCE PERMITS	PERMIT	3434
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
WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50161
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD STE B1226, FREEPORT, TX, 77541 Rating Date: 9/1/2005 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: December 14, 2005

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 14, 2000 to December 14, 2005

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.

1660 Effective Date: 02/17/2003 ADMINORDER 2002-0689-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)

Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Findings Effective Date: 01/07/2002 ADMINORDER 2000-1459-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)

30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit complete notifications for 29 upsets.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Dow has allowed unauthorized emissions into the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)

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

Rqmt Prov: SC No. 2 PERMIT
Description: Failure to properly control emissions from Benzene Tank AD-20X.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT
Description: Failure to properly control emissions from Reactor R-5.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)

5C THC Chap. . 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2A PERMIT
Description: Failure to properly control emissions from Distillation Tower T-30.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.

Classification: Moderate

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

Rqmt Prov: SP No. 13E PERMIT
Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.

Classification: Moderate

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

Rqmt Prov: SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.

Classification: Moderate

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

Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.

Classification: Moderate

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

Rqmt Prov: SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.

Classification: Minor

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

Rqmt Prov: SP No. 8F PERMIT
Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.

Classification: Moderate

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

Rqmt Prov: GP No. 9A PERMIT
SP No. 8B PERMIT

SP No. 8E PERMIT

Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.

Classification: Moderate

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

Rqmt Prov: GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.

Classification: Moderate

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

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

Rqmt Prov: GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.

Classification: Moderate

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

Rqmt Prov: GC No. 7E PERMIT

Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.

Classification: Moderate

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

Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: Not Specified PERMIT
Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.

Classification: Minor

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

Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.

Classification: Minor

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

Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Findings Effective Date: 03/22/2002 ADMINORDER 2001-0854-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)

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

Rqmt Prov: SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]

Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

Findings 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 Chap... 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)[G]

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.

1660 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)[G]
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.

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. (CCEDC Inv. Track. No.)

1	08/13/2002	(8036)
2	02/28/2003	(26378)
3	07/03/2002	(4135)
4	10/24/2002	(159615)
5	10/24/2001	(159614)
6	08/21/2003	(151151)
7	07/19/2002	(4762)
8	06/24/2003	(60303)
9	09/26/2002	(12350)
10	10/15/2002	(12337)
11	08/15/2002	(6894)
12	02/03/2003	(286198)
13	08/31/2004	(272564)
14	02/05/2004	(258950)
15	01/07/2005	(338837)
16	07/07/2004	(258307)
17	09/26/2002	(11829)
18	08/24/2005	(403273)
19	06/28/2005	(376054)
20	10/31/2004	(276897)
21	03/07/2005	(372291)
22	12/22/2004	(289575)
23	01/21/2005	(337408)
24	09/25/2002	(159612)
25	03/18/2005	(346350)
26	07/30/2003	(133869)
27	10/29/2002	(14541)
28	12/15/2003	(254080)
29	09/24/2001	(159611)
30	07/22/2005	(397876)
31	11/27/2001	(IE0001062003001)
32	06/17/2005	(376522)
33	10/26/2005	(432895)
34	08/25/2005	(404533)
35	05/30/2003	(60877)
36	09/17/2003	(248098)
37	06/16/2004	(247738)
38	08/26/2002	(159609)
39	12/17/2004	(286731)
40	05/17/2005	(376212)
41	04/12/2004	(264619)
42	02/11/2004	(260442)
43	07/12/2005	(393369)
44	06/30/2004	(266880)
45	06/02/2004	(272991)
46	07/28/2005	(380321)
47	12/16/2004	(285097)
48	08/27/2001	(159608)
49	03/07/2003	(21400)
50	04/30/2004	(255002)
51	08/31/2004	(273678)
52	08/23/2002	(4928)

53	03/02/2005	(372448)
54	09/04/2002	(9088)
55	02/23/2004	(260927)
56	05/23/2005	(262475)
57	07/31/2002	(5786)
58	08/04/2003	(36623)
59	07/29/2002	(159606)
60	12/20/2004	(339119)
61	08/07/2002	(7213)
62	07/08/2005	(376056)
63	03/07/2005	(372281)
64	03/23/2005	(347781)
65	07/01/2005	(378760)
66	08/19/2002	(4885)
67	08/30/2003	(152221)
68	01/03/2003	(15110)
69	10/11/2002	(11055)
70	08/25/2002	(8609)
71	09/30/2005	(402695)
72	01/07/2005	(339147)
73	07/02/2003	(35418)
74	11/18/2002	(12073)
75	03/22/2004	(263436)
76	07/22/2005	(397878)
77	07/31/2002	(6169)
78	07/23/2001	(159605)
79	08/08/2005	(396518)
80	12/31/2004	(338842)
81	08/18/2004	(277856)
82	02/24/2005	(339179)
83	02/21/2005	(337409)
84	12/17/2004	(339587)
85	11/15/2005	(435315)
86	01/27/2005	(347186)
87	03/29/2004	(264628)
88	02/23/2005	(346354)
89	05/14/2004	(248280)
90	06/03/2004	(258305)
91	03/10/2004	(261603)
92	08/08/2003	(159603)
93	06/02/2005	(376058)
94	06/25/2002	(159602)
95	02/21/2005	(344830)
96	08/22/2003	(150711)
97	08/31/2004	(273416)
98	07/22/2005	(397880)
99	08/14/2003	(150122)
100	01/27/2003	(21017)
101	09/04/2003	(247717)
102	06/26/2001	(159601)
103	10/16/2002	(12820)
104	09/14/2005	(431669)
105	11/04/2004	(338243)

106	10/26/2005	(432986)
107	09/01/2004	(267453)
108	12/09/2002	(14830)
109	07/22/2005	(397881)
110	08/14/2002	(7906)
111	08/11/2005	(377164)
112	08/25/2003	(151529)
113	01/28/2002	(IE0018454001001)
114	12/28/2004	(251988)
115	08/31/2004	(273127)
116	05/19/2003	(159599)
117	02/06/2004	(251940)
118	02/03/2004	(257672)
119	05/23/2005	(345033)
120	05/20/2005	(392573)
121	08/04/2005	(398933)
122	03/20/2003	(23813)
123	05/20/2002	(159598)
124	06/02/2005	(376059)
125	12/16/2004	(286819)
126	12/13/2004	(339850)
127	06/23/2003	(35416)
128	07/09/2002	(2159)
129	03/06/2003	(26396)
130	05/29/2001	(159597)
131	12/17/2004	(338429)
132	01/06/2005	(339121)
133	01/31/2005	(347857)
134	05/17/2005	(376280)
135	04/28/2003	(159595)
136	12/28/2004	(256034)
137	07/28/2004	(276490)
138	08/31/2004	(273881)
139	08/20/2002	(7588)
140	07/31/2003	(33803)
141	07/19/2002	(4827)
142	04/30/2002	(159594)
143	07/17/2002	(4563)
144	07/11/2005	(393361)
145	05/27/2003	(29063)
146	08/30/2003	(149187)
147	05/26/2004	(352355)
148	04/24/2001	(159593)
149	05/28/2003	(31177)
150	02/21/2005	(337411)
151	06/28/2004	(352356)
152	08/22/2005	(396197)
153	01/16/2002	(120354)
154	08/29/2005	(398935)
155	05/24/2005	(380324)
156	07/26/2004	(352357)
157	05/08/2001	(159592)
158	07/19/2002	(5014)

159	05/27/2005	(379484)
160	08/27/2004	(267540)
161	06/15/2005	(380845)
162	11/26/2003	(250021)
163	10/26/2005	(432935)
164	01/07/2005	(339138)
165	08/24/2004	(352358)
166	07/13/2005	(397022)
167	11/05/2004	(334318)
168	09/23/2004	(352359)
169	02/25/2005	(345303)
170	08/31/2002	(10381)
171	08/15/2005	(398936)
172	10/22/2004	(352360)
173	11/01/2004	(285137)
174	02/21/2005	(345433)
175	08/15/2005	(393373)
176	08/16/2002	(7720)
177	08/31/2004	(272729)
178	03/21/2003	(159590)
179	08/17/2004	(284165)
180	08/15/2002	(7525)
181	11/24/2004	(352361)
182	08/05/2005	(398937)
183	08/25/2005	(397853)
184	01/09/2004	(254701)
185	02/03/2003	(285652)
186	08/31/2002	(8599)
187	08/27/2004	(266751)
188	08/07/2002	(7201)
189	03/20/2002	(159589)
190	06/14/2005	(375259)
191	08/30/2005	(398938)
192	07/26/2003	(61449)
193	02/26/2004	(296001)
194	09/05/2002	(10360)
195	12/19/2002	(18859)
196	03/10/2005	(346208)
197	03/15/2004	(262011)
198	03/26/2001	(159588)
199	06/30/2003	(35785)
200	05/14/2004	(263118)
201	02/01/2005	(347843)
202	10/01/2003	(250440)
203	11/05/2004	(334295)
204	05/08/2001	(159587)
205	03/22/2004	(296004)
206	10/31/2003	(253956)
207	02/28/2003	(159586)
208	06/24/2005	(396413)
209	08/31/2004	(272789)
210	04/19/2004	(296006)
211	03/10/2004	(264415)

212	05/28/2003	(31159)
213	02/20/2002	(159585)
214	09/07/2004	(291280)
215	05/06/2005	(376209)
216	08/29/2004	(265955)
217	02/28/2005	(381956)
218	08/05/2005	(396199)
219	11/22/2004	(335797)
220	08/27/2004	(279078)
221	10/30/2002	(10265)
222	03/28/2005	(381957)
223	05/24/2004	(31438)
224	10/26/2005	(431242)
225	07/28/2004	(282417)
226	12/16/2004	(114225)
227	12/10/2004	(114224)
228	08/19/2005	(404732)
229	05/19/2003	(28851)
230	02/23/2001	(159584)
231	12/23/2004	(381958)
232	10/26/2005	(432043)
233	04/23/2004	(265028)
234	08/31/2004	(272814)
235	01/21/2005	(381959)
236	10/31/2004	(276789)
237	03/15/2004	(261999)
238	01/31/2005	(347762)
239	05/12/2004	(257994)
240	09/28/2005	(406914)
241	07/23/2003	(296010)
242	12/13/2004	(336762)
243	09/01/2004	(277902)
244	09/30/2002	(7575)
245	05/10/2005	(346362)
246	12/17/2002	(15107)
247	04/14/2003	(27517)
248	01/14/2005	(338682)
249	11/30/2005	(373986)
250	10/31/2004	(289698)
251	07/21/2005	(393364)
252	08/15/2003	(140682)
253	11/30/2003	(126059)
254	11/01/2004	(284370)
255	08/26/2003	(296012)
256	08/27/2002	(9435)
257	08/15/2002	(7533)
258	08/19/2003	(150391)
259	01/31/2003	(159627)
260	03/18/2005	(346346)
261	08/16/2004	(281509)
262	12/21/2004	(334606)
263	03/21/2005	(346710)
264	04/23/2004	(258324)

265	10/01/2003	(296014)
266	05/31/2005	(346355)
267	06/26/2003	(60783)
268	01/05/2005	(285365)
269	02/05/2004	(260440)
270	01/29/2002	(159626)
271	05/26/2004	(258253)
272	10/16/2002	(12725)
273	06/22/2005	(350704)
274	09/07/2004	(333240)
275	08/31/2004	(274129)
276	10/01/2003	(250457)
277	01/27/2003	(21168)
278	01/29/2001	(159625)
279	04/29/2004	(255279)
280	10/23/2003	(296016)
281	11/01/2004	(285135)
282	06/24/2005	(396517)
283	09/28/2005	(402693)
284	04/30/2004	(254073)
285	04/13/2004	(265611)
286	07/28/2004	(282469)
287	10/05/2005	(374026)
288	08/29/2003	(152748)
289	03/30/2004	(264622)
290	11/15/2001	(97516)
291	08/05/2005	(393374)
292	02/23/2005	(346345)
293	11/24/2003	(296017)
294	03/04/2003	(26394)
295	06/01/2004	(254581)
296	12/23/2002	(159623)
297	04/01/2005	(345046)
298	08/17/2004	(273076)
299	05/04/2005	(347119)
300	09/01/2005	(403238)
301	08/09/2002	(7520)
302	08/07/2003	(61967)
303	07/06/2001	(97515)
304	05/17/2005	(376237)
305	01/07/2005	(339177)
306	12/24/2003	(296018)
307	11/01/2004	(286768)
308	12/27/2001	(159622)
309	11/30/2003	(249732)
310	12/22/2004	(289567)
311	03/22/2005	(346347)
312	07/20/2004	(278387)
313	05/23/2005	(376200)
314	07/06/2001	(97514)
315	08/12/2005	(285295)
316	07/06/2001	(97513)
317	01/21/2004	(296019)

318 08/17/2004 (284292)
319 03/15/2004 (261987)
320 12/26/2000 (159621)
321 11/12/2003 (254614)
322 02/11/2004 (260085)
323 01/09/2005 (339130)
324 08/07/2002 (7186)
325 02/12/2003 (22520)
326 08/16/2002 (8175)
327 05/04/2005 (338714)
328 01/31/2005 (347883)
329 08/16/2002 (7857)
330 07/06/2004 (258308)
331 08/19/2002 (6722)
332 11/27/2002 (159619)
333 02/11/2004 (260441)
334 06/14/2005 (350783)
335 11/30/2005 (435278)
336 12/16/2004 (289573)
337 06/29/2005 (347598)
338 11/19/2001 (159618)
339 04/08/2005 (347573)
340 09/12/2005 (406575)
341 02/21/2005 (345507)
342 01/09/2004 (253974)
343 12/13/2004 (334315)
344 08/15/2002 (7408)
345 05/17/2004 (253533)
346 06/30/2004 (267508)
347 06/30/2004 (267938)
348 10/26/2005 (432097)
349 01/09/2004 (254710)
350 12/06/2004 (284914)
351 08/27/2002 (9436)
352 08/31/2002 (4886)
353 08/19/2005 (393378)
354 07/19/2002 (5209)
355 01/17/2005 (249734)
356 08/29/2003 (151240)
357 05/27/2005 (374664)
358 12/20/2004 (339116)
359 02/21/2005 (344930)

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

NS Date: 03/05/2003 (26396)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

DMR Date: 09/30/2002 (159615)

Classification: Moderate

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

NS Date: 06/01/2004 (254581)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 106, SubChapter K 106.261(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Avoidable emissions event.

DMR Date: 08/31/2002 (159612)

Classification: Moderate

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

NS Date: 08/22/2005 (404732)

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

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

NS Date: 04/29/2004 (255279)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Exceeded VOC permit limit during an emissions event.

NS Date: 07/22/2005 (397876)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 335, SubChapter C 335.62
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(c)[G]
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]
Description: Complete hazardous waste determination is required.

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Description: NOR update required.

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)[G]
40 CFR Chapter 268, SubChapter I, PT 268, SubPT E 268.50(b)
Description: CSA, LDR, one year storage limit exceeded.

Classification: Moderate

Self Report? NO
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.

Classification: Moderate

Self Report? NO
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.

NS Date: 08/31/2005 (403238)

Classification: Minor

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 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: OP IA
PERMIT IA

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.

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

Rqmt Prov: OP IA
PERMIT IA

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

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: OP IA
PERMIT IA

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

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: OP IA
PERMIT IA

Description: Dow failed to maintain the minimum scrubber water flow rate for the SC-2 Scrubber (EPN B13SV2).

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1438(f)[G]

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

NS Date: 07/08/2005 (376056)

Classification: Moderate

Self Report? NO

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

Rqmt Prov: PERMIT IA

Description: Dow had an avoidable emissions event during Incident 51417.

NS Date: 11/30/2003 (249732)

Classification: Moderate

Self Report? NO

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.

DMR Date: 06/30/2001 (159605)

Classification: Moderate

Self Report? YES

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

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

NS Date: 08/20/2002 (7575)

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Classification: Moderate

Self Report? NO
Citation: TEXAS HEALTH AND SAFETY CODE 382.085
Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

NS Date: 05/24/2003 (29063)

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
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).

DMR Date: 04/30/2003 (159599)

Classification: Moderate

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

NS Date: 04/30/2004 (254073)

Classification: Moderate

Self Report? NO
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.

NS Date: 08/15/2005 (393373)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Dow had an avoidable emissions event during Incident 55560.

NS Date: 03/23/2005 (347781)

Classification: Minor

Self Report? NO
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 IA
Description: Failed to seal open-ended lines.

Classification: Minor

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

Classification: Minor

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

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
Description: Failed to attempt to repair leaks.

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP IA
Description: Failed to meet risk management plan requirements.
Classification: Moderate
Self Report? NO
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 IA
Description: Failed to maintain a minimum Btu for a flare.
Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Failed to meet maximum allowable emission rates.
Classification: Minor
Self Report? NO
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failed to create a final record of an emissions event.
Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Failed to meet maximum allowable emission rates.

NS Date: 12/22/2004 (289567)
Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Incident 40337 was an avoidable emissions event.

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

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

DMR Date: 03/31/2001 (159593)
Classification: Moderate
Self Report? YES
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

NS Date: 07/25/2003 (133869)
Classification: Minor
Self Report? NO
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.

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

NS Date: 01/07/2002 (120354)
Classification: Moderate
Self Report? NO

Citation: 30 TAC Chapte. .6, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

NS Date: 05/30/2003 (60877)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)[G]
Description: Notification updates under TAC 335.6 are required.

DMR Date: 06/30/2004 (352357)

Classification: Moderate

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

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

NS Date: 05/24/2005 (380324)

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
Description: Dow failed to keep monthly visual inspection records for three cold solvent degreasers.

Classification: Minor

Self Report? NO
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.

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
PERMIT IA
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.

NS Date: 12/16/2004 (289573)

Classification: Moderate

Self Report? NO
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

Classification: Moderate

Self Report? NO
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

NS Date: 08/07/2003 (61967)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to prevent the release of 1,202 lbs of unauthorized ethylene emissions.

NS Date: 11/22/2004 (335797)

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

Classification: Minor

Self Report? NO
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 IA

PA IA

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

NS Date: 03/29/2004 (264622)

Classification: Minor

Self Report? NO

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.

NS Date: 08/08/2005 (396518)

Classification: Moderate

Self Report? NO

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.

NS Date: 08/26/2005 (403273)

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: OP IA

PERMIT IA

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

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: OP IA

PERMIT IA

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

Classification: Minor

Self Report? NO

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

Description: Deviations omitted from 3 semiannual deviation reports

Classification: Minor

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 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

Rqmt Prov: OP IA

PERMIT IA

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

NS Date: 08/27/2004 (266751)

Classification: Moderate

Self Report? NO

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

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

Rqmt Prov: PERMIT IA

Description: Dow exceeded VOC permit limit during an avoidable emissions event.

NS Date: 12/31/2004 (338842)

Classification: Moderate

Self Report? NO

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.

Classification: Major

Self Report? NO

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 IA

Description: Incident #43280 was avoidable.

DMR Date: 01/31/2001 (159584)

Classification: Moderate

Self Report? YES

Citation: 30 TAC Chapte. 5, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

DMR Date: 03/31/2004 (296006)
Classification: Moderate
Self Report? YES
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

NS Date: 08/29/2004 (265955)
Classification: Moderate
Self Report? NO
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.

DMR Date: 12/31/2004 (381959)
Classification: Moderate
Self Report? YES
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

NS Date: 03/05/2003 (26394)
Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have proper grade of licensed operator.

NS Date: 07/12/2004 (258307)
Classification: Minor
Self Report? NO
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
Description: Failure to report a deviation in the semiannual deviation report.
Classification: Minor
Self Report? NO
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: OP IA
PERMIT IA
Description: Failure to seal open-ended lines.
Classification: Moderate
Self Report? NO
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: OP IA
PERMIT IA
Description: Failure to monitor valves for fugitive emissions.
Classification: Moderate
Self Report? NO
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: OP IA
PERMIT IA
Description: Failure to monitor pump seals for fugitive emissions.
Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
PERMIT IA
Description: Cooling tower emissions exceeded MAER for VOCs.
Classification: Minor
Self Report? NO
Citation: 30 TAC Chapter 122, SubChapter B 122.144(1)(E)

Description: Failure to maintain records of daily flare observations.

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 106, SubChapter K 106.262(4)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP IA

Description: Late submittal of PBR registration.

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 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)

Rqmt Prov: OP IA
PERMIT IA

Description: Failure to maintain minimum BTU requirement in feed stream to flare.

Classification: Minor

Self Report? NO

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: OP IA
PERMIT IA

Description: Failure to re-monitor fugitive components within 15 days.

DMR Date: 06/30/2003 (296010)

Classification: Moderate

Self Report? YES

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

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

DMR Date: 12/31/2002 (159627)

Classification: Moderate

Self Report? YES

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

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

DMR Date: 12/31/2001 (159626)

Classification: Moderate

Self Report? YES

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

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

DMR Date: 12/31/2000 (159625)

Classification: Moderate

Self Report? YES

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

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

NS Date: 08/15/2005 (398936)

Classification: Moderate

Self Report? NO

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

Rqmt Prov: PERMIT IA

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

NS Date: 12/28/2004 (334606)

Classification: Minor

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 63.167(a)(1)

Rqmt Prov: OP IA
PERMIT IA

Description: 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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 IA
Description: Failure to monitor connectors

DMR Date: 08/31/2003 (296014)

Classification: Moderate

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

NS Date: 01/12/2004 (253974)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: PA IA
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.

Classification: Moderate

Self Report? NO
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).

NS Date: 06/03/2004 (258305)

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 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)

Rqmt Prov: OP IA
PERMIT IA

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

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: OP IA
PERMIT IA

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

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: OP IA
PERMIT IA

Description: Exceedance of permitted fill/drain rates for Tank D-275, Tank D-550 and Tank D-20M.

Classification: Moderate

Self Report? NO

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: OP IA
PERMIT IA

Description: Exceedance of MAERs for Tank R-1B and Tank D-15C.

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: OP IA
PERMIT IA

Description: Failure to use submerged fill loading for railcar equipment A26VELR02 and drum loading equipment A26VELR04.

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: OP IA
PERMIT IA

Description: Failure to equip open-ended valve with a plug.

NS Date: 01/14/2005 (338682)

Classification: Moderate

Self Report? NO

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

Rqmt Prov: OP IA
PERMIT IA

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%

Classification: Moderate

Self Report? NO

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

Rqmt Prov: OP IA
PERMIT IA

Description: Dow exceeded . . hourly emission limit for NOx on unit B246PGT62 as au . ized by the Standard Permit (SP) 49187 limit of 38.3 lbs/hr, at eight (8) documented times.

Classification: Moderate

Self Report? NO

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

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP IA

PERMIT IA

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%.

Classification: Moderate

Self Report? NO

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

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP IA

PERMIT IA

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.

Classification: Minor

Self Report? NO

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.

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)[G]

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 IA

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.

NS Date: 12/28/2004 (256034)

Classification: Moderate

Self Report? NO

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

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

Rqmt Prov: PERMIT IA

Description: Incident 7827 was an avoidable emissions event.

DMR Date: 11/30/2002 (159623)

Classification: Moderate

Self Report? YES

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

TWC Chapter 26 26.121(a)[G]

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

DMR Date: 09/30/2003 (296016)

Classification: Moderate

Self Report? YES

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

TWC Chapter 26 26.121(a)[G]

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

NS Date: 07/09/2001 (97515)

Classification: Moderate

Self Report? NO

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

Rqmt Prov: OP IA

Description: PERMIT SPECIAL CONDITI

DMR Date: 11/30/2001 (159622)

Classification: Moderate

Self Report? YES

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

TWC Chapter 26 26.121(a)[G]

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

NS Date: 06/29/2005 (378760)

Classification: Moderate

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

NS Date: 05/04/2005 (338714)

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
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.

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
Description: Dow failed to comply with the requirement to operate the scrubber B5010SV110 under the maximum stack gas temperature of 95 degrees F.

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: OP IA
PERMIT IA
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.

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: OP IA
PERMIT IA
Description: Dow failed to maintain caps and/or plugs on nine open-ended lines in the B5016 Contract Manufacturing Plant.

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: OP IA
PERMIT IA
Description: Dow failed to maintain the water flow rate minimum on Scrubber T-543 during periods of vent gas flow.

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.05181(a)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP IA
Description: Dow failed to register the production processes of various Maxistab products under either a PBR or NSR permit.

DMR Date: 10/31/2002 (159619)

Classification: Moderate

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

NS Date: 11/05/2004 (338243)

Classification: Minor

Self Report? NO
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: OP IA
PA IA

Description: Failure to main... continuous data records of thermal oxidizer (EPN B201 firebox temperature on 8/27/2003, 3/3/2004 and 7/6/2004.

Classification: Minor

Self Report? NO

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

Rqmt Prov: OP IA

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

Classification: Minor

Self Report? NO

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

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP IA

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

Classification: Minor

Self Report? NO

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: OP IA

PA IA

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

NS Date: 08/29/2003 (151240)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)

Description: Failure to prevent the release of unauthorized emissons during an emissions event.

NS Date: 02/06/2004 (251940)

Classification: Moderate

Self Report? NO

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

Rqmt Prov: PERMIT IA

Description: Avoidable emissions event with emissions of benzene.

NS Date: 12/31/2002 (15110)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)

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

Description: Failure to control emissions.

NS Date: 06/17/2005 (376522)

Classification: Moderate

Self Report? NO

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.

Classification: Minor

Self Report? NO

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.

Classification: Moderate

Self Report? NO

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

Rqmt Prov: PA IA

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

Classification: Moderate

Self Report? NO

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.

Classification: Moderate

Self Report? NO

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.

Classification: Moderate

Self Report? NO
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.

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
Description: Failure to perform monthly inspection of a solvent cleaning station in October 2004.

Classification: Moderate

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Failure to meet the emission specifications for HCl, Cl2, SO2, and CO from EPNs OCD3SB901, OCD3SB902, and OCD3SB903.

Classification: Minor

Self Report? NO
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.

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: PERMIT IA
Description: Failure to equip open-ended lines with a cap or plug.

Classification: Minor

Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Failure to equip open-ended lines with a cap or plug.
Failure to equip open-ended lines with a cap or plug.

F. Environmental audits.

Notice of Intent Date: 02/18/2004 (265119)
No DOV Associated

Notice of Intent Date: 04/14/2004 (274298)
No DOV Associated

Notice of Intent Date: 12/11/2001 (32894)
No DOV Associated

Notice of Intent Date: 03/19/2004 (336700)
No DOV Associated

Notice of Intent Date: 06/14/2004 (347895)
No DOV Associated

Notice of Intent Date: 03/30/2005 (378947)
No DOV Associated

Notice of Intent Date: 04/20/2005 (380855)
No DOV Associated

Notice of Intent Date: 08/16/2005 (434104)
No DOV Associated

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

Penalty Calculation Worksheet (PCW)

TCEQ Policy Revision 2 (09/02) PCW Revision 6/12/2003

DATES

PCW	10-Dec-2007	Screening	20-Jan-2003	Priority Due	20-May-2003	EPA Due	

RESPONDENT INFORMATION

Respondent	The Dow Chemical Company
Respondent/Site ID No(s).	Air Account No. BL-0082-R; Regulated Entity Reference No. RN100225945
Facility/Site Region	12 - Houston
Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No(s).	Enforcement Case No. 12064		
Docket No.	2004-1344-MLM-E	No. Violations	3
Case Priority	3	Order Type	Findings
Enf. Coordinator	Sushil Modak	EC's Team	Enforcement Team 3
Media Program(s)	Air Quality		
Admin. Penalty $ Limit	Minimum $0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY *(Sum of violation base penalties)* — *Subtotal 1*: $15,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 211% Enhancement — *Subtotals 2, 3 & 7*: $31,650 (+)

Notes: The respondent received fifteen (15) NOVs for same or similar violations, fourteen (14) NOVs without same or similar violations, along with seventeen (17) self-reported monthly effluent violations and three findings orders. (+)

Culpability — 0% Enhancement — *Subtotal 4*: $0

No *Select Yes/No* (+)

Notes: The respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 0% Reduction — *Subtotal 5*: $0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
None of the above	X	*(mark with small x)*

(+)

Notes: These are past events with no opportunity for compliance.

Economic Benefit — 0% Enhancement* — *Subtotal 6*: $0

$27	Total EB Amounts
$21,644	Approx. Cost of Compliance

**Capped at the Total EB $ Amount*

(=)

SUM OF SUBTOTALS 1-7 — Final Subtotal: $46,650

OTHER FACTORS AS JUSTICE MAY REQUIRE — *Adjustment*: $0 (+)

Reduces or enhances the Final Subtotal by the indicated percentage. *(enter number only; e.g. 20 for -30%)*

Notes: (=)

Final Penalty Amount: $46,650

STATUTORY LIMIT ADJUSTMENT — Final Assessed Penalty: $30,000

DEFERRAL — Deferral Reduction — *Adjustment*: $0 (-)

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

Notes: No deferral is recommended because this is a findings order (=)

PAYABLE PENALTY: $30,000

EXHIBIT

tabbies

PCW 3

Screening Date 20-Jan-2003 **Docket Number** 2004-1344-MLM-E **PCW**
Respondent The Dow Chemical Company Policy Revision 2 (09/02)
Case ID No. Enforcement Case No. 12064 PCW Revision 6/12/2003
Respondent/Site ID No. Air Account No. BL-0082-R; Regulated Entity Reference No. RN100225945
Media [Statute] Air Quality
Enf. Coordinator Sushil Modak
Site Address 2301 North Brazosport Blvd., Freeport, Brazoria County, Texas 77541

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)*	15	75%
	Other written NOVs	31	62%
Orders	Any agreed final enforcement orders containing a denial of liability *(number of orders meeting criteria)*		0%
	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%
	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%
Convictions	Any criminal convictions of this state or the federal government *(number of counts)*		0%
Emissions	Chronic excessive emissions events *(number of events)*		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)*	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*		0%
		Please enter Yes or No	
Other	Environmental management systems in place for one year or more		0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program		0%
	Participation in a voluntary pollution reduction program		0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements		0%

Adjustment Percentage (Subtotal 2) 211%

>> **Repeat Violator (Subtotal 3)**

No *Select Yes/No* *Adjustment Percentage (Subtotal 3)* 0%

>> **Compliance History *Person* Classification (Subtotal 7)**

Average Performer Select High, Average or Poor *Adjustment Percentage (Subtotal 7)* 0%

Compliance History Summary

Compliance History Notes The respondent received fifteen (15) NOVs for same or similar violations, fourteen (14) NOVs without same or similar violations, along with seventeen (17) self-reported monthly effluent violations and three findings orders.

Total Adjustment Percentage (Subtotals 2, 3 & 7) 211%

Screening Date 20-Jan-03 **Docket Number** 2004-1344-MLM-E **PCW**
Respondent The Dow Chemical Company **Policy Revision 2 (09/02)**
Case ID No. Enforcement Case No. 12064 **PCW Revision 6/12/2003**
Respondent/Site ID No. Air Account No. BL-0082-R; Regulated Entity Reference No. RN100225945
Media [Statute] Air Quality
Enf. Coordinator Sushil Modak
Violation Number 1
Primary Rule Cite 30 Tex. Admin. Code § 116.115(b)(2)(G) and Air Permit No. 37884, Maximum Allowable Emission Rate Table
Secondary Cite(s) Tex. Health & Safety Code § 382.085(b)
Violation Description The respondent failed to comply with the permitted limit established in the Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. 37884 for propylene (C3H6O), carbon monoxide (CO), and nitric oxide (NOx). Specifically, the respondent failed to prevent the unauthorized emission of C3H6O, CO, and NOx at the Dow's North American Propylene (NAPP-1) Unit during the period between January 4 and 25, 2003. The reported value of C3H6O, CO and NOx released to the atmosphere were 39,360 lbs, 37,030 lbs and 6,910 lbs respectively. The permitted VOC limit including propylene is 3,600 lbs. The permitted CO and NOx limits are 3,220 lbs and 960 lbs respectively.

Base Penalty $10,000

» Environmental, Property and Human Health Matrix

	Release	Harm: Major	Moderate	Minor
OR	Actual		x	
	Potential			

Percent 50%

» Programmatic Matrix

	Falsification	Major	Moderate	Minor
OR				

Percent

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

Adjustment -$5,000

Base Penalty Subtotal $5,000

Violation Events

Number of Violation Events 1

mark only one: use small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $5,000

Events Notes One single event is recommended based on the one incident of permit exceedance, as documented during the investigation conducted on April 30, 2003.

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

Estimated EB Amount ($) $3

Violation Final Penalty total $15,550

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
ID Number(s) Enforcement Case No. 12064
Media [Statute] Air Quality
Violation Number 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	$3,500	5-Jan-2003	10-Jan-2003	0.0	$0	$3	$3
Buildings				0.0	$0	$0	$0
Other (As needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (As Needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	The cost to rent and utilize a replacement compressor on North American Polypropylene (NAPP-1) Unit per Mr. Steve Kilpatrick of the Regulatory Affairs of The Dow Chemical Company. The Date Required is the date of the documented alleged violation and the Final Date is the date compliance was achieved.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equip				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 $3,500

TOTAL $3

Screening Date 20-Jan-03 **Docket Number** 2004-1344-MLM-E **PCW**
Respondent The Dow Chemical Company Policy Revision 2 (09/02)
Case ID No. Enforcement Case No. 12064 PCW Revision 6/12/2003
Respondent/Site ID No. Air Account No. BL-0082-R; Regulated Entity Reference No. RN100225945
Media [Statute] Air Quality
Enf. Coordinator Sushil Modak
Violation Number 2

Primary Rule Cite	30 Tex. Admin. Code § 116.115(c) and Air Permit No. X-7386, Maximum Allowable Emission Rate Table, Special Condition No. 1
Secondary Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	The respondent failed to comply with the permitted limit established in the Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. X-7386 for ethylene oxide. Specifically, the respondent failed to prevent the unauthorized emission of ethylene oxide at the Dow's Hydroxyalkyl Acrylate (HHA Reactor System B6400) Unit for a period of one (1) hour 45 minutes on March 12, 2003. The reported value of ethylene oxide released from the VS-1 Schrubber valve to the atmosphere was 5,795 lbs. The permitted ethylene oxide limit is 0.20 lbs/hr.

Base Penalty $10,000

» Environmental, Property and Human Health Matrix

	Harm			
Release	Major	Moderate	Minor	
OR Actual		x		
Potential				

Percent 50%

» Programmatic Matrix

Falsification	Major	Moderate	Minor	
OR				

Percent

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

Adjustment -$5,000

Base Penalty Subtotal $5,000

Violation Events

Number of Violation Events 1

mark only one; use small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $5,000

Events Notes One single event is recommended based on the one incident of permit exceedance, as documented during the investigation conducted on April 25, 2003.

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount ($) $23 ***Violation Final Penalty total*** $15,550

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
ID Number(s) Enforcement Case No. 12064
Media [Statute] Air Quality
Violation Number 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	$17,000	12-Mar-2003	19-Mar-2003	0.0	$1	$22	$23
Buildings				0.0	$0	$0	$0
Other (As needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (As Needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to repair the VS-1 Scrubber valve on Hydroxyalkyl Acrylate (HHA Reactor System B6400) Unit per Mr. Ed Barrios, Environmental Health & Safety Delivery Leader of The Dow Chemical Company. The Date Required is the date of the documented alleged violation and the Final Date is the date compliance was achieved.

Avoided Costs (ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs))							
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equip				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: $17,000

TOTAL: $23

PCW
Policy Revision 2 (09/02)
PCW Revision 6/12/2003

Screening Date 20-Jan-03 **Docket Number** 2004-1344-MLM-E
Respondent The Dow Chemical Company
Case ID No. Enforcement Case No. 12064
Respondent/Site ID No. Air Account No. BL-0082-R; Regulated Entity Reference No. RN100225945
Media [Statute] Air Quality
Enf. Coordinator Sushil Modak

Violation Number 3
Primary Rule Cite Tex. Health & Safety Code § 382.085(a)
Secondary Cite(s) 30 Tex. Admin. Code § 115.121(a)(1) and 115.122(a)
Violation Description The respondent failed to prevent the unauthorized emission of ethylene at the Dow's Plant B Polyethylene (PE) Unit for a period of 33 hours on April 7, 2003. The reported value of ethylene released to the atmosphere, as a result of malfunctioning of the Train 2 safety relief valve, was 203,000 lbs.

Base Penalty $10,000

» Environmental, Property and Human Health Matrix

	Release	Harm: Major	Moderate	Minor
OR	Actual		x	
	Potential			

Percent 50%

» Programmatic Matrix

Falsification	Major	Moderate	Minor

OR **Percent**

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

Adjustment -$5,000
Base Penalty Subtotal $5,000

Violation Events

Number of Violation Events 1

mark only one; use small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $5,000

Events Notes: One single event is recommended based on the one incident of the unauthorized ethylene emission on April 7, 2003 as documented during the investigation conducted on April 14, 2003

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

Estimated EB Amount ($) $0

Violation Final Penalty total $15,550

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
ID Number(s) Enforcement Case No. 12064
Media [Statute] Air Quality
Violation Number 3

Percent Interest	Years of Depreciation
5.0	15

Delayed Costs

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	$1,144	5-Apr-2003	7-Apr-2003	0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (As needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (As Needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: The cost to remove, inspect, repair, and install the pressure safety valve on Polyethylene II (PE) Unit per Mr. Steve Kilpatrick of the Regulatory Affairs of The Dow Chemical Company. The Date Required is the date of the documented alleged violation and the Final Date is the date compliance was achieved.

Avoided Costs

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

Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equip				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: $1,144

TOTAL: $0

Compliance History

Customer/Respondent/Owner-Operator:	CN600356976	The Dow Chemical Company	Classification: AVERAGE	Rating: 1.86
Regulated Entity:	RN100225945	DOW TEXAS OPERATIONS FREEPORT	Classification: HIGH	Site Rating: 0.00

ID Number(s):

AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	50004
AIR NEW SOURCE PERMITS	PERMIT	49838
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1430
AIR NEW SOURCE PERMITS	PERMIT	1407
AIR NEW SOURCE PERMITS	PERMIT	654
AIR NEW SOURCE PERMITS	PERMIT	646
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AIR NEW SOURCE PERMITS	PERMIT	14639
AIR NEW SOURCE PERMITS	PERMIT	13682
AIR NEW SOURCE PERMITS	PERMIT	834
AIR NEW SOURCE PERMITS	PERMIT	16480
AIR NEW SOURCE PERMITS	PERMIT	9973
AIR NEW SOURCE PERMITS	PERMIT	9938
AIR NEW SOURCE PERMITS	PERMIT	9871
AIR NEW SOURCE PERMITS	PERMIT	37957
AIR NEW SOURCE PERMITS	PERMIT	49685
AIR NEW SOURCE PERMITS	PERMIT	47314
AIR NEW SOURCE PERMITS	PERMIT	49253
AIR NEW SOURCE PERMITS	PERMIT	49235
AIR NEW SOURCE PERMITS	PERMIT	49187
AIR NEW SOURCE PERMITS	PERMIT	48813
AIR NEW SOURCE PERMITS	PERMIT	48479
AIR NEW SOURCE PERMITS	PERMIT	48478
AIR NEW SOURCE PERMITS	PERMIT	48715
AIR NEW SOURCE PERMITS	PERMIT	48567
AIR NEW SOURCE PERMITS	PERMIT	48414
AIR NEW SOURCE PERMITS	PERMIT	48497
AIR NEW SOURCE PERMITS	PERMIT	48337
AIR NEW SOURCE PERMITS	PERMIT	48343
AIR NEW SOURCE PERMITS	PERMIT	48222
AIR NEW SOURCE PERMITS	PERMIT	48027
AIR NEW SOURCE PERMITS	PERMIT	47970
AIR NEW SOURCE PERMITS	PERMIT	47564
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AIR NEW SOURCE PERMITS	PERMIT	47352
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AIR NEW SOURCE PERMITS	PERMIT	47114

EXHIBIT

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AIR NEW SOURCE PERMITS	PERMIT	47203
AIR NEW SOURCE PERMITS	PERMIT	47092
AIR NEW SOURCE PERMITS	PERMIT	47095
AIR NEW SOURCE PERMITS	PERMIT	46987
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AIR NEW SOURCE PERMITS	PERMIT	46798
AIR NEW SOURCE PERMITS	PERMIT	46767
AIR NEW SOURCE PERMITS	PERMIT	46682
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AIR NEW SOURCE PERMITS	PERMIT	46428
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AIR NEW SOURCE PERMITS	PERMIT	46427
AIR NEW SOURCE PERMITS	PERMIT	46378
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AIR NEW SOURCE PERMITS	PERMIT	46173
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AIR NEW SOURCE PERMITS	PERMIT	45152
AIR NEW SOURCE PERMITS	PERMIT	45097
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AIR NEW SOURCE PERMITS	PERMIT	44718
AIR NEW SOURCE PERMITS	PERMIT	44622
AIR NEW SOURCE PERMITS	PERMIT	44608
AIR NEW SOURCE PERMITS	PERMIT	44465
AIR NEW SOURCE PERMITS	PERMIT	44464
AIR NEW SOURCE PERMITS	PERMIT	44411
AIR NEW SOURCE PERMITS	PERMIT	44370
AIR NEW SOURCE PERMITS	PERMIT	44118
AIR NEW SOURCE PERMITS	PERMIT	44056
AIR NEW SOURCE PERMITS	PERMIT	44036
AIR NEW SOURCE PERMITS	PERMIT	44001
AIR NEW SOURCE PERMITS	PERMIT	44002
AIR NEW SOURCE PERMITS	PERMIT	43953
AIR NEW SOURCE PERMITS	PERMIT	43960
AIR NEW SOURCE PERMITS	PERMIT	43959
AIR NEW SOURCE PERMITS	PERMIT	43859
AIR NEW SOURCE PERMITS	PERMIT	43813
AIR NEW SOURCE PERMITS	PERMIT	42443
AIR NEW SOURCE PERMITS	PERMIT	43698
AIR NEW SOURCE PERMITS	PERMIT	43592
AIR NEW SOURCE PERMITS	PERMIT	43416
AIR NEW SOURCE PERMITS	PERMIT	43417

AIR NEW SOURCE PERMITS	PERMIT	43381
AIR NEW SOURCE PERMITS	PERMIT	43382
AIR NEW SOURCE PERMITS	PERMIT	43046
AIR NEW SOURCE PERMITS	PERMIT	42923
AIR NEW SOURCE PERMITS	PERMIT	42384
AIR NEW SOURCE PERMITS	PERMIT	42464
AIR NEW SOURCE PERMITS	PERMIT	42327
AIR NEW SOURCE PERMITS	PERMIT	42412
AIR NEW SOURCE PERMITS	PERMIT	42611
AIR NEW SOURCE PERMITS	PERMIT	42190
AIR NEW SOURCE PERMITS	PERMIT	41555
AIR NEW SOURCE PERMITS	PERMIT	41271
AIR NEW SOURCE PERMITS	PERMIT	41760
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AIR NEW SOURCE PERMITS	PERMIT	41283
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AIR NEW SOURCE PERMITS	PERMIT	41273
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AIR NEW SOURCE PERMITS	PERMIT	40430
AIR NEW SOURCE PERMITS	PERMIT	40479
AIR NEW SOURCE PERMITS	PERMIT	40543
AIR NEW SOURCE PERMITS	PERMIT	40046
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AIR NEW SOURCE PERMITS	PERMIT	39609
AIR NEW SOURCE PERMITS	PERMIT	38759
AIR NEW SOURCE PERMITS	PERMIT	38861
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AIR NEW SOURCE PERMITS	PERMIT	38156
AIR NEW SOURCE PERMITS	PERMIT	38157
AIR NEW SOURCE PERMITS	PERMIT	38347
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AIR NEW SOURCE PERMITS	PERMIT	37465
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AIR NEW SOURCE PERMITS	PERMIT	37884
AIR NEW SOURCE PERMITS	PERMIT	37569
AIR NEW SOURCE PERMITS	PERMIT	37124
AIR NEW SOURCE PERMITS	PERMIT	37122
AIR NEW SOURCE PERMITS	PERMIT	36333
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AIR NEW SOURCE PERMITS	PERMIT	37000
AIR NEW SOURCE PERMITS	PERMIT	37267
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AIR NEW SOURCE PERMITS	PERMIT	36634
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AIR NEW SOURCE PERMITS	PERMIT	36523

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AIR NEW SOURCE PERMITS	PERMIT	35413
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AIR NEW SOURCE PERMITS	PERMIT	34111
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AIR NEW SOURCE PERMITS	PERMIT	33608
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AIR NEW SOURCE PERMITS	PERMIT	33813
AIR NEW SOURCE PERMITS	PERMIT	33328
AIR NEW SOURCE PERMITS	PERMIT	33212
AIR NEW SOURCE PERMITS	PERMIT	32546
AIR NEW SOURCE PERMITS	PERMIT	31992
AIR NEW SOURCE PERMITS	PERMIT	31753
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AIR NEW SOURCE PERMITS	PERMIT	30503
AIR NEW SOURCE PERMITS	PERMIT	30622
AIR NEW SOURCE PERMITS	PERMIT	29782
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AIR NEW SOURCE PERMITS	PERMIT	29753
AIR NEW SOURCE PERMITS	PERMIT	29415
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AIR NEW SOURCE PERMITS	PERMIT	25124
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AIR NEW SOURCE PERMITS	PERMIT	27041
AIR NEW SOURCE PERMITS	PERMIT	25702
AIR NEW SOURCE PERMITS	PERMIT	26692
AIR NEW SOURCE PERMITS	PERMIT	24030
AIR NEW SOURCE PERMITS	PERMIT	24101
AIR NEW SOURCE PERMITS	PERMIT	24053
AIR NEW SOURCE PERMITS	PERMIT	23389
AIR NEW SOURCE PERMITS	PERMIT	23388
AIR NEW SOURCE PERMITS	PERMIT	23387
AIR NEW SOURCE PERMITS	PERMIT	23519
AIR NEW SOURCE PERMITS	PERMIT	23076

AIR NEW SOURCE PERMITS	PERMIT	23075
AIR NEW SOURCE PERMITS	PERMIT	22945
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AIR NEW SOURCE PERMITS	PERMIT	22851
AIR NEW SOURCE PERMITS	PERMIT	22810
AIR NEW SOURCE PERMITS	PERMIT	22809
AIR NEW SOURCE PERMITS	PERMIT	22853
AIR NEW SOURCE PERMITS	PERMIT	22759
AIR NEW SOURCE PERMITS	PERMIT	22743
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AIR NEW SOURCE PERMITS	PERMIT	22085
AIR NEW SOURCE PERMITS	PERMIT	22083
AIR NEW SOURCE PERMITS	PERMIT	22078
AIR NEW SOURCE PERMITS	PERMIT	22072
AIR NEW SOURCE PERMITS	PERMIT	22071
AIR NEW SOURCE PERMITS	PERMIT	22070
AIR NEW SOURCE PERMITS	PERMIT	22063
AIR NEW SOURCE PERMITS	PERMIT	22077
AIR NEW SOURCE PERMITS	PERMIT	21676
AIR NEW SOURCE PERMITS	PERMIT	21512
AIR NEW SOURCE PERMITS	PERMIT	20909
AIR NEW SOURCE PERMITS	PERMIT	20777
AIR NEW SOURCE PERMITS	PERMIT	20776
AIR NEW SOURCE PERMITS	PERMIT	20775
AIR NEW SOURCE PERMITS	PERMIT	20774
AIR NEW SOURCE PERMITS	PERMIT	20687
AIR NEW SOURCE PERMITS	PERMIT	20607
AIR NEW SOURCE PERMITS	PERMIT	20525
AIR NEW SOURCE PERMITS	PERMIT	20432
AIR NEW SOURCE PERMITS	PERMIT	20285
AIR NEW SOURCE PERMITS	PERMIT	20228
AIR NEW SOURCE PERMITS	PERMIT	20195
AIR NEW SOURCE PERMITS	PERMIT	19552
AIR NEW SOURCE PERMITS	PERMIT	19519
AIR NEW SOURCE PERMITS	PERMIT	19050
AIR NEW SOURCE PERMITS	PERMIT	19026
AIR NEW SOURCE PERMITS	PERMIT	18950
AIR NEW SOURCE PERMITS	PERMIT	18852
AIR NEW SOURCE PERMITS	PERMIT	18624
AIR NEW SOURCE PERMITS	PERMIT	18561
AIR NEW SOURCE PERMITS	PERMIT	18547
AIR NEW SOURCE PERMITS	PERMIT	18258
AIR NEW SOURCE PERMITS	PERMIT	18020
AIR NEW SOURCE PERMITS	PERMIT	20997
AIR NEW SOURCE PERMITS	PERMIT	20996
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AIR NEW SOURCE PERMITS	PERMIT	17107
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AIR NEW SOURCE PERMITS	PERMIT	17027
AIR NEW SOURCE PERMITS	PERMIT	14329
AIR NEW SOURCE PERMITS	PERMIT	13920
AIR NEW SOURCE PERMITS	PERMIT	7009

AIR NEW SOURCE PERMITS	PERMIT	16473
AIR NEW SOURCE PERMITS	PERMIT	16249
AIR NEW SOURCE PERMITS	PERMIT	15811
AIR NEW SOURCE PERMITS	PERMIT	13873
AIR NEW SOURCE PERMITS	PERMIT	13194
AIR NEW SOURCE PERMITS	PERMIT	12520
AIR NEW SOURCE PERMITS	PERMIT	12484
AIR NEW SOURCE PERMITS	PERMIT	12445
AIR NEW SOURCE PERMITS	PERMIT	12432
AIR NEW SOURCE PERMITS	PERMIT	12166
AIR NEW SOURCE PERMITS	PERMIT	12145
AIR NEW SOURCE PERMITS	PERMIT	12130
AIR NEW SOURCE PERMITS	PERMIT	12128
AIR NEW SOURCE PERMITS	PERMIT	11644
AIR NEW SOURCE PERMITS	PERMIT	11567
AIR NEW SOURCE PERMITS	PERMIT	11566
AIR NEW SOURCE PERMITS	PERMIT	11076
AIR NEW SOURCE PERMITS	PERMIT	10959
AIR NEW SOURCE PERMITS	PERMIT	10791
AIR NEW SOURCE PERMITS	PERMIT	10790
AIR NEW SOURCE PERMITS	PERMIT	10690
AIR NEW SOURCE PERMITS	PERMIT	10423
AIR NEW SOURCE PERMITS	PERMIT	9822
AIR NEW SOURCE PERMITS	PERMIT	9047
AIR NEW SOURCE PERMITS	PERMIT	9046
AIR NEW SOURCE PERMITS	PERMIT	9044
AIR NEW SOURCE PERMITS	PERMIT	8567
AIR NEW SOURCE PERMITS	PERMIT	8047
AIR NEW SOURCE PERMITS	PERMIT	8009
AIR NEW SOURCE PERMITS	PERMIT	7593
AIR NEW SOURCE PERMITS	PERMIT	7591
AIR NEW SOURCE PERMITS	PERMIT	7531
AIR NEW SOURCE PERMITS	PERMIT	7423
AIR NEW SOURCE PERMITS	PERMIT	7387
AIR NEW SOURCE PERMITS	PERMIT	7386
AIR NEW SOURCE PERMITS	PERMIT	7341
AIR NEW SOURCE PERMITS	PERMIT	7131
AIR NEW SOURCE PERMITS	PERMIT	6803
AIR NEW SOURCE PERMITS	PERMIT	6743
AIR NEW SOURCE PERMITS	PERMIT	6707
AIR NEW SOURCE PERMITS	PERMIT	6069
AIR NEW SOURCE PERMITS	PERMIT	5661
AIR NEW SOURCE PERMITS	PERMIT	5520
AIR NEW SOURCE PERMITS	PERMIT	5339
AIR NEW SOURCE PERMITS	PERMIT	4370
AIR NEW SOURCE PERMITS	PERMIT	4310A
AIR NEW SOURCE PERMITS	PERMIT	4085
AIR NEW SOURCE PERMITS	PERMIT	4031
AIR NEW SOURCE PERMITS	PERMIT	4021
AIR NEW SOURCE PERMITS	PERMIT	4020
AIR NEW SOURCE PERMITS	PERMIT	3320
AIR NEW SOURCE PERMITS	PERMIT	3301
WASTEWATER LICENSING	LICENSE	WQ0000007000

AIR OPERATING PERMITS	PERMIT	2313
AIR OPERATING PERMITS	PERMIT	2311
AIR OPERATING PERMITS	PERMIT	2221
AIR OPERATING PERMITS	PERMIT	2220
AIR OPERATING PERMITS	PERMIT	2219
AIR OPERATING PERMITS	PERMIT	2218
AIR OPERATING PERMITS	PERMIT	2217
AIR OPERATING PERMITS	PERMIT	2216
AIR OPERATING PERMITS	PERMIT	2215
AIR OPERATING PERMITS	PERMIT	2214
AIR OPERATING PERMITS	PERMIT	2213
AIR OPERATING PERMITS	PERMIT	2212
AIR OPERATING PERMITS	PERMIT	2211
AIR OPERATING PERMITS	PERMIT	2210
AIR OPERATING PERMITS	PERMIT	2209
AIR OPERATING PERMITS	PERMIT	2208
AIR OPERATING PERMITS	PERMIT	2207
AIR OPERATING PERMITS	PERMIT	2206
AIR OPERATING PERMITS	PERMIT	2205
AIR OPERATING PERMITS	PERMIT	2204
AIR OPERATING PERMITS	PERMIT	2203
AIR OPERATING PERMITS	PERMIT	2202
AIR OPERATING PERMITS	PERMIT	1388
AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	REGISTRATION	70776
AIR NEW SOURCE PERMITS	REGISTRATION	70760
AIR NEW SOURCE PERMITS	REGISTRATION	70765
AIR NEW SOURCE PERMITS	REGISTRATION	70592
AIR NEW SOURCE PERMITS	REGISTRATION	70458
AIR NEW SOURCE PERMITS	PERMIT	48892
AIR NEW SOURCE PERMITS	REGISTRATION	70195
AIR NEW SOURCE PERMITS	REGISTRATION	70194
AIR NEW SOURCE PERMITS	REGISTRATION	56851
AIR NEW SOURCE PERMITS	REGISTRATION	56833
AIR NEW SOURCE PERMITS	PERMIT	PSDTX993
AIR NEW SOURCE PERMITS	PERMIT	P993
AIR NEW SOURCE PERMITS	AFS NUM	0016
AIR NEW SOURCE PERMITS	REGISTRATION	56138
AIR NEW SOURCE PERMITS	PERMIT	55881
AIR NEW SOURCE PERMITS	REGISTRATION	55537
AIR NEW SOURCE PERMITS	REGISTRATION	55479
AIR NEW SOURCE PERMITS	REGISTRATION	55411
AIR NEW SOURCE PERMITS	REGISTRATION	55032
AIR NEW SOURCE PERMITS	PERMIT	54200
AIR NEW SOURCE PERMITS	PERMIT	53895
AIR NEW SOURCE PERMITS	PERMIT	52998
AIR NEW SOURCE PERMITS	PERMIT	52999
AIR NEW SOURCE PERMITS	PERMIT	52200
AIR NEW SOURCE PERMITS	PERMIT	22091
AIR NEW SOURCE PERMITS	PERMIT	52724
AIR NEW SOURCE PERMITS	PERMIT	52152
WATER LICENSING	LICENSE	0200232
WASTEWATER	PERMIT	TPDES0006484

PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232
WASTEWATER	PERMIT	TPDES0006483
WASTEWATER	PERMIT	WQ0000007000
AIR OPERATING PERMITS	PERMIT	N041
AIR NEW SOURCE PERMITS	PERMIT	19041
AIR NEW SOURCE PERMITS	PERMIT	18320
AIR NEW SOURCE PERMITS	PERMIT	18211
AIR NEW SOURCE PERMITS	PERMIT	15988
AIR NEW SOURCE PERMITS	PERMIT	15718
AIR NEW SOURCE PERMITS	PERMIT	12755
AIR NEW SOURCE PERMITS	PERMIT	12173
AIR NEW SOURCE PERMITS	PERMIT	11832
AIR NEW SOURCE PERMITS	PERMIT	11275
AIR NEW SOURCE PERMITS	PERMIT	10770
AIR NEW SOURCE PERMITS	PERMIT	3947
AIR NEW SOURCE PERMITS	PERMIT	3941
AIR NEW SOURCE PERMITS	PERMIT	3434
AIR NEW SOURCE PERMITS	PERMIT	2417
AIR NEW SOURCE PERMITS	PERMIT	1762
AIR NEW SOURCE PERMITS	PERMIT	941
AIR NEW SOURCE PERMITS	PERMIT	3914
AIR NEW SOURCE PERMITS	PERMIT	3347
AIR NEW SOURCE PERMITS	PERMIT	3302
AIR NEW SOURCE PERMITS	PERMIT	2773
AIR NEW SOURCE PERMITS	PERMIT	2772
AIR NEW SOURCE PERMITS	PERMIT	2728
AIR NEW SOURCE PERMITS	PERMIT	2689
AIR NEW SOURCE PERMITS	PERMIT	2606
AIR NEW SOURCE PERMITS	PERMIT	2472
AIR NEW SOURCE PERMITS	PERMIT	2367
AIR NEW SOURCE PERMITS	PERMIT	2008A
AIR NEW SOURCE PERMITS	PERMIT	1715
AIR NEW SOURCE PERMITS	PERMIT	1658
AIR NEW SOURCE PERMITS	PERMIT	1655
AIR NEW SOURCE PERMITS	PERMIT	1559
AIR NEW SOURCE PERMITS	PERMIT	1558
AIR NEW SOURCE PERMITS	PERMIT	1515
AIR NEW SOURCE PERMITS	PERMIT	1472
AIR NEW SOURCE PERMITS	PERMIT	1258
AIR NEW SOURCE PERMITS	PERMIT	817
AIR NEW SOURCE PERMITS	PERMIT	770
AIR NEW SOURCE PERMITS	PERMIT	120
AIR NEW SOURCE PERMITS	PERMIT	119
AIR NEW SOURCE PERMITS	PERMIT	30002
AIR NEW SOURCE PERMITS	PERMIT	21596
AIR NEW SOURCE PERMITS	PERMIT	20495
AIR NEW SOURCE PERMITS	PERMIT	20433
AIR NEW SOURCE PERMITS	PERMIT	20266
AIR NEW SOURCE PERMITS	PERMIT	19792
AIR NEW SOURCE PERMITS	PERMIT	19720
AIR NEW SOURCE PERMITS	PERMIT	19243
AIR NEW SOURCE PERMITS	PERMIT	19202
AIR NEW SOURCE PERMITS	PERMIT	19121

AIR NEW SOURCE PERMITS	PERMIT	18667
AIR NEW SOURCE PERMITS	PERMIT	18504
AIR NEW SOURCE PERMITS	PERMIT	18259
AIR NEW SOURCE PERMITS	PERMIT	18229
AIR NEW SOURCE PERMITS	PERMIT	18145
AIR NEW SOURCE PERMITS	PERMIT	6911
AIR NEW SOURCE PERMITS	PERMIT	12340
AIR NEW SOURCE PERMITS	PERMIT	4022
AIR NEW SOURCE PERMITS	PERMIT	15386
AIR NEW SOURCE PERMITS	PERMIT	14935
AIR NEW SOURCE PERMITS	PERMIT	13950
AIR NEW SOURCE PERMITS	PERMIT	13132
AIR NEW SOURCE PERMITS	PERMIT	13104
AIR NEW SOURCE PERMITS	PERMIT	12970
AIR NEW SOURCE PERMITS	PERMIT	12613
AIR NEW SOURCE PERMITS	PERMIT	12265
AIR NEW SOURCE PERMITS	PERMIT	12104
AIR NEW SOURCE PERMITS	PERMIT	12051
AIR NEW SOURCE PERMITS	PERMIT	12045
AIR NEW SOURCE PERMITS	PERMIT	12008
AIR NEW SOURCE PERMITS	PERMIT	12007
AIR NEW SOURCE PERMITS	PERMIT	11919
AIR NEW SOURCE PERMITS	PERMIT	11745
AIR NEW SOURCE PERMITS	PERMIT	11691A
AIR NEW SOURCE PERMITS	PERMIT	11691
AIR NEW SOURCE PERMITS	PERMIT	11159
AIR NEW SOURCE PERMITS	PERMIT	11092
AIR NEW SOURCE PERMITS	PERMIT	10955
AIR NEW SOURCE PERMITS	PERMIT	10845
AIR NEW SOURCE PERMITS	PERMIT	10794
AIR NEW SOURCE PERMITS	PERMIT	10792
AIR NEW SOURCE PERMITS	PERMIT	10766
AIR NEW SOURCE PERMITS	PERMIT	10731
AIR NEW SOURCE PERMITS	PERMIT	10689
AIR NEW SOURCE PERMITS	PERMIT	10677
AIR NEW SOURCE PERMITS	PERMIT	10674
AIR NEW SOURCE PERMITS	PERMIT	10613
AIR NEW SOURCE PERMITS	PERMIT	10534
AIR NEW SOURCE PERMITS	PERMIT	10469
AIR NEW SOURCE PERMITS	PERMIT	9838
AIR NEW SOURCE PERMITS	PERMIT	9837
AIR NEW SOURCE PERMITS	PERMIT	9773
AIR NEW SOURCE PERMITS	PERMIT	9045
AIR NEW SOURCE PERMITS	PERMIT	7942
AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	6932
AIR NEW SOURCE PERMITS	PERMIT	6744
AIR NEW SOURCE PERMITS	PERMIT	6383
AIR NEW SOURCE PERMITS	PERMIT	6382
AIR NEW SOURCE PERMITS	PERMIT	6161

AIR NEW SOURCE PERMITS	PERMIT	6069A
AIR NEW SOURCE PERMITS	PERMIT	5746
AIR NEW SOURCE PERMITS	PERMIT	5340

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541 Rating Date: 9/1/03 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: January 13, 2004

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 13, 1999 to January 13, 2004

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

Name: Sushil Modak Phone: (512) 239-2142

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: 1/7/02 ADMINORDER 2000-1459-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit complete notifications for 29 upsets.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Dow has allowed unauthorized emissions into the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Citation: SC No. 2 PERMIT

Description: Failure to properly control emissions from Benzene Tank AD-20X.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Citation: SC 2 PERMIT

Description: Failure to properly control emissions from Reactor R-5.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Citation: SC 2A PERMIT

Description: Failure to properly control emissions from Distillation Tower T-30.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.

Classification: Moderate

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

Citation: SP No. 13E PERMIT

Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.

Classification: Moderate

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

Citation: SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.

Classification: Moderate

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

Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.

Classification: Moderate

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

Citation: SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.

Classification: Minor

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

Citation: SP No. 8F PERMIT
Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.

Classification: Moderate

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

Citation: GP No. 9A PERMIT
SP No. 8B PERMIT
SP No. 8E PERMIT
Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.

Classification: Moderate

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

Citation: GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.

Classification: Moderate

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

Citation: GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.

Classification: Moderate

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

Citation: GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.

Classification: Moderate

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

Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Citation: Not Specified PERMIT
Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.

Classification: Minor

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

Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.

Classification: Minor

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

Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Effective Date: 3/22/02 ADMINORDER 2001-0854-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Citation: SC 12(A) PERMIT

Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]

Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

Effective Date: 3/8/99 ADMINORDER 1998-0658-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(a)
40 CFR Part 61, Subpart F 61.65(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Citation: SC 5 PERMIT

Description: Released vinyl chloride into the atmosphere on two occasions via pressure relief valves.

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

N/A

C. Chronic excessive emissions events.

N/A

D. The dates of investigations.

1 12/07/1999
2 08/07/2000
3 12/07/1999
4 05/18/2000
5 08/13/2002
6 01/14/2000
7 12/07/1999
8 12/07/1999
9 05/18/2000
10 01/14/2000
11 12/07/1999
12 12/07/1999
13 02/28/2003
14 05/18/2000
15 01/14/2000
16 07/11/2000
17 12/07/1999
18 12/07/1999
19 10/29/1999
20 05/18/2000
21 01/24/2000
22 07/18/2000
23 12/07/1999
24 11/04/1999
25 05/17/2000

26	07/12/2000
27	01/24/2000
28	07/03/2002
29	07/18/2000
30	12/07/1999
31	10/18/1999
32	05/17/2000
33	12/08/1999
34	07/18/2000
35	02/04/2000
36	12/07/1999
37	05/17/2000
38	12/08/1999
39	10/24/2002
40	12/07/1999
41	07/19/2000
42	02/07/2000
43	05/17/2000
44	12/08/1999
45	12/07/1999
46	07/19/2000
47	02/07/2000
48	05/17/2000
49	12/07/1999
50	12/08/1999
51	07/19/2000
52	02/07/2000
53	10/24/2001
54	05/15/2000
55	08/21/2003
56	07/19/2002
57	12/07/1999
58	12/08/1999
59	07/20/2000
60	02/07/2000
61	05/15/2000
62	11/05/1999
63	06/24/2003
64	07/21/2000
65	12/08/1999
66	02/07/2000
67	07/26/2000
68	05/12/2000
69	12/08/1999
70	02/07/2000
71	09/26/2002
72	10/15/2002
73	07/26/2000
74	05/11/2000
75	03/24/2000
76	07/27/2000
77	05/11/2000
78	03/24/2000

79	07/27/2000
80	05/11/2000
81	03/30/2000
82	10/20/2000
83	07/27/2000
84	05/11/2000
85	03/30/2000
86	08/02/2000
87	05/10/2000
88	09/26/2002
89	04/13/2000
90	12/08/1999
91	08/07/2000
92	05/09/2000
93	04/24/2000
94	12/08/1999
95	08/07/2000
96	04/24/2000
97	05/09/2000
98	12/13/1999
99	09/25/2002
100	07/30/2003
101	04/13/2000
102	10/29/2002
103	12/15/2003
104	05/10/2000
105	12/15/1999
106	03/30/2000
107	08/07/2000
108	12/28/1999
109	05/11/2000
110	03/30/2000
111	09/24/2001
112	08/07/2000
113	03/24/2000
114	05/11/2000
115	08/02/2000
116	09/22/2000
117	03/24/2000
118	07/27/2000
119	05/11/2000
120	09/17/2003
121	02/07/2000
122	07/27/2000
123	05/11/2000
124	02/07/2000
125	08/26/2002
126	07/27/2000
127	05/12/2000
128	02/07/2000
129	07/26/2000
130	05/15/2000
131	02/07/2000

132	08/27/2001
133	07/26/2000
134	05/15/2000
135	03/07/2003
136	02/07/2000
137	07/21/2000
138	05/17/2000
139	08/23/2000
140	08/23/2002
141	07/20/2000
142	02/07/2000
143	05/17/2000
144	09/04/2002
145	07/19/2000
146	02/04/2000
147	07/31/2002
148	05/17/2000
149	08/04/2003
150	07/19/2000
151	01/24/2000
152	07/29/2002
153	05/17/2000
154	08/07/2002
155	07/19/2000
156	01/24/2000
157	05/17/2000
158	07/18/2000
159	01/14/2000
160	08/19/2002
161	08/30/2003
162	05/18/2000
163	01/03/2003
164	07/18/2000
165	10/11/2002
166	08/25/2002
167	01/14/2000
168	07/02/2003
169	05/18/2000
170	11/18/2002
171	07/18/2000
172	01/14/2000
173	05/18/2000
174	07/11/2000
175	01/14/2000
176	01/05/2000
177	07/31/2002
178	07/23/2001
179	05/18/2000
180	07/27/2000
181	05/24/2000
182	05/24/2000
183	08/08/2003
184	01/05/2000

185 05/30/2000
186 05/30/2000
187 06/25/2002
188 08/22/2003
189 05/30/2000
190 01/14/2000
191 08/14/2003
192 05/30/2000
193 01/27/2003
194 09/04/2003
195 06/26/2001
196 10/16/2002
197 05/30/2000
198 07/03/2000
199 01/14/2000
200 05/30/2000
201 06/27/2000
202 06/30/2000
203 06/05/2000
204 12/09/2002
205 06/30/2000
206 08/14/2002
207 06/08/2000
208 01/14/2000
209 12/28/1999
210 06/20/2000
211 06/20/2000
212 08/25/2003
213 12/15/1999
214 01/28/2002
215 06/20/2000
216 05/19/2003
217 06/20/2000
218 12/13/1999
219 06/08/2000
220 06/30/2000
221 01/14/2000
222 12/08/1999
223 06/05/2000
224 06/30/2000
225 03/20/2003
226 12/08/1999
227 05/30/2000
228 05/20/2002
229 07/03/2000
230 05/30/2000
231 06/23/2003
232 07/09/2002
233 03/06/2003
234 01/24/2000
235 05/30/2000
236 05/29/2001
237 05/30/2000

238	05/30/2000
239	05/30/2000
240	01/24/2000
241	05/30/2000
242	04/28/2003
243	05/24/2000
244	12/08/1999
245	08/20/2002
246	07/31/2003
247	02/04/2000
248	05/24/2000
249	12/08/1999
250	12/08/1999
251	05/18/2000
252	07/19/2002
253	04/30/2002
254	05/18/2000
255	02/07/2000
256	07/17/2002
257	12/08/1999
258	05/18/2000
259	07/11/2000
260	12/07/1999
261	05/18/2000
262	12/07/1999
263	07/18/2000
264	02/07/2000
265	05/17/2000
266	05/27/2003
267	12/07/1999
268	08/30/2003
269	07/18/2000
270	05/17/2000
271	04/24/2001
272	05/28/2003
273	12/07/1999
274	07/18/2000
275	05/17/2000
276	02/07/2000
277	01/16/2002
278	12/07/1999
279	07/19/2000
280	05/17/2000
281	07/19/2000
282	05/17/2000
283	12/07/1999
284	10/18/1999
285	05/08/2001
286	07/19/2000
287	02/07/2000
288	08/23/2000
289	05/15/2000
290	12/07/1999

291	07/20/2000
292	08/23/2000
293	05/15/2000
294	11/26/2003
295	12/07/1999
296	07/21/2000
297	08/17/2000
298	05/12/2000
299	12/07/1999
300	07/26/2000
301	02/07/2000
302	11/04/1999
303	08/17/2000
304	05/11/2000
305	12/07/1999
306	07/26/2000
307	08/31/2002
308	03/28/2000
309	08/17/2000
310	05/11/2000
311	07/27/2000
312	12/07/1999
313	08/11/2000
314	05/11/2000
315	02/07/2000
316	07/27/2000
317	08/16/2002
318	12/07/1999
319	03/21/2003
320	08/11/2000
321	08/15/2002
322	05/11/2000
323	12/07/1999
324	07/27/2000
325	12/07/1999
326	01/09/2004
327	08/11/2000
328	05/10/2000
329	08/02/2000
330	12/07/1999
331	03/24/2000
332	08/31/2002
333	08/08/2000
334	05/09/2000
335	08/07/2002
336	03/20/2002
337	12/07/1999
338	08/07/2000
339	07/26/2003
340	08/08/2000
341	04/24/2000
342	09/05/2002
343	12/19/2002

344 08/07/2000
345 03/24/2000
346 04/13/2000
347 12/07/1999
348 08/07/2000
349 03/30/2000
350 03/26/2001
351 06/30/2003
352 07/20/2000
353 03/30/2000
354 08/07/2000
355 05/08/2001
356 07/20/2000
357 03/24/2000
358 12/07/1999
359 10/31/2003
360 03/30/2000
361 07/20/2000
362 12/07/1999
363 02/28/2003
364 03/24/2000
365 12/07/1999
366 02/07/2000
367 12/07/1999
368 05/28/2003
369 02/20/2002
370 02/07/2000
371 03/30/2000
372 12/07/1999
373 02/07/2000
374 12/07/1999
375 02/07/2000
376 12/07/1999
377 04/13/2000
378 12/07/1999
379 02/07/2000
380 12/07/1999
381 10/30/2002
382 07/12/2000
383 12/07/1999
384 02/07/2000
385 12/07/1999
386 05/19/2003
387 12/07/1999
388 04/24/2000
389 02/04/2000
390 02/23/2001
391 12/07/1999
392 11/04/1999
393 01/24/2000
394 10/18/1999
395 12/07/1999
396 01/24/2000

397	05/09/2000
398	12/07/1999
399	01/14/2000
400	02/28/2000
401	07/12/2000
402	01/14/2000
403	12/07/1999
404	04/13/2000
405	05/10/2000
406	01/14/2000
407	02/04/2000
408	12/07/1999
409	01/14/2000
410	08/07/2000
411	01/14/2000
412	01/05/2000
413	08/07/2000
414	12/07/1999
415	12/07/1999
416	09/30/2002
417	05/11/2000
418	01/24/2000
419	12/17/2002
420	08/02/2000
421	12/07/1999
422	04/14/2003
423	12/07/1999
424	07/27/2000
425	12/07/1999
426	08/15/2003
427	05/11/2000
428	12/07/1999
429	07/27/2000
430	11/30/2003
431	12/07/1999
432	08/27/2002
433	12/07/1999
434	07/27/2000
435	08/15/2002
436	12/08/1999
437	12/07/1999
438	07/26/2000
439	05/11/2000
440	08/19/2003
441	01/31/2003
442	12/07/1999
443	07/26/2000
444	12/08/1999
445	07/21/2000
446	12/08/1999
447	05/11/2000
448	07/20/2000
449	12/08/1999

450	07/19/2000
451	05/12/2000
452	07/19/2000
453	05/15/2000
454	06/26/2003
455	07/19/2000
456	01/29/2002
457	05/15/2000
458	07/18/2000
459	10/16/2002
460	05/17/2000
461	12/28/1999
462	07/18/2000
463	05/17/2000
464	12/15/1999
465	10/01/2003
466	07/18/2000
467	01/27/2003
468	05/17/2000
469	01/29/2001
470	12/13/1999
471	07/11/2000
472	05/17/2000
473	12/08/1999
474	12/29/1999
475	05/17/2000
476	12/08/1999
477	05/18/2000
478	08/29/2003
479	05/18/2000
480	11/15/2001
481	05/18/2000
482	05/18/2000
483	12/23/2002
484	05/24/2000
485	08/09/2002
486	08/07/2003
487	07/06/2001
488	12/08/1999
489	05/24/2000
490	12/08/1999
491	12/08/1999
492	05/30/2000
493	12/08/1999
494	12/27/2001
495	11/30/2003
496	12/13/1999
497	05/30/2000
498	12/08/1999
499	07/06/2001
500	12/15/1999
501	07/03/2000
502	05/30/2000

503 12/08/1999
504 07/06/2001
505 12/28/1999
506 05/30/2000
507 12/07/1999
508 06/30/2000
509 08/17/2000
510 05/30/2000
511 12/07/1999
512 06/30/2000
513 12/26/2000
514 08/17/2000
515 05/30/2000
516 12/07/1999
517 06/20/2000
518 08/17/2000
519 06/05/2000
520 06/20/2000
521 12/07/1999
522 08/11/2000
523 08/07/2002
524 11/22/1999
525 02/12/2003
526 10/18/1999
527 08/16/2002
528 06/08/2000
529 06/08/2000
530 12/07/1999
531 08/11/2000
532 11/04/1999
533 08/16/2002
534 06/20/2000
535 06/05/2000
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539 08/19/2002
540 06/20/2000
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542 05/30/2000
543 08/11/2000
544 12/07/1999
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547 11/27/2002
548 08/08/2000
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572 12/07/1999
573 08/15/2002
574 05/30/2000
575 12/07/1999
576 08/07/2000
577 12/07/1999
578 11/21/2000
579 05/24/2000
580 01/09/2004
581 01/05/2000
582 08/27/2002
583 08/31/2002
584 12/07/1999
585 08/07/2000
586 12/07/1999
587 07/19/2002
588 05/24/2000
589 08/29/2003
590 01/14/2000

E. Written notices of violations (NOV).

N/A

Date: 07/11/2000
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: Failure to Comply

Date: 09/30/2002
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2000
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 11/05/1999

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 08/31/2002

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

Date: 12/23/1999

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 11/30/2003

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 after final emissions from a scheduled maintenance event exceeded emissions reported on the Initial Notification.

Date: 06/30/2001

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

Date: 08/20/2002

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Self Report? NO Classification: Moderate
Citation: TEXAS HEALTH AND SAFETY CODE 382.085
Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

10 Date: 05/24/2003

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
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: 07/11/2000

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply

Date: 12/23/1999

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 04/30/2003

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

Date: 07/11/2000

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply

Date: 11/05/1999

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 08/30/2003

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

Date: 03/31/2001

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

Date: 07/25/2003

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: 12/02/2003

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

Date: 01/07/2002

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

Date: 08/23/2000

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(f)[G]
Description: Failure to Comply

Date: 02/29/2000

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

Date: 08/07/2003

Self Report? NO Classification: Major
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: 01/31/2001

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

Date: 07/11/2000

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.110
Description: Failure to Comply

Date: 07/11/2000

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: Failure to Comply

Date: 12/31/2002

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

Date: 12/31/2001

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

Date: 12/23/1999

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 11/05/1999

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS

Date: 12/31/2000

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 01/12/2004

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 IA
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: 11/30/2002

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/09/2001

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

Date: 11/05/1999

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 11/30/2001

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/09/2001

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
Description: NESHAP STANDARDS

Date: 07/11/2000

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply

Self Report? NO Classification: Moderate

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

Description: Failure to Comply

Date: 11/30/2000

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/23/1999

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 10/31/2002

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/29/2003

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
Description: Failure to prevent the release of unauthorized emissons during an emissions event.

Date: 12/31/2002

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)
5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to control emissions.

Date: 10/31/2000

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/11/2000

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)

Description: Failure to Comply

Self Report? NO Classification: Moderate

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

Date: 09/30/1999

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

Notice of Intent Date: 12/11/2001

No DOV Associated

No Classification

Citation:

Description:

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) *PCW Revision May 17, 2004*

TCEQ

DATES

PCW	15-Dec-2008	Screening	09-Aug-2004	Priority Due	08-Oct-2004	EPA Due	27-Feb-2005

RESPONDENT/FACILITY INFORMATION

Respondent	The Dow Chemical Company		
Reg. Ent. Ref. No.	RN100225945		
Additional ID No(s).	Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161		
Facility/Site Region	12-Houston	Major/Minor Source	Major Source

CASE INFORMATION

Enf./Case ID No.	Enf. Case No. 12064	No. of Violations	8
Docket No.	2004-1344-MLM-E	Order Type	Findings
Case Priority	2	Enf. Coordinator	Suzanne Walrath
Media Program(s)	Air Quality	EC's Team	Enforcement Team 3
Multi-Media	Industrial Hazardous Waste		
Admin. Penalty $ Limit	Minimum $0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* **$16,200**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 214% Enhancement *Subtotals 2, 3, & 7* **$34,668**

Notes: The respondent received 10 NOVs with same or similar violations, 51 NOVs without same or similar violations (21 of which were self-reported), one Findings Order, and two 1660 orders. The respondent conducted three environmental audits.

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

Notes: The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction *Subtotal 5* **$0**

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

Notes: This facility achieved compliance on 9/17/04, however, this case contains violations (Viol. No. 6) that are past events with no opportunity for compliance.

Economic Benefit 0% Enhancement* *Subtotal 6* **$0**

**Capped at the Total EB $ Amount*

Total EB Amounts	$4,295
Approx. Cost of Compliance	$13,450

SUM OF SUBTOTALS 1-7 Final Subtotal **$50,868**

OTHER FACTORS AS JUSTICE MAY REQUIRE -18.0865 Reduction Adjustment **-$9,200**

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes: A reduction is recommended due to the fact that Violation No. 6 is a self-reported violation, and to reflect the terms of a negotiated settlement.

Final Penalty Amount **$41,668**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **$38,807**

DEFERRAL 0% Reduction Adjustment **$0**

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

Notes: A deferral is not recommended due to the fact that this is a findings order.

PAYABLE PENALTY **$38,807**

tabbies

EXHIBIT PCW 4

Screening Date	09-Aug-2004	**Docket No.** 2004-1344-MLM-E	**PCW**
Respondent	The Dow Chemical Company		*Policy Revision 2 (September 2002)*
Case ID No.	Enf. Case No. 12064		*PCW Revision May 17, 2004*
Reg. Ent. Reference No.	RN100225945		
Additional ID No(s).	Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161		
Media [Statute]	Air Quality		
Enf. Coordinator	Suzanne Walrath		
Site Address	2301 North Brazosport Boulevard, Freeport, Texas 77541		

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)*	10	50%
	Other written NOVs	51	102%
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	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government *(number of judgements or consent decrees meeting criteria)*	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government *(number of counts)*	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were*	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	0	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	0	0%
	Participation in a voluntary pollution reduction program	0	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	0	0%

Adjustment Percentage (Subtotal 2) **214%**

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) **0%**

>> Compliance History *Person* Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) **0%**

>> Compliance History Summary

Compliance History Notes

The respondent received 10 NOVs with same or similar violations, 51 NOVs without same or similar violations (21 of which were self-reported), one Findings Order, and two 1660 orders. The respondent conducted three environmental audits.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **214%**

Screening Date 09-Aug-2004 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. Enf. Case No. 12064 *PCW Revision May 17, 2004*

Reg. Ent. Reference No. RN100225945

Additional ID No(s). Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 1

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), New Source Review ("NSR") Permit No. 19041, Spec. Cond. No. 9

Secondary Rule Cite(s) Tex. Health and Safety Code § 382.085(b)

Violation Description Failed to have available the records to demonstrate that samples were being continuously collected from the bottoms of stripping towers T-444 and T-445.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment -$9,900

Base Penalty Subtotal $100

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended as documented during an inspection which began on 3/10/04, and concluded on 4/5/04.

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

Estimated EB Amount $13

Violation Final Penalty Total $257

This violation Final Assessed Penalty (adjusted for limits) $257

Economic Benefit Worksheet

Respondent	The Dow Chemical Company
Case ID No.	Enf. Case No. 12064
Reg. Ent. Reference No.	RN100225945
Additional ID No(s).	Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute]	Air Quality
Violation No.	1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$500	10-Mar-2004	17-Sep-2004	0.5	$13	n/a	$13
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Costs are associated with maintaining records regarding the samples taken from the bottoms of stripping towers T-444 and T-445 beginning on the first date of the inspection, and ending on the date TCEQ received notification that staff had been trained regarding sampling recordkeeping procedures.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$500	TOTAL	$13

Screening Date 09-Aug-2004 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. Enf. Case No. 12064 *PCW Revision May 17, 2004*

Reg. Ent. Reference No. RN100225945

Additional ID No(s). Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 2

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), NSR Permit No. 19041, Spec. Cond. No. 13

Secondary Rule Cite(s) Tex. Health and Safety Code § 382.085(b)

Violation Description Failed to use an approved method to establish the pounds per hour of VOCs emitted into the atmosphere from cooling towers CT-320 and CT-2320.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 2

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,000

Two single events are recommended (one for each tower) as documented during an inspection which began on 3/10/04, and concluded on 4/5/04.

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

Estimated EB Amount $81

Violation Final Penalty Total $5,144

This violation Final Assessed Penalty (adjusted for limits) $5,144

Economic Benefit Worksheet

Respondent	The Dow Chemical Company
Case ID No.	Enf. Case No. 12064
Reg. Ent. Reference No.	RN100225945
Additional ID No(s).	Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute]	Air Quality
Violation No.	2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$2,000	20-Jan-2003	12-Nov-2003	0.8	$81	n/a	$81
Notes for DELAYED costs	Costs are associated with receiving approval for an air stripping method beginning on the first day of the time period that the inappropriate sampling method was being used, and ending on the date that TCEQ approved the Appendix P sampling method and the EPA SW-846 method 8250B.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$2,000	TOTAL	$81

Screening Date 09-Aug-2004 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. Enf. Case No. 12064 *PCW Revision May 17, 2004*

Reg. Ent. Reference No. RN100225945

Additional ID No(s). Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 3

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), NSR Permit No. 19041, Spec. Cond. No. 19B

Secondary Rule Cite(s) Tex. Health and Safety Code § 382.085(b)

Violation Description Failed to conduct a quarterly accuracy audit for the CEMS on Boiler No. 2 FTB-402 (EPN No. OC5SV404) for the third quarter (July through September) of 2002.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 1

mark only one use a small x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One single event is recommended for the accuracy audit that did not occur in the third quarter (July through September) of 2002, as documented during an inspection beginning on 3/10/04, and concluded on 4/5/04.

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

Estimated EB Amount $131

Violation Final Penalty Total $2,572

This violation Final Assessed Penalty (adjusted for limits) $2,572

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: Enf. Case No. 12064
Reg. Ent. Reference No.: RN100225945
Additional ID No(s): Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute]: Air Quality
Violation No.: 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs							
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	$500	01-Jul-2003	30-Sep-2003	0.2	$6	$125	$131
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	Costs are associated with an accuracy audit for the 3rd quarter of 2003 beginning on the first day of the 3rd quarter, and ending on the last day of the 3rd quarter.						

Approx. Cost of Compliance: $500

TOTAL: $131

Screening Date 09-Aug-2004 **Docket No.** 2004-1344-MLM-E **PC**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. Enf. Case No. 12064 *PCW Revision May 17, 2004*

Reg. Ent. Reference No. RN100225945

Additional ID No(s). Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 4

Primary Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(2), 116.115(c), NSR Permit No. 19041, Spec. Cond. Nos. 1, 15, and 16

Secondary Rule Cite(s) 40 CFR §§ 63.163(c)(1) and (2), 63.168(f)(1), 63.174(d), and Tex. Health and Safety Code § 382.085(b)

Violation Description During an inspection beginning on March 10, and concluding on April 5, 2004, it was documented that Dow failed to meet the requirements of the VOC leak detection and repair programs. Specifically, one pump was not attempted to be repaired within five days; and two pumps, one valve, and two connectors were not repaired within 15 days. The estimated amount of emissions from the three pumps are as follows: Tag #EAI67373 (10/16-24/03) - 9.54 lbs; Tag #EAI106430 (12/19/03-1/20/04) - 33.92 lbs; Tag #EAI89844 (12/19/03-1/20/04) - 33.92 lbs. The estimated amount of emissions from one valve is as follows: Tag #02140 (6/4-13/03) - 1.98 lbs. The estimated amount of emissions from the two connectors are as follows: Tag #02359 (6/4 - 23/03) - 0.38 lbs; and Tag #EAI35470 (12/6-10/03) - 0.1 lbs.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one / use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $2,500

One annual event is recommended based on the period of non-compliance - 6/4/03 - 6/13/03 (Tag #02140), 6/4/03 to 6/23/03 (Tag #02359), 10/15/03 to 10/24/03 (Tag #EAI67373), 12/5/03 - 12/10/03 (Tag #EAI35470), and 12/19/03 - 1/20/04 (Tag #EAI106430), as documented by the inspection which began on 3/10/04 and concluded on 4/5/04 to make the penalty commensurate with the situation.

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

Estimated EB Amount $178

Violation Final Penalty Total $6,430

This violation Final Assessed Penalty (adjusted for limits) $6,430

Economic Benefit Worksheet

Respondent	The Dow Chemical Company
Case ID No.	Enf. Case No. 12064
Reg. Ent. Reference No.	RN100225945
Additional ID No(s).	Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute]	Air Quality
Violation No.	4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	$2,000	12-Oct-2002	20-Jan-2004	1.3	$8	$170	$178
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Costs are for the repair of three pumps, one valve and one connector, beginning on the first date that the earliest attempt at pump repair should have occurred, and ending on the date the last pump was repaired.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance	$2,000	TOTAL	$178

Screening Date 09-Aug-2004 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. Enf. Case No. 12064 *PCW Revision May 17, 2004*

Reg. Ent. Reference No. RN100225945

Additional ID No(s). Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 5

Primary Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(2), 116.115(c), and NSR Permit No. 19041, Spec. Cond. No. 1

Secondary Rule Cite(s) 40 CFR § 63.1004(b), and Tex. Health and Safety Code § 382.085(b)

Violation Description Failed to perform VOC leak detection monitoring of valves according to 40 CFR Part 60, Appendix A-7, Method 21, 8.3.1, during the fourth quarter of 2003. The estimated amount of VOC emissions from the 25 valves were 20.24 lbs of VOCs.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended for the one quarter that monitoring was performed incorrectly as documented by the inspection beginning on 3/10/04, and concluded on 4/5/04.

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

Estimated EB Amount $263

Violation Final Penalty Total $6,430

This violation Final Assessed Penalty (adjusted for limits) $6,430

Economic Benefit Worksheet

Respondent	The Dow Chemical Company
Case ID No.	Enf. Case No. 12064
Reg. Ent. Reference No.	RN100225945
Additional ID No(s).	Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute]	Air Quality
Violation No.	5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs							
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]	$250	01-Oct-2003	31-Dec-2003	1.0	$13	$250	$263
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs	Costs are for the one-time monitoring of 25 valves for one quarterly period beginning on the first day of the final quarter of 2003, and ending on the last day of the final quarter of 2003.						

Approx. Cost of Compliance	$250	TOTAL	$263

Screening Date 09-Aug-2004 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. Enf. Case No. 12064 *PCW Revision May 17, 2004*

Reg. Ent. Reference No. RN100225945

Additional ID No(s). Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 6

Primary Rule Cite(s) 30 Tex. Admin. Code §§ 335.2(b), 335.431, and TCEQ Hazardous Waste Permit No. 50161, Permit Provision III-E 10 and V-EE

Secondary Rule Cite(s) 40 CFR §§ 268.1(a), and 268.40(a)

Violation Description Failed to prevent the disposal of unauthorized hazardous waste into an on-site hazardous waste landfill. Specifically, instead of sending the waste to an on-site incinerator, or performing the on-site waste stabilization treatment, 355 cubic yards of non-treated waste (contaminated soil) was placed in Cell IV of Dow's Block-51 landfill between the period of January 14, 2003 and September 23, 2003.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
OR Actual			
Potential			x

Percent 10%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 3

mark only one use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $3,000

Three quarterly events are recommended for the non-complaince period of 1/14/03 - 9//23/03 as documented by the inspection on 3/26/04.

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

Estimated EB Amount $3,625

Violation Final Penalty Total $7,716

This violation Final Assessed Penalty (adjusted for limits) $7,716

Economic Benefit Worksheet

Respondent	The Dow Chemical Company
Case ID No.	Enf. Case No. 12064
Reg. Ent. Reference No.	RN100225945
Additional ID No(s):	Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute]	Air Quality
Violation No.	6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs							
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal	$5,000	14-Jan-2003	23-Sep-2003	0.7	$173	$3,452	$3,625
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	These estimated costs are associated with the labor and energy costs that were avoided for the incineration of 355 cubic yards of hazardous waste (contaminated soil) at the respondent's facility. The beginning and ending dates reflect the time frame that the waste was improperly deposited in the respondent's own landfill.						

Approx. Cost of Compliance	$5,000	TOTAL	$3,625

PCW

Policy Revision 2 (September 2002)
PCW Revision May 17, 2004

Screening Date 09-Aug-2004 **Docket No.** 2004-1344-MLM-E
Respondent The Dow Chemical Company
Case ID No. Enf. Case No. 12064
Reg. Ent. Reference No. RN100225945
Additional ID No(s). Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute] Air Quality
Enf. Coordinator Suzanne Walrath

Violation Number 7

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.715(a), TCEQ Air Flexible Permit No. 20432/ PSD-TX-894

Secondary Rule Cite(s) Tex. Health and Safety Code § 382.085(b)

Violation Description Failed to prevent the lock-nut from falling off the positioner pin, which disconnected the feedback arm from the coupler block in the LHC-8. This resulted in the release of unauthorized emissions which exceeded permitted limits. Specifically, the total unauthorized emissions above the emissions cap from this incident were 80,525 lbs of VOCs, 4,599 lbs of benzene, and 10,050 lbs of CO.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

OR

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$5,000

Base Penalty Subtotal $5,000

Violation Events

Number of Violation Events 1

mark only one use a small x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $5,000

One single event is recommended for the emissions event which occurred on 2/13/03, as documented by the inspection on 4/3/03.

Economic Benefit (EB) for this violation

Estimated EB Amount $3

Statutory Limit Test

Violation Final Penalty Total $12,860

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

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: Enf. Case No. 12064
Reg. Ent. Reference No.: RN100225945
Additional ID No(s).: Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute]: Air Quality
Violation No.: 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	$3,000	13-Feb-2003	18-Feb-2003	0.0	$0	$3	$3
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Costs are for the repair of the false load valve on the ethylene compressor beginning on the date of the emissions event and ending on the date the valve repairs 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: $3,000

TOTAL: $3

Screening Date 09-Aug-2004 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. Enf. Case No. 12064 *PCW Revision May 17, 2004*

Reg. Ent. Reference No. RN100225945

Additional ID No(s). Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 8

Primary Rule Cite(s) 30 Tex. Admin. Code § 101.201(b)

Secondary Rule Cite(s) Tex. Health and Safety Code § 382.085(b)

Violation Description Failed to submit a complete final emissions event report.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

OR **Percent**

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment -$9,900

Base Penalty Subtotal $100

Violation Events

Number of Violation Events: 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended for the final emissions event report that was not submitted correctly as documented by an inspection conducted 4/3/03.

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

Estimated EB Amount: $2

Violation Final Penalty Total $257

This violation Final Assessed Penalty (adjusted for limits) $257

Economic Benefit Worksheet

Respondent	The Dow Chemical Company
Case ID No.	Enf. Case No. 12064
Reg. Ent. Reference No.	RN100225945
Additional ID No(s).	Air Account No. BL0082R, Industrial and Hazardous Waste Permit No. 50161
Media [Statute]	Air Quality
Violation No.	8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$200	13-Feb-2003	14-Apr-2003	0.2	$2	n/a	$2
Notes for DELAYED costs	These costs are for preparation of the complete and final emissions event report that was not submitted within the two week timeframe beginning on the date of the emissions event, and ending on the date the final report was submitted identifying the common name of the process units or areas where the emissions event occurred in the LHC-8.						
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	$200	TOTAL	$2

Compliance History

stomer/Respondent/Owner-Operator: CN600356976 The Dow Chemical Company Classification: AVERAGE Rating: 1.850

Regulated Entity: RN100225945 DOW TEXAS OPERATIONS FREEPORT Classification: AVERAGE Site Rating: 2.12

ID Number(s):

WASTEWATER	PERMIT	TX0059447000
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	50004
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1430
AIR NEW SOURCE PERMITS	PERMIT	1407
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WASTEWATER LICENSING	LICENSE	WQ0000007000
AIR OPERATING PERMITS	PERMIT	2697
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AIR NEW SOURCE PERMITS	REGISTRATION	73781
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AIR NEW SOURCE PERMITS	REGISTRATION	72671
AIR NEW SOURCE PERMITS	REGISTRATION	72672
AIR NEW SOURCE PERMITS	REGISTRATION	72663
AIR NEW SOURCE PERMITS	PERMIT	54140
AIR NEW SOURCE PERMITS	PERMIT	53814
AIR NEW SOURCE PERMITS	PERMIT	53736
AIR NEW SOURCE PERMITS	PERMIT	53811
AIR NEW SOURCE PERMITS	PERMIT	P986
AIR NEW SOURCE PERMITS	PERMIT	55852
AIR NEW SOURCE PERMITS	PERMIT	53771
AIR NEW SOURCE PERMITS	PERMIT	50646
AIR NEW SOURCE PERMITS	PERMIT	50805
AIR NEW SOURCE PERMITS	PERMIT	50576
AIR NEW SOURCE PERMITS	PERMIT	71375
AIR NEW SOURCE PERMITS	PERMIT	71936
AIR NEW SOURCE PERMITS	PERMIT	P994
AIR NEW SOURCE PERMITS	PERMIT	53905
AIR NEW SOURCE PERMITS	PERMIT	54042
AIR NEW SOURCE PERMITS	PERMIT	53897
AIR NEW SOURCE PERMITS	PERMIT	52884
AIR NEW SOURCE PERMITS	PERMIT	50488
AIR NEW SOURCE PERMITS	PERMIT	53954
AIR NEW SOURCE PERMITS	PERMIT	52201
AIR NEW SOURCE PERMITS	PERMIT	53903
AIR NEW SOURCE PERMITS	PERMIT	52179
AIR NEW SOURCE PERMITS	PERMIT	52153
AIR NEW SOURCE PERMITS	PERMIT	52180
AIR NEW SOURCE PERMITS	PERMIT	56783
AIR NEW SOURCE PERMITS	REGISTRATION	71781
AIR NEW SOURCE PERMITS	REGISTRATION	71584
AIR NEW SOURCE PERMITS	REGISTRATION	105095
AIR NEW SOURCE PERMITS	PERMIT	8105
AIR NEW SOURCE PERMITS	PERMIT	PSDTX994
AIR NEW SOURCE PERMITS	PERMIT	PSDTX986M1
AIR NEW SOURCE PERMITS	PERMIT	N59

AIR NEW SOURCE PERMITS	PERMIT	71209
AIR NEW SOURCE PERMITS	REGISTRATION	71091
AIR NEW SOURCE PERMITS	REGISTRATION	71090
AIR NEW SOURCE PERMITS	REGISTRATION	71089
AIR NEW SOURCE PERMITS	REGISTRATION	71088
AIR NEW SOURCE PERMITS	REGISTRATION	71087
AIR NEW SOURCE PERMITS	PERMIT	71080
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	71062
AIR NEW SOURCE PERMITS	PERMIT	71039
AIR NEW SOURCE PERMITS	REGISTRATION	70945
AIR NEW SOURCE PERMITS	PERMIT	70940
AIR NEW SOURCE PERMITS	REGISTRATION	70776
AIR NEW SOURCE PERMITS	REGISTRATION	70760
AIR NEW SOURCE PERMITS	REGISTRATION	70765
AIR NEW SOURCE PERMITS	REGISTRATION	70592
AIR NEW SOURCE PERMITS	REGISTRATION	70458
AIR NEW SOURCE PERMITS	PERMIT	48892
AIR NEW SOURCE PERMITS	REGISTRATION	70195
AIR NEW SOURCE PERMITS	REGISTRATION	70194
AIR NEW SOURCE PERMITS	REGISTRATION	56851
AIR NEW SOURCE PERMITS	REGISTRATION	56833
AIR NEW SOURCE PERMITS	PERMIT	PSDTX993
AIR NEW SOURCE PERMITS	AFS NUM	0016
AIR NEW SOURCE PERMITS	PERMIT	55881
AIR NEW SOURCE PERMITS	REGISTRATION	55537
AIR NEW SOURCE PERMITS	REGISTRATION	55479
AIR NEW SOURCE PERMITS	REGISTRATION	55411
AIR NEW SOURCE PERMITS	REGISTRATION	55032
AIR NEW SOURCE PERMITS	PERMIT	54200
AIR NEW SOURCE PERMITS	PERMIT	53895
AIR NEW SOURCE PERMITS	PERMIT	52998
AIR NEW SOURCE PERMITS	PERMIT	52999
AIR NEW SOURCE PERMITS	PERMIT	52200
AIR NEW SOURCE PERMITS	PERMIT	22091
AIR NEW SOURCE PERMITS	PERMIT	52724
AIR NEW SOURCE PERMITS	PERMIT	52152
AIR NEW SOURCE PERMITS	REGISTRATION	72132
AIR NEW SOURCE PERMITS	REGISTRATION	71888
AIR NEW SOURCE PERMITS	PERMIT	2602
AIR NEW SOURCE PERMITS	REGISTRATION	71636
WATER LICENSING	LICENSE	0200232
WASTEWATER	PERMIT	TPDES0006484
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232
WASTEWATER	PERMIT	TX0006483
WASTEWATER	PERMIT	TPDES0006483
WASTEWATER	PERMIT	WQ0000007000
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
AIR OPERATING PERMITS	PERMIT	N041
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0023K
AIR NEW SOURCE PERMITS	PERMIT	19041
AIR NEW SOURCE PERMITS	PERMIT	18320
AIR NEW SOURCE PERMITS	PERMIT	18211
AIR NEW SOURCE PERMITS	PERMIT	15988
AIR NEW SOURCE PERMITS	PERMIT	15718
AIR NEW SOURCE PERMITS	PERMIT	12755
AIR NEW SOURCE PERMITS	PERMIT	12173
AIR NEW SOURCE PERMITS	PERMIT	11832
AIR NEW SOURCE PERMITS	PERMIT	11275
AIR NEW SOURCE PERMITS	PERMIT	10770
AIR NEW SOURCE PERMITS	PERMIT	3947
AIR NEW SOURCE PERMITS	PERMIT	3941
AIR NEW SOURCE PERMITS	PERMIT	3434
AIR NEW SOURCE PERMITS	PERMIT	2417
AIR NEW SOURCE PERMITS	PERMIT	941
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008092793
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
AIR NEW SOURCE PERMITS	PERMIT	3914

AIR NEW SOURCE PERMITS	PERMIT	3347
AIR NEW SOURCE PERMITS	PERMIT	3302
AIR NEW SOURCE PERMITS	PERMIT	2772
AIR NEW SOURCE PERMITS	PERMIT	2728
AIR NEW SOURCE PERMITS	PERMIT	2606
AIR NEW SOURCE PERMITS	PERMIT	2472
AIR NEW SOURCE PERMITS	PERMIT	2367
AIR NEW SOURCE PERMITS	PERMIT	2008A
AIR NEW SOURCE PERMITS	PERMIT	1715
AIR NEW SOURCE PERMITS	PERMIT	1658
AIR NEW SOURCE PERMITS	PERMIT	1655
AIR NEW SOURCE PERMITS	PERMIT	1559
AIR NEW SOURCE PERMITS	PERMIT	1558
AIR NEW SOURCE PERMITS	PERMIT	1515
AIR NEW SOURCE PERMITS	PERMIT	1472
AIR NEW SOURCE PERMITS	PERMIT	1258
AIR NEW SOURCE PERMITS	PERMIT	770
AIR NEW SOURCE PERMITS	PERMIT	120
AIR NEW SOURCE PERMITS	PERMIT	119
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0022M
AIR NEW SOURCE PERMITS	PERMIT	30002
AIR NEW SOURCE PERMITS	PERMIT	21596
AIR NEW SOURCE PERMITS	PERMIT	20495
AIR NEW SOURCE PERMITS	PERMIT	20433
AIR NEW SOURCE PERMITS	PERMIT	20266
AIR NEW SOURCE PERMITS	PERMIT	19792
AIR NEW SOURCE PERMITS	PERMIT	19720
AIR NEW SOURCE PERMITS	PERMIT	19715
AIR NEW SOURCE PERMITS	PERMIT	19243
AIR NEW SOURCE PERMITS	PERMIT	19202
AIR NEW SOURCE PERMITS	PERMIT	19121
AIR NEW SOURCE PERMITS	PERMIT	18504
AIR NEW SOURCE PERMITS	PERMIT	18259
AIR NEW SOURCE PERMITS	PERMIT	18229
AIR NEW SOURCE PERMITS	PERMIT	18145
AIR NEW SOURCE PERMITS	PERMIT	6911
AIR NEW SOURCE PERMITS	PERMIT	12340
AIR NEW SOURCE PERMITS	PERMIT	4022
AIR NEW SOURCE PERMITS	PERMIT	15386
AIR NEW SOURCE PERMITS	PERMIT	14935
AIR NEW SOURCE PERMITS	PERMIT	13950
AIR NEW SOURCE PERMITS	PERMIT	13132
AIR NEW SOURCE PERMITS	PERMIT	13104
AIR NEW SOURCE PERMITS	PERMIT	12970
AIR NEW SOURCE PERMITS	PERMIT	12613
AIR NEW SOURCE PERMITS	PERMIT	12265
AIR NEW SOURCE PERMITS	PERMIT	12104
AIR NEW SOURCE PERMITS	PERMIT	12051
AIR NEW SOURCE PERMITS	PERMIT	12045
AIR NEW SOURCE PERMITS	PERMIT	12008
AIR NEW SOURCE PERMITS	PERMIT	12007
AIR NEW SOURCE PERMITS	PERMIT	11919
AIR NEW SOURCE PERMITS	PERMIT	11745
AIR NEW SOURCE PERMITS	PERMIT	11691A
AIR NEW SOURCE PERMITS	PERMIT	11691
AIR NEW SOURCE PERMITS	PERMIT	11159
AIR NEW SOURCE PERMITS	PERMIT	11092
AIR NEW SOURCE PERMITS	PERMIT	10955
AIR NEW SOURCE PERMITS	PERMIT	10845
AIR NEW SOURCE PERMITS	PERMIT	10794
AIR NEW SOURCE PERMITS	PERMIT	10792
AIR NEW SOURCE PERMITS	PERMIT	10766
AIR NEW SOURCE PERMITS	PERMIT	10731
AIR NEW SOURCE PERMITS	PERMIT	10689
AIR NEW SOURCE PERMITS	PERMIT	10677
AIR NEW SOURCE PERMITS	PERMIT	10674
AIR NEW SOURCE PERMITS	PERMIT	10613
AIR NEW SOURCE PERMITS	PERMIT	10534
AIR NEW SOURCE PERMITS	PERMIT	10469
AIR NEW SOURCE PERMITS	PERMIT	9838
AIR NEW SOURCE PERMITS	PERMIT	9837
AIR NEW SOURCE PERMITS	PERMIT	9773
AIR NEW SOURCE PERMITS	PERMIT	9045
AIR NEW SOURCE PERMITS	PERMIT	7942

AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	6932
AIR NEW SOURCE PERMITS	PERMIT	6744
AIR NEW SOURCE PERMITS	PERMIT	6383
AIR NEW SOURCE PERMITS	PERMIT	6161
AIR NEW SOURCE PERMITS	PERMIT	6069A
AIR NEW SOURCE PERMITS	PERMIT	5746
AIR NEW SOURCE PERMITS	PERMIT	5340

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541 Rating Date: 9/1/04 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: September 28, 2004

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 28, 1999 to September 28, 2004

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Suzanne Walrath Phone: 512/239-2134

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: 2/17/03 ADMINORDER 2002-0689-IHW-E
Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)
Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Effective Date: 1/7/02 ADMINORDER 2000-1459-AIR-E
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to submit complete notifications for 29 upsets.
Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has allowed unauthorized emissions into the atmosphere.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC No. 2 PERMIT
Description: Failure to properly control emissions from Benzene Tank AD-20X.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2 PERMIT

Description: Failure to properly control emissions from Reactor R-5.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2A PERMIT
Description: Failure to properly control emissions from Distillation Tower T-30.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 13E PERMIT
Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 8F PERMIT
Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9A PERMIT
SP No. 8B PERMIT
SP No. 8E PERMIT
Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: Not Specified PERMIT
Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.7[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Effective Date: 3/22/02 ADMINORDER 2001-0854-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]
Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

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.)

2	12/07/1999	(120413)
4	08/07/2000	(97497)
6	12/07/1999	(135904)
8	05/18/2000	(127705)
10	08/13/2002	(8036)
12	01/14/2000	(122677)
14	12/07/1999	(120412)
16	12/07/1999	(135905)
18	05/18/2000	(127704)
20	01/14/2000	(122678)
22	12/07/1999	(135906)
24	12/07/1999	(120411)
26	02/28/2003	(26378)
28	05/18/2000	(127703)
30	01/14/2000	(122679)
32	07/11/2000	(135976)
34	12/07/1999	(135907)
36	12/07/1999	(120410)
38	10/29/1999	(159616)
40	08/08/2000	(30557)
42	05/18/2000	(127702)
44	01/24/2000	(122680)
46	07/18/2000	(135977)
48	12/07/1999	(135908)
50	11/04/1999	(120409)
52	05/17/2000	(127701)
54	07/12/2000	(97496)
56	01/24/2000	(122681)
58	07/03/2002	(4135)
60	07/18/2000	(135978)
62	12/07/1999	(135909)
64	10/18/1999	(120408)
66	05/17/2000	(127700)
68	12/08/1999	(97495)
70	07/18/2000	(135979)
72	02/04/2000	(122682)
74	12/07/1999	(135910)
76	05/17/2000	(127699)
78	12/08/1999	(97494)
80	10/24/2002	(159615)
82	12/07/1999	(135911)
84	07/19/2000	(135980)
86	02/07/2000	(122683)

88	05/17/2000	(127698)
90	12/08/1999	(97493)
92	12/07/1999	(135912)
94	07/19/2000	(135981)
96	02/07/2000	(122684)
98	05/17/2000	(127697)
100	12/07/1999	(97492)
102	12/08/1999	(135913)
104	07/19/2000	(135982)
106	02/07/2000	(122685)
108	10/24/2001	(159614)
110	05/15/2000	(127696)
112	08/21/2003	(151151)
114	07/19/2002	(4762)
116	12/07/1999	(97491)
118	12/08/1999	(135914)
120	07/20/2000	(135983)
122	02/07/2000	(122686)
124	05/15/2000	(127695)
126	11/05/1999	(97490)
128	06/24/2003	(60303)
130	07/21/2000	(135984)
132	12/08/1999	(135915)
134	02/07/2000	(122687)
136	07/26/2000	(135985)
138	05/12/2000	(127694)
140	12/08/1999	(135916)
142	02/07/2000	(122688)
144	09/26/2002	(12350)
146	10/15/2002	(12337)
148	07/26/2000	(135986)
150	05/11/2000	(127693)
152	03/24/2000	(122689)
154	07/27/2000	(135987)
156	05/11/2000	(127692)
158	03/24/2000	(122690)
160	07/27/2000	(135988)
162	05/11/2000	(127691)
164	08/15/2002	(6894)
166	02/03/2003	(286198)
168	08/31/2004	(272564)
170	03/30/2000	(122691)
172	10/20/2000	(159613)
174	07/27/2000	(135989)
176	02/05/2004	(258950)
178	05/11/2000	(127690)
180	03/30/2000	(122692)
182	08/02/2000	(135990)
184	05/10/2000	(127689)
186	07/07/2004	(258307)
188	09/26/2002	(11829)
190	04/13/2000	(122693)
192	12/08/1999	(135917)
194	08/07/2000	(135991)
196	05/09/2000	(127688)
198	04/24/2000	(122694)
200	12/08/1999	(135918)
202	08/07/2000	(135992)
204	04/24/2000	(127687)
206	05/09/2000	(122695)
208	12/13/1999	(135919)
210	09/25/2002	(159612)
212	07/30/2003	(133869)
214	04/13/2000	(127686)
216	10/29/2002	(14541)
218	12/15/2003	(254080)
220	05/10/2000	(122696)
222	12/15/1999	(135920)
224	03/30/2000	(127685)
226	08/07/2000	(120507)
228	12/28/1999	(135921)
230	05/11/2000	(122697)
232	03/30/2000	(127684)
234	09/24/2001	(159611)

236	11/27/2001	(IE0001062003001)
238	08/07/2000	(120506)
240	03/24/2000	(127683)
242	05/30/2003	(60877)
244	05/11/2000	(122698)
246	08/02/2000	(120505)
248	09/22/2000	(159610)
250	03/24/2000	(127682)
252	07/27/2000	(120504)
254	05/11/2000	(122699)
256	09/17/2003	(248098)
258	02/07/2000	(127681)
260	07/27/2000	(120503)
262	05/11/2000	(122700)
264	06/16/2004	(247738)
266	02/07/2000	(127680)
268	08/26/2002	(159609)
270	07/27/2000	(120502)
272	05/12/2000	(122701)
274	04/12/2004	(264619)
276	02/07/2000	(127679)
278	02/11/2004	(260442)
280	07/26/2000	(120501)
282	06/30/2004	(266880)
284	06/02/2004	(272991)
286	05/15/2000	(122702)
288	02/07/2000	(127678)
290	08/27/2001	(159608)
292	07/26/2000	(120500)
294	05/15/2000	(122703)
296	03/07/2003	(21400)
298	04/30/2004	(255002)
300	02/07/2000	(127677)
302	07/21/2000	(120499)
304	05/17/2000	(122704)
306	08/23/2000	(159607)
308	08/31/2004	(273678)
310	08/23/2002	(4928)
312	07/20/2000	(120498)
314	02/07/2000	(127676)
316	05/17/2000	(122705)
318	09/04/2002	(9088)
320	02/23/2004	(260927)
322	07/19/2000	(120497)
324	02/04/2000	(127675)
326	07/31/2002	(5786)
328	05/17/2000	(122706)
330	08/04/2003	(36623)
332	07/19/2000	(120496)
334	01/24/2000	(127674)
336	07/29/2002	(159606)
338	05/17/2000	(122707)
340	08/07/2002	(7213)
342	07/19/2000	(120495)
344	01/24/2000	(127673)
346	05/17/2000	(122708)
348	07/18/2000	(120494)
350	01/14/2000	(127672)
352	08/19/2002	(4885)
354	08/30/2003	(152221)
356	05/18/2000	(122709)
358	01/03/2003	(15110)
360	07/18/2000	(120493)
362	10/11/2002	(11055)
364	08/25/2002	(8609)
366	01/14/2000	(127671)
368	07/02/2003	(35418)
370	05/18/2000	(122710)
372	11/18/2002	(12073)
374	07/18/2000	(120492)
376	01/14/2000	(127670)
378	05/18/2000	(122711)
380	07/11/2000	(120491)
382	01/14/2000	(127669)

384 03/22/2004 (263436)
386 01/05/2000 (127668)
388 07/31/2002 (6169)
390 07/23/2001 (159605)
392 05/18/2000 (122712)
394 07/27/2000 (159604)
396 08/18/2004 (277856)
398 05/24/2000 (122713)
400 03/29/2004 (264628)
402 05/24/2000 (122714)
404 05/14/2004 (248280)
406 06/03/2004 (258305)
408 03/10/2004 (261603)
410 08/08/2003 (159603)
412 01/05/2000 (135922)
414 05/30/2000 (122715)
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418 06/25/2002 (159602)
420 08/22/2003 (150711)
422 08/31/2004 (273416)
424 05/30/2000 (122717)
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428 08/14/2003 (150122)
430 05/30/2000 (122718)
432 01/27/2003 (21017)
434 09/04/2003 (247717)
436 06/26/2001 (159601)
438 10/16/2002 (12820)
440 05/30/2000 (122719)
442 07/03/2000 (120490)
444 01/14/2000 (135924)
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448 06/27/2000 (159600)
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452 09/01/2004 (267453)
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466 12/28/1999 (127667)
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470 06/20/2000 (122723)
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474 12/15/1999 (127666)
476 01/28/2002 (IE0018454001001)
478 06/20/2000 (120486)
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482 05/19/2003 (159599)
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512 07/03/2000 (122727)
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568 02/07/2000 (135930)
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594 08/30/2003 (149187)
596 07/18/2000 (122730)
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600 04/24/2001 (159593)
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604 12/07/1999 (127654)
606 07/18/2000 (122731)
608 05/17/2000 (120469)
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612 01/16/2002 (120354)
614 12/07/1999 (127653)
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638 05/15/2000 (120466)
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642 07/20/2000 (122735)
644 08/27/2004 (267540)
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652 12/07/1999 (127649)
654 07/21/2000 (122736)
656 08/17/2000 (120351)
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662 07/26/2000 (122737)
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666 11/04/1999 (122646)
668 08/17/2000 (120350)
670 05/11/2000 (120463)
672 12/07/1999 (127647)
674 07/26/2000 (122738)
676 08/31/2002 (10381)
678 03/28/2000 (159591)

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688	08/11/2000	(120348)
690	05/11/2000	(120461)
692	02/07/2000	(135935)
694	07/27/2000	(122740)
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698	12/07/1999	(127645)
700	08/31/2004	(272729)
702	03/21/2003	(159590)
704	08/17/2004	(284165)
706	08/11/2000	(120347)
708	08/15/2002	(7525)
710	05/11/2000	(120460)
712	12/07/1999	(122647)
714	07/27/2000	(122741)
716	12/07/1999	(127644)
718	01/09/2004	(254701)
720	08/11/2000	(120346)
722	02/03/2003	(285652)
724	05/10/2000	(120459)
726	08/02/2000	(122742)
728	12/07/1999	(127643)
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738	05/09/2000	(120458)
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744	12/07/1999	(127642)
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750	08/08/2000	(120344)
752	02/26/2004	(296001)
754	04/24/2000	(120457)
756	09/05/2002	(10360)
758	12/19/2002	(18859)
760	08/07/2000	(120343)
762	03/24/2000	(135937)
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768	08/07/2000	(120342)
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792	03/24/2000	(120453)
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798	10/31/2003	(253956)
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802	07/20/2000	(120339)
804	12/07/1999	(127641)
806	02/28/2003	(159586)
808	03/24/2000	(120452)
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1096	05/18/2000	(135958)
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1100	05/18/2000	(135959)
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1120	07/06/2001	(97515)
1122	12/08/1999	(122670)

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1134	12/08/1999	(120431)
1136	12/27/2001	(159622)
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1206	08/07/2002	(7186)
1208	11/22/1999	(159620)
1210	02/12/2003	(22520)
1212	10/18/1999	(135892)
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1226	08/16/2002	(7857)
1228	06/20/2000	(135971)
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1260	12/07/1999	(135896)
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1346 05/24/2000 (127706)
1348 08/29/2003 (151240)
1350 01/14/2000 (122676)

N/A

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

Date: 07/11/2000
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: Failure to Comply

Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2000 (159613)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 11/05/1999 (135916)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

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: 08/31/2002 (159612)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 04/29/2004 (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 IA
Description: Exceeded VOC permit limit during an emissions event.

Date: 12/23/1999 (135921)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

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 after final emissions from a scheduled maintenance event exceeded emissions reported on the Initial Notification.

Date: 06/30/2001 (159605)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/20/2002 (7575)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Self Report? NO Classification: Moderate
Citation: TEXAS HEALTH AND SAFETY CODE 382.085
Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

Date: 05/24/2003 (29063)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
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: 07/11/2000 (120490)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply

Self Report? NO Classification: Moderate

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

Date: 12/23/1999 (127667)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

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)[G]
Description: Failure to meet the limit for one or more permit parameter

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: 07/11/2000 (122727)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply

Date: 11/05/1999 (127661)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

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 IA
Description: Exceeded VOC permit limit during an avoidable 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 emissons event.

Date: 03/31/2001 (159593)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/25/2003 (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 c
zinc.
Date: 12/02/2003 (250021)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal oxidizer.
Date: 01/07/2002 (120354)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to maintain partial pressure records.
Date: 08/23/2000 (120353)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(f)[G]
Description: Failure to Comply
Date: 02/29/2000 (159591)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 05/30/2003 (60877)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)[G]
Description: Notification updates under TAC 335.6 are required.
Date: 08/07/2003 (61967)
Self Report? NO Classification: Major
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: 03/29/2004 (264622)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Dow exceeded VOC permit limit during an avoidable emissions event.
Date: 01/31/2001 (159584)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 07/11/2000 (120338)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.110
Description: Failure to Comply
Date: 03/31/2004 (296006)
Self Report? YES Classification: Moderate
Citation: COH Violation 26.121(a)[G]
COH Violation 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
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: 07/11/2000 (120337)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: Failure to Comply

Date: 03/05/2003 (26394)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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 IA
Description: Late submittal of PBR registration.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 11` 6.115(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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to re-monitor fugitive components within 15 days.

Date: 06/30/2003 (296010)
Self Report? YES Classification: Moderate
Citation: COH Violation 26.121(a)[G]
COH Violation 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2002 (159627)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2001 (159626)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/23/1999 (120437)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 11/05/1999 (122669)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 12/31/2000 (159625)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2003 (296014)
Self Report? YES Classification: Moderate
Citation: COH Violation 26.121(a)[G]
COH Violation 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

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 IA
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: 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA

PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to equip open-ended valve with a plug.
Date: 11/30/2002 (159623)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 09/30/2003 (296016)
Self Report? YES Classification: Moderate
Citation: COH Violation 26.121(a)[G]
COH Violation 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 07/09/2001 (97515)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI
Date: 11/05/1999 (120432)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Date: 11/30/2001 (159622)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 07/09/2001 (97514)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
Description: NESHAP STANDARDS
Date: 07/11/2000 (127721)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply
Date: 11/30/2000 (159621)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

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

Date: 12/23/1999 (122674)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDTIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: SPECIAL CONDITIONS

Date: 10/31/2002 (159619)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/29/2003 (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 emissons during an emissions event.

Date: 02/06/2004 (251940)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Avoidable emissions event with emissions of benzene.

Date: 12/31/2002 (15110)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)
5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to control emissions.

Date: 10/31/2000 (159617)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/11/2000 (135975)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply

Date: 09/30/1999 (159616)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

Notice of Intent Date: 12/11/2001
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 02/18/2004
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 04/14/2004
No DOV Associated
Citation: No Classification

Description:

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) *PCW Revision March 02, 2005*

TCEQ

DATES							
Assigned	10-Jan-2005						
PCW	09-Sep-2005	Screening	07-Feb-2005	Priority Due	11-Mar-2005	EPA Due	02-Sep-2005

RESPONDENT/FACILITY INFORMATION

Respondent	The Dow Chemical Company		
Reg. Ent. Ref. No.	RN100225945		
Additional ID No(s).	Air Account No. BL0082R		
Facility/Site Region	12-Houston	Major/Minor Source	Major Source

CASE INFORMATION

Enf./Case ID No.	12064	No. of Violations	1
Docket No.	2004-1344-MLM-E	Order Type	1660
Case Priority	2 (SNC/HPV)	Enf. Coordinator	Trina Grieco
Media Program(s)	Air Quality	EC's Team	Enforcement Team 6
Multi-Media			
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* **$2,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **264%** Enhancement *Subtotals 2, 3, & 7* **$6,600**

Notes: Penalty enhanced due to four prior administrative orders (two with findings of fact), and 64 prior NOVs (17 for same or similar violations and 20 were from self-reported monitoring reports). Penalty reduced due to five notice-of-intent letters.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply **0%** Reduction *Subtotal 5* **$0**

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

Notes: This was a past discrete event without opportunity for compliance.

Economic Benefit **0%** Enhancement* *Subtotal 6* **$0**

**Capped at the Total EB $ Amount*

Total EB Amounts	$251
Approx. Cost of Compliance	$5,000

SUM OF SUBTOTALS 1-7 **Final Subtotal** **$9,100**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment** **$0**

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount **$9,100**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **$9,100**

DEFERRAL Reduction **Adjustment** **$0**

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

Notes: Case did not settle by deadline for expedited settlement.

PAYABLE PENALTY **$9,100**

EXHIBIT

tabbies PCW 5

Screening Date 07-Feb-2005 **Docket No.** 2004-1344-MLM-E **PCW**
Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*
Case ID No. 12064 *PCW Revision March 02, 2005*
Reg. Ent. Reference No. RN100225945
Additional ID No(s). Air Account No. BL0082R
Media [Statute] Air Quality
Enf. Coordinator Trina Grieco
Site Address 2301 North Brazosport Boulevard, Freeport, Brazoria County

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)*	17	85%
	Other written NOVs	47	94%
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	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government *(number of judgements or consent decrees meeting criteria)*		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%
Convictions	Any criminal convictions of this state or the federal government *(number of counts)*		0%
Emissions	Chronic excessive emissions events (number of events)		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*	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*		0%

		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) **264%**

>> **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 enhanced due to four prior administrative orders (two with findings of fact), and 64 prior NOVs (17 for same or similar violations and 20 were from self-reported monitoring reports). Penalty reduced due to five notice-of-intent letters.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **264%**

Screening Date 07-Feb-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Policy Revision 2 (September 2002)

PCW Revision March 02, 2005

Respondent The Dow Chemical Company

Case ID No. 12064

Reg. Ent. Reference No. RN100225945

Additional ID No(s). Air Account No. BL0082R

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 1

Primary Rule Cite(s)	30 Tex. Admin Code § 116.715(a) and Air Permit No. 20432, Special Condition III-1
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	The Respondent failed to comply with Air Permit No. 20432, Special Condition III-1, by allowing the release of unauthorized emissions at the Light Hydrocarbon 7 facility during a nonexempt emissions event which lasted from 4:35am until 9:30am on August 13, 2004. (See attached table for emissions estimates.) The emissions event was caused by an error made by maintenance personnel who left a valve closed on a backup hydrogen line for one of the facility's reactors. The event was avoidable and does not meet the demonstrations for an affirmative defense as found in 30 Tex. Admin. Code § 101.222. This violation was documented during a record review conducted October 25, 2004.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Insignificant amounts of pollutants were released during this incident, not at levels above those protective of human health or environmental receptors.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 1

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one use a small x

Violation Base Penalty $2,500

One single event is recommended, based on the discrete emissions event that occurred on August 13, 2004.

Economic Benefit (EB) for this violation

Estimated EB Amount $251

Statutory Limit Test

Violation Final Penalty Total $9,100

This violation Final Assessed Penalty (adjusted for limits) $9,100

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Additional ID No(s). Air Account No. BL0082R
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$5,000	13-Aug-2003	13-Aug-2004	1.0	$251	n/a	$251
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: The amount listed above is an estimate of the cost of developing and implementing additional operational procedures aimed at reducing emissions events. The time period covers the 12 months leading up to the incident.

Avoided Costs							
	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance: $5,000

TOTAL $251

Compliance History

Customer/Respondent/Owner-Operator: CN600356976 The Dow Chemical Company Classification: AVERAGE Rating: 1.850

Regulated Entity: RN100225945 DOW TEXAS OPERATIONS FREEPORT Classification: AVERAGE Site Rating: 2.12

ID Number(s):

WASTEWATER	PERMIT	TX0059447000
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	50004
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1430
AIR NEW SOURCE PERMITS	PERMIT	1407
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AIR NEW SOURCE PERMITS	PERMIT	646
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AIR NEW SOURCE PERMITS	PERMIT	13682
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AIR NEW SOURCE PERMITS	PERMIT	48479
AIR NEW SOURCE PERMITS	PERMIT	48478
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AIR NEW SOURCE PERMITS	PERMIT	46174
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AIR NEW SOURCE PERMITS	PERMIT	45449

EXHIBIT

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WASTEWATER	PERMIT	TPDES0006484
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232
WASTEWATER	PERMIT	TX0006483
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WASTEWATER	PERMIT	WQ0000007000
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
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INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008092793
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
AIR NEW SOURCE PERMITS	PERMIT	3914
AIR NEW SOURCE PERMITS	PERMIT	3347
AIR NEW SOURCE PERMITS	PERMIT	3302
AIR NEW SOURCE PERMITS	PERMIT	2772
AIR NEW SOURCE PERMITS	PERMIT	2728
AIR NEW SOURCE PERMITS	PERMIT	2606
AIR NEW SOURCE PERMITS	PERMIT	2472
AIR NEW SOURCE PERMITS	PERMIT	2367
AIR NEW SOURCE PERMITS	PERMIT	2008A
AIR NEW SOURCE PERMITS	PERMIT	1715
AIR NEW SOURCE PERMITS	PERMIT	1658
AIR NEW SOURCE PERMITS	PERMIT	1655
AIR NEW SOURCE PERMITS	PERMIT	1559
AIR NEW SOURCE PERMITS	PERMIT	1558
AIR NEW SOURCE PERMITS	PERMIT	1515
AIR NEW SOURCE PERMITS	PERMIT	1472
AIR NEW SOURCE PERMITS	PERMIT	1258
AIR NEW SOURCE PERMITS	PERMIT	770
AIR NEW SOURCE PERMITS	PERMIT	120
AIR NEW SOURCE PERMITS	PERMIT	119
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0022M
AIR NEW SOURCE PERMITS	PERMIT	30002
AIR NEW SOURCE PERMITS	PERMIT	21596

AIR NEW SOURCE PERMITS	PERMIT	20495
AIR NEW SOURCE PERMITS	PERMIT	20433
AIR NEW SOURCE PERMITS	PERMIT	20266
AIR NEW SOURCE PERMITS	PERMIT	19792
AIR NEW SOURCE PERMITS	PERMIT	19720
AIR NEW SOURCE PERMITS	PERMIT	19715
AIR NEW SOURCE PERMITS	PERMIT	19243
AIR NEW SOURCE PERMITS	PERMIT	19202
AIR NEW SOURCE PERMITS	PERMIT	18504
AIR NEW SOURCE PERMITS	PERMIT	18229
AIR NEW SOURCE PERMITS	PERMIT	18145
AIR NEW SOURCE PERMITS	PERMIT	6911
AIR NEW SOURCE PERMITS	PERMIT	12340
AIR NEW SOURCE PERMITS	PERMIT	4022
AIR NEW SOURCE PERMITS	PERMIT	15386
AIR NEW SOURCE PERMITS	PERMIT	14935
AIR NEW SOURCE PERMITS	PERMIT	13950
AIR NEW SOURCE PERMITS	PERMIT	13132
AIR NEW SOURCE PERMITS	PERMIT	13104
AIR NEW SOURCE PERMITS	PERMIT	12970
AIR NEW SOURCE PERMITS	PERMIT	12613
AIR NEW SOURCE PERMITS	PERMIT	12265
AIR NEW SOURCE PERMITS	PERMIT	12104
AIR NEW SOURCE PERMITS	PERMIT	12051
AIR NEW SOURCE PERMITS	PERMIT	12045
AIR NEW SOURCE PERMITS	PERMIT	12008
AIR NEW SOURCE PERMITS	PERMIT	12007
AIR NEW SOURCE PERMITS	PERMIT	11919
AIR NEW SOURCE PERMITS	PERMIT	11745
AIR NEW SOURCE PERMITS	PERMIT	11691A
AIR NEW SOURCE PERMITS	PERMIT	11691
AIR NEW SOURCE PERMITS	PERMIT	11159
AIR NEW SOURCE PERMITS	PERMIT	11092
AIR NEW SOURCE PERMITS	PERMIT	10955
AIR NEW SOURCE PERMITS	PERMIT	10845
AIR NEW SOURCE PERMITS	PERMIT	10794
AIR NEW SOURCE PERMITS	PERMIT	10792
AIR NEW SOURCE PERMITS	PERMIT	10766
AIR NEW SOURCE PERMITS	PERMIT	10731
AIR NEW SOURCE PERMITS	PERMIT	10689
AIR NEW SOURCE PERMITS	PERMIT	10677
AIR NEW SOURCE PERMITS	PERMIT	10674
AIR NEW SOURCE PERMITS	PERMIT	10613
AIR NEW SOURCE PERMITS	PERMIT	10534
AIR NEW SOURCE PERMITS	PERMIT	10469
AIR NEW SOURCE PERMITS	PERMIT	9838
AIR NEW SOURCE PERMITS	PERMIT	9837
AIR NEW SOURCE PERMITS	PERMIT	9773
AIR NEW SOURCE PERMITS	PERMIT	9045
AIR NEW SOURCE PERMITS	PERMIT	7942
AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	6932
AIR NEW SOURCE PERMITS	PERMIT	6744
AIR NEW SOURCE PERMITS	PERMIT	6383
AIR NEW SOURCE PERMITS	PERMIT	6161
AIR NEW SOURCE PERMITS	PERMIT	6069A
AIR NEW SOURCE PERMITS	PERMIT	5746
AIR NEW SOURCE PERMITS	PERMIT	5340

Location: 2301 N BRAZOSPORT BLVD STE B1226, FREEPORT, TX, 77541 Rating Date: 9/1/04 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: January 27, 2005

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 20, 2000 to January 20, 2005

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

Name: Lawrence King Phone: (512) 239-7037

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: 2/17/03 ADMINORDER 2002-0689-IHW-E
Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)
Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Effective Date: 1/7/02 ADMINORDER 2000-1459-AIR-E
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to submit complete notifications for 29 upsets.
Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has allowed unauthorized emissions into the atmosphere.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC No. 2 PERMIT
Description: Failure to properly control emissions from Benzene Tank AD-20X.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2 PERMIT
Description: Failure to properly control emissions from Reactor R-5.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2A PERMIT
Description: Failure to properly control emissions from Distillation Tower T-30.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 13E PERMIT
Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 8F PERMIT
Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9A PERMIT
SP No. 8B PERMIT
SP No. 8E PERMIT
Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: Not Specified PERMIT
Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.7[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Effective Date: 3/22/02 ADMINORDER 2001-0854-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]
Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

Effective Date: 11/11/04 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)
Citation: 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)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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)

Citation: 46429 SC, 1, 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.

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.)

2	08/07/2000	(97497)
4	05/18/2000	(127705)
6	08/13/2002	(8036)
8	05/18/2000	(127704)
10	02/28/2003	(26378)
12	05/18/2000	(127703)
14	07/11/2000	(135976)
16	08/08/2000	(30557)
18	05/18/2000	(127702)
20	01/24/2000	(122680)
22	07/18/2000	(135977)
24	05/17/2000	(127701)
26	07/12/2000	(97496)
28	01/24/2000	(122681)
30	07/03/2002	(4135)
32	07/18/2000	(135978)
34	05/17/2000	(127700)
36	07/18/2000	(135979)
38	02/04/2000	(122682)
40	05/17/2000	(127699)
42	10/24/2002	(159615)
44	07/19/2000	(135980)
46	02/07/2000	(122683)
48	05/17/2000	(127698)
50	07/19/2000	(135981)
52	02/07/2000	(122684)
54	05/17/2000	(127697)
56	07/19/2000	(135982)
58	02/07/2000	(122685)
60	10/24/2001	(159614)
62	05/15/2000	(127696)
64	08/21/2003	(151151)
66	07/19/2002	(4762)
68	07/20/2000	(135983)
70	02/07/2000	(122686)
72	05/15/2000	(127695)
74	06/24/2003	(60303)
76	07/21/2000	(135984)
78	02/07/2000	(122687)
80	07/26/2000	(135985)
82	05/12/2000	(127694)
84	02/07/2000	(122688)
86	09/26/2002	(12350)
88	10/15/2002	(12337)
90	07/26/2000	(135986)
92	05/11/2000	(127693)
94	03/24/2000	(122689)
96	07/27/2000	(135987)
98	05/11/2000	(127692)
100	03/24/2000	(122690)
102	07/27/2000	(135988)
104	05/11/2000	(127691)
106	08/15/2002	(6894)
108	02/03/2003	(286198)
110	08/31/2004	(272564)
112	03/30/2000	(122691)
114	10/20/2000	(159613)
116	07/27/2000	(135989)
118	02/05/2004	(258950)
120	05/11/2000	(127690)
122	03/30/2000	(122692)
124	01/07/2005	(338837)
126	08/02/2000	(135990)
128	05/10/2000	(127689)

130 07/07/2004 (258307)
132 09/26/2002 (11829)
134 04/13/2000 (122693)
136 10/31/2004 (276897)
138 08/07/2000 (135991)
140 05/09/2000 (127688)
142 04/24/2000 (122694)
144 12/22/2004 (289575)
146 08/07/2000 (135992)
148 04/24/2000 (127687)
150 05/09/2000 (122695)
152 09/25/2002 (159612)
154 07/30/2003 (133869)
156 04/13/2000 (127686)
158 10/29/2002 (14541)
160 12/15/2003 (254080)
162 05/10/2000 (122696)
164 03/30/2000 (127685)
166 08/07/2000 (120507)
168 05/11/2000 (122697)
170 03/30/2000 (127684)
172 09/24/2001 (159611)
174 11/27/2001 (IE0001062003001)
176 08/07/2000 (120506)
178 03/24/2000 (127683)
180 05/30/2003 (60877)
182 05/11/2000 (122698)
184 08/02/2000 (120505)
186 09/22/2000 (159610)
188 03/24/2000 (127682)
190 07/27/2000 (120504)
192 05/11/2000 (122699)
194 09/17/2003 (248098)
196 02/07/2000 (127681)
198 07/27/2000 (120503)
200 05/11/2000 (122700)
202 06/16/2004 (247738)
204 02/07/2000 (127680)
206 08/26/2002 (159609)
208 07/27/2000 (120502)
210 05/12/2000 (122701)
212 12/17/2004 (286731)
214 04/12/2004 (264619)
216 02/07/2000 (127679)
218 02/11/2004 (260442)
220 07/26/2000 (120501)
222 06/30/2004 (266880)
224 06/02/2004 (272991)
226 05/15/2000 (122702)
228 02/07/2000 (127678)
230 12/16/2004 (285097)
232 08/27/2001 (159608)
234 07/26/2000 (120500)
236 05/15/2000 (122703)
238 03/07/2003 (21400)
240 04/30/2004 (255002)
242 02/07/2000 (127677)
244 07/21/2000 (120499)
246 05/17/2000 (122704)
248 08/23/2000 (159607)
250 08/31/2004 (273678)
252 08/23/2002 (4928)
254 07/20/2000 (120498)
256 02/07/2000 (127676)
258 05/17/2000 (122705)
260 09/04/2002 (9088)
262 02/23/2004 (260927)
264 07/19/2000 (120497)
266 02/04/2000 (127675)
268 07/31/2002 (5786)
270 05/17/2000 (122706)
272 08/04/2003 (36623)
274 07/19/2000 (120496)
276 01/24/2000 (127674)
278 07/29/2002 (159606)
280 05/17/2000 (122707)
282 12/20/2004 (339119)
284 08/07/2002 (7213)
286 07/19/2000 (120495)
288 01/24/2000 (127673)

290 05/17/2000 (122708)
292 07/18/2000 (120494)
294 08/19/2002 (4885)
296 08/30/2003 (152221)
298 05/18/2000 (122709)
300 01/03/2003 (15110)
302 07/18/2000 (120493)
304 10/11/2002 (11055)
306 08/25/2002 (8609)
308 01/07/2005 (339147)
310 07/02/2003 (35418)
312 05/18/2000 (122710)
314 11/18/2002 (12073)
316 07/18/2000 (120492)
318 05/18/2000 (122711)
320 07/11/2000 (120491)
322 03/22/2004 (263436)
324 07/31/2002 (6169)
326 07/23/2001 (159605)
328 05/18/2000 (122712)
330 12/31/2004 (338842)
332 07/27/2000 (159604)
334 08/18/2004 (277856)
336 05/24/2000 (122713)
338 12/17/2004 (339587)
340 03/29/2004 (264628)
342 05/24/2000 (122714)
344 05/14/2004 (248280)
346 06/03/2004 (258305)
348 03/10/2004 (261603)
350 08/08/2003 (159603)
352 05/30/2000 (122715)
354 05/30/2000 (122716)
356 06/25/2002 (159602)
358 08/22/2003 (150711)
360 08/31/2004 (273416)
362 05/30/2000 (122717)
364 08/14/2003 (150122)
366 05/30/2000 (122718)
368 01/27/2003 (21017)
370 09/04/2003 (247717)
372 06/26/2001 (159601)
374 10/16/2002 (12820)
376 05/30/2000 (122719)
378 07/03/2000 (120490)
380 05/30/2000 (122720)
382 11/04/2004 (338243)
384 06/27/2000 (159600)
386 06/30/2000 (120489)
388 09/01/2004 (267453)
390 06/05/2000 (122721)
392 12/09/2002 (14830)
394 06/30/2000 (120488)
396 08/14/2002 (7906)
398 06/08/2000 (122722)
400 06/20/2000 (120487)
402 06/20/2000 (122723)
404 08/25/2003 (151529)
406 01/28/2002 (IE0018454001001)
408 12/28/2004 (251988)
410 06/20/2000 (120486)
412 08/31/2004 (273127)
414 05/19/2003 (159599)
416 06/20/2000 (122724)
418 02/06/2004 (251940)
420 02/03/2004 (257672)
422 06/08/2000 (120485)
424 06/30/2000 (122725)
426 06/05/2000 (120484)
428 06/30/2000 (122726)
430 03/20/2003 (23813)
432 05/30/2000 (120483)
434 05/20/2002 (159598)
436 07/03/2000 (122727)
438 12/16/2004 (286819)
440 12/13/2004 (339850)
442 05/30/2000 (120482)
444 06/23/2003 (35416)
446 07/09/2002 (2159)
448 03/06/2003 (26396)

450	01/24/2000	(135927)
452	05/30/2000	(120481)
454	05/29/2001	(159597)
456	12/17/2004	(338429)
458	01/06/2005	(339121)
460	05/30/2000	(120480)
462	05/30/2000	(120479)
464	05/30/2000	(159596)
466	01/24/2000	(135928)
468	05/30/2000	(120478)
470	04/28/2003	(159595)
472	12/28/2004	(256034)
474	07/28/2004	(276490)
476	05/24/2000	(120477)
478	08/31/2004	(273881)
480	08/20/2002	(7588)
482	07/31/2003	(33803)
484	02/04/2000	(135929)
486	05/24/2000	(120476)
488	05/18/2000	(120475)
490	07/19/2002	(4827)
492	04/30/2002	(159594)
494	05/18/2000	(120474)
496	02/07/2000	(135930)
498	07/17/2002	(4563)
500	05/18/2000	(120473)
502	07/11/2000	(122728)
504	05/18/2000	(120472)
506	07/18/2000	(122729)
508	02/07/2000	(135931)
510	05/17/2000	(120471)
512	05/27/2003	(29063)
514	08/30/2003	(149187)
516	07/18/2000	(122730)
518	05/17/2000	(120470)
520	04/24/2001	(159593)
522	05/28/2003	(31177)
524	07/18/2000	(122731)
526	05/17/2000	(120469)
528	02/07/2000	(135932)
530	01/16/2002	(120354)
532	07/19/2000	(122732)
534	05/17/2000	(120468)
536	07/19/2000	(122733)
538	05/17/2000	(120467)
540	05/08/2001	(159592)
542	07/19/2002	(5014)
544	07/19/2000	(122734)
546	02/07/2000	(135933)
548	08/23/2000	(120353)
550	05/15/2000	(120466)
552	07/20/2000	(122735)
554	08/27/2004	(267540)
556	08/23/2000	(120352)
558	05/15/2000	(120465)
560	11/26/2003	(250021)
562	07/21/2000	(122736)
564	01/07/2005	(339138)
566	08/17/2000	(120351)
568	05/12/2000	(120464)
570	07/26/2000	(122737)
572	02/07/2000	(135934)
574	11/05/2004	(334318)
576	08/17/2000	(120350)
578	05/11/2000	(120463)
580	07/26/2000	(122738)
582	08/31/2002	(10381)
584	03/28/2000	(159591)
586	08/17/2000	(120349)
588	05/11/2000	(120462)
590	07/27/2000	(122739)
592	11/01/2004	(285137)
594	08/11/2000	(120348)
596	05/11/2000	(120461)
598	02/07/2000	(135935)
600	07/27/2000	(122740)
602	08/16/2002	(7720)
604	08/31/2004	(272729)
606	03/21/2003	(159590)
608	08/17/2004	(284165)

610 08/11/2000 (120347)
612 08/15/2002 (7525)
614 05/11/2000 (120460)
616 07/27/2000 (122741)
618 01/09/2004 (254701)
620 08/11/2000 (120346)
622 02/03/2003 (285652)
624 05/10/2000 (120459)
626 08/02/2000 (122742)
628 03/24/2000 (135936)
630 08/31/2002 (8599)
632 08/08/2000 (120345)
634 08/27/2004 (266751)
636 05/09/2000 (120458)
638 08/07/2002 (7201)
640 03/20/2002 (159589)
642 08/07/2000 (122743)
644 07/26/2003 (61449)
646 08/08/2000 (120344)
648 02/26/2004 (296001)
650 04/24/2000 (120457)
652 09/05/2002 (10360)
654 12/19/2002 (18859)
656 08/07/2000 (120343)
658 03/24/2000 (135937)
660 04/13/2000 (120456)
662 08/07/2000 (120342)
664 03/15/2004 (262011)
666 03/30/2000 (120455)
668 03/26/2001 (159588)
670 06/30/2003 (35785)
672 05/14/2004 (263118)
674 07/20/2000 (120341)
676 10/01/2003 (250440)
678 03/30/2000 (120454)
680 11/05/2004 (334295)
682 08/07/2000 (122744)
684 05/08/2001 (159587)
686 07/20/2000 (120340)
688 03/24/2000 (120453)
690 03/22/2004 (296004)
692 10/31/2003 (253956)
694 03/30/2000 (135939)
696 07/20/2000 (120339)
698 02/28/2003 (159586)
700 03/24/2000 (120452)
702 08/31/2004 (272789)
704 02/07/2000 (120451)
706 04/19/2004 (296006)
708 03/10/2004 (264415)
710 05/28/2003 (31159)
712 02/20/2002 (159585)
714 02/07/2000 (120450)
716 03/30/2000 (135940)
718 09/07/2004 (291280)
720 02/07/2000 (120449)
722 08/29/2004 (265955)
724 02/07/2000 (120448)
726 04/13/2000 (135941)
728 02/07/2000 (120447)
730 11/22/2004 (335797)
732 08/27/2004 (279078)
734 10/30/2002 (10265)
736 07/12/2000 (120338)
738 05/24/2004 (31438)
740 07/28/2004 (282417)
742 02/07/2000 (120446)
744 12/16/2004 (114225)
746 12/10/2004 (114224)
748 05/19/2003 (28851)
750 04/24/2000 (135942)
752 02/04/2000 (120445)
754 02/23/2001 (159584)
756 01/24/2000 (120444)
758 04/23/2004 (265028)
760 08/31/2004 (272814)
762 01/24/2000 (120443)
764 10/31/2004 (276789)
766 05/09/2000 (135943)
768 02/28/2000 (159583)

770 07/12/2000 (120337)
772 03/15/2004 (261999)
774 05/12/2004 (257994)
776 04/13/2000 (120336)
778 07/23/2003 (296010)
780 05/10/2000 (135944)
782 12/13/2004 (336762)
784 02/04/2000 (120335)
786 09/01/2004 (277902)
788 08/07/2000 (127739)
790 08/07/2000 (127738)
792 09/30/2002 (7575)
794 05/11/2000 (135945)
796 01/24/2000 (159628)
798 12/17/2002 (15107)
800 08/02/2000 (127737)
802 04/14/2003 (27517)
804 01/14/2005 (338682)
806 10/31/2004 (289698)
808 07/27/2000 (127736)
810 08/11/2000 (57637)
812 08/15/2003 (140682)
814 05/11/2000 (135946)
816 07/27/2000 (127735)
818 11/30/2003 (126059)
820 11/01/2004 (284370)
822 08/26/2003 (296012)
824 08/27/2002 (9435)
826 07/27/2000 (127734)
828 08/15/2002 (7533)
830 07/26/2000 (127733)
832 05/11/2000 (135947)
834 08/19/2003 (150391)
836 01/31/2003 (159627)
838 07/26/2000 (127732)
840 08/16/2004 (281509)
842 12/21/2004 (334606)
844 07/21/2000 (127731)
846 05/11/2000 (135948)
848 07/20/2000 (127730)
850 07/19/2000 (127729)
852 05/12/2000 (135949)
854 07/19/2000 (127728)
856 04/23/2004 (258324)
858 05/15/2000 (135950)
860 10/01/2003 (296014)
862 06/26/2003 (60783)
864 01/05/2005 (285365)
866 07/19/2000 (127727)
868 02/05/2004 (260440)
870 01/29/2002 (159626)
872 05/15/2000 (135951)
874 05/26/2004 (258253)
876 07/18/2000 (127726)
878 10/16/2002 (12725)
880 05/17/2000 (135952)
882 09/07/2004 (333240)
884 08/31/2004 (274129)
886 07/18/2000 (127725)
888 05/17/2000 (135953)
890 10/01/2003 (250457)
892 07/18/2000 (127724)
894 01/27/2003 (21168)
896 05/17/2000 (135954)
898 01/29/2001 (159625)
900 04/29/2004 (255279)
902 10/23/2003 (296016)
904 11/01/2004 (285135)
906 07/11/2000 (127723)
908 05/17/2000 (135955)
910 04/30/2004 (254073)
912 05/17/2000 (135956)
914 04/13/2004 (265611)
916 07/28/2004 (282469)
918 05/18/2000 (135957)
920 08/29/2003 (152748)
922 03/30/2004 (264622)
924 05/18/2000 (135958)
926 11/15/2001 (97516)
928 05/18/2000 (135959)

930	11/24/2003	(296017)
932	03/04/2003	(26394)
934	06/01/2004	(254581)
936	05/18/2000	(135960)
938	12/23/2002	(159623)
940	08/17/2004	(273076)
942	05/24/2000	(135961)
944	08/09/2002	(7520)
946	08/07/2003	(61967)
948	07/06/2001	(97515)
950	05/24/2000	(135962)
952	01/07/2005	(339177)
954	12/24/2003	(296018)
956	11/01/2004	(286768)
958	05/30/2000	(135963)
960	12/27/2001	(159622)
962	11/30/2003	(249732)
964	12/22/2004	(289567)
966	05/30/2000	(135964)
968	07/20/2004	(278387)
970	07/06/2001	(97514)
972	07/03/2000	(127721)
974	05/30/2000	(135965)
976	07/06/2001	(97513)
978	05/30/2000	(135966)
980	06/30/2000	(127720)
982	01/21/2004	(296019)
984	08/17/2004	(284292)
986	08/17/2000	(97512)
988	05/30/2000	(135967)
990	06/30/2000	(127719)
992	03/15/2004	(261987)
994	12/26/2000	(159621)
996	08/17/2000	(97511)
998	05/30/2000	(135968)
1000	06/20/2000	(127718)
1002	11/12/2003	(254614)
1004	08/17/2000	(97510)
1006	02/11/2004	(260085)
1008	06/05/2000	(135969)
1010	06/20/2000	(127717)
1012	08/11/2000	(97509)
1014	01/09/2005	(339130)
1016	08/07/2002	(7186)
1018	02/12/2003	(22520)
1020	08/16/2002	(8175)
1022	06/08/2000	(135970)
1024	06/08/2000	(127716)
1026	08/11/2000	(97508)
1028	08/16/2002	(7857)
1030	06/20/2000	(135971)
1032	06/05/2000	(127715)
1034	07/06/2004	(258308)
1036	08/11/2000	(97507)
1038	08/19/2002	(6722)
1040	06/20/2000	(135972)
1042	05/30/2000	(127714)
1044	08/11/2000	(97506)
1046	06/30/2000	(135973)
1048	11/27/2002	(159619)
1050	08/08/2000	(97505)
1052	05/30/2000	(127713)
1054	06/30/2000	(135974)
1056	02/11/2004	(260441)
1058	08/08/2000	(97504)
1060	12/16/2004	(289573)
1062	07/03/2000	(135975)
1064	05/30/2000	(127712)
1066	11/19/2001	(159618)
1068	08/07/2000	(97503)
1070	08/07/2000	(97502)
1072	05/30/2000	(127710)
1074	08/07/2000	(97501)
1076	01/09/2004	(253974)
1078	05/30/2000	(127709)
1080	12/13/2004	(334315)
1082	08/07/2000	(97500)
1084	08/15/2002	(7408)
1086	05/30/2000	(127708)
1088	05/17/2004	(253533)

1090 06/30/2004 (267508)
1092 06/30/2004 (267938)
1094 08/07/2000 (97499)
1096 11/21/2000 (159617)
1098 05/24/2000 (127707)
1100 01/09/2004 (254710)
1102 12/06/2004 (284914)
1104 08/27/2002 (9436)
1106 08/31/2002 (4886)
1108 08/07/2000 (97498)
1110 07/19/2002 (5209)
1112 05/24/2000 (127706)
1114 01/17/2005 (249734)
1116 08/29/2003 (151240)
1118 12/20/2004 (339116)

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

Date: 03/05/2003 (26396)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

Date: 07/11/2000 (97496)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: Failure to Comply

Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2000 (159613)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 06/01/2004 (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: 08/31/2002 (159612)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 04/29/2004 (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 IA
Description: Exceeded VOC permit limit during an emissions event.

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 after final emissions from a scheduled maintenance event exceeded emissions reported on the Initial Notification.

Date: 06/30/2001 (159605)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/20/2002 (7575)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Self Report? NO Classification: Moderate
Citation: TEXAS HEALTH AND SAFETY CODE 382.085
Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

Date: 05/24/2003 (29063)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
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: 07/11/2000 (120490)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply

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)[G]
Description: Failure to meet the limit for one or more permit parameter

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: 07/11/2000 (122727)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply

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 IA
Description: Incident 40337 was an avoidable emissions event.

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 IA
Description: Exceeded VOC permit limit during an avoidable 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 emissons event.

Date: 03/31/2001 (159593)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/25/2003 (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: 12/02/2003 (250021)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal

oxidizer.

Date: 01/07/2002 (120354)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to maintain partial pressure records.

Date: 08/23/2000 (120353)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(f)[G]
Description: Failure to Comply

Date: 02/29/2000 (159591)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

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

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: 08/07/2003 (61967)
Self Report? NO Classification: Major
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: 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 IA
PA IA
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 IA
PA IA
Description: Failure to cap or plug open-ended lines per the Permit No. 7531, SC No. 3E

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: 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 IA
Description: Dow exceeded VOC permit limit during 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 IA
Description: Incident #43280 was avoidable.

Date: 01/31/2001 (159584)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/11/2000 (120338)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.110
Description: Failure to Comply

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)[G]
Description: Failure to meet the limit for one or more permit parameter

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: 07/11/2000 (120337)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: Failure to Comply

Date: 03/05/2003 (26394)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have proper grade of licensed operator.

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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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 IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to re-monitor fugitive components within 15 days.

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)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2002 (159627)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2001 (159626)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2000 (159625)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/28/2004 (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: OP IA
PERMIT IA
Description: Failure to plug open ended valves.
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 IA
PERMIT IA
Description: THROX unit exceeded CO MAER.
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 IA
PERMIT IA
Description: Exceeded vinyl chloride average feedrate limit.
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 IA
PERMIT IA
Description: Exceeded firebox temperatures for THROX & TOX
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 IA
PERMIT IA
Description: Flowmeters on vent stream to TOX not operational.
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 IA
PERMIT IA
Description: Flare A32CSF1 exceeded hourly VOC MAER
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)(4)
Rqmt Prov: OP IA
PERMIT IA
Description: Failure to monitor valves and pressure sensing devices
Self Report? NO Classification: Moderate
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 IA
Description: Failure to monitor connectors

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)[G]
Description: Failure to meet the limit for one or more permit parameter

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 IA
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: 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to equip open-ended valve with a plug.

Date: 01/14/2005 (338682)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
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 IA
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: 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 IA
Description: Incident 7827 was an avoidable emissions event.

Date: 11/30/2002 (159623)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

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

Date: 07/09/2001 (97515)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

Date: 11/30/2001 (159622)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/09/2001 (97514)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
Description: NESHAP STANDARDS

Date: 07/11/2000 (127721)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply

Date: 11/30/2000 (159621)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2002 (159619)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 11/05/2004 (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: OP IA
PA IA
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 IA
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 IA
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: OP IA
PA IA
Description: Failure to keep records of the date of first repair attempt and date of leak repair for two leaking valves.

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 emissons during an emissions event.

Date: 02/06/2004 (251940)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Avoidable emissions event with emissions of benzene.

Date: 12/31/2002 (15110)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)
5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to control emissions.

Date: 10/31/2000 (159617)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/2003 (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: 07/11/2000 (135975)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failure to Comply
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
Description: Failure to Comply

F. Environmental audits.

Notice of Intent Date: 12/11/2001
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 02/18/2004
No DOV Associated

Citation: No Classification

Description:
Notice of Intent Date: 04/14/2004
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 03/19/2004
No DOV Associated
Citation: No Classification

Description:
Notice of Intent Date: 12/17/2004
No DOV Associated
Citation: No Classification
Description:

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

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) — *PCW Revision May 19, 2005*

DATES						
Assigned	01-Aug-2005					
PCW	19-Nov-2007	Screening	10-Oct-2005	EPA Due	24-Apr-2006	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	12064	No. of Violations	6
Docket No.	2004-1344-MLM-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Miriam Hall
Multi-Media		EC's Team	Enforcement Team 4
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1*: $30,500

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 280% Enhancement — *Subtotals 2, 3, & 7*: $85,400

Notes: Penalty was enhanced for 3 Findings Orders, 2 1660 orders, 12 same or similar NOVs, and 57 other NOVs including 20 self-reported effluent violations. Penalty was reduced for 7 Notices of Audit and one Disclosure of Violations.

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

Notes: The respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 0% Reduction — *Subtotal 5*: $0

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

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

Economic Benefit — 0% Enhancement* — *Subtotal 6*: $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$11,490
Approx. Cost of Compliance	$10,045

SUM OF SUBTOTALS 1-7 — Final Subtotal: $115,900

OTHER FACTORS AS JUSTICE MAY REQUIRE — Adjustment: $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount: $115,900

STATUTORY LIMIT ADJUSTMENT — Final Assessed Penalty: $115,900

DEFERRAL — 0% Reduction — Adjustment: $0

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

Notes: No deferral because this is a Findings Order and not an expedited settlement.

PAYABLE PENALTY: $115,900

EXHIBIT

tabbies

PCW 6

Screening Date 10-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Miriam Hall

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)*	12	60%
	Other written NOVs	57	114%
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*	7	-7%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	1	-2%

		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) **280%**

>> **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 was enhanced for 3 Findings Orders, 2 1660 orders, 12 same or similar NOVs, and 57 other NOVs including 20 self-reported effluent violations. Penalty was reduced for 7 Notices of Audit and one Disclosure of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **280%**

Screening Date 10-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Miriam Hall

Violation Number	1
Primary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c) and Air Permit No. 20776 Special Condition (SC) 8
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to maintain pH and water flow rates for Scrubber D-27. The maximum allowable pH is 4.0 and the minimum required flow rate is 0.6 gallons per minute [or 5 pounds per minute (lbs/min)]. On 9/24/03 at 2:10 p.m., redundant pH readings were 9.1 and 8.6 and were caused by blow-back of trimethylamine (TMA) in the line after unloading a railcar. On 9/3/04, an employee shut down the scrubber system in error, reducing the flow to 0 to 4.6 lbs/min for a 45-min period and causing the pH to rise above 4.0 for 10 min. (Redundant pH readings were 8.0 and 7.7 at 1:20 p.m.)

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or the environment may have been exposed to insignificant amounts of pollutants which would not have exceeded protective levels.

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events: 2

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,000

Two single events are recommended (one for 9/24/03 and one for 9/3/04).

Economic Benefit (EB) for this violation

Estimated EB Amount: $46

Statutory Limit Test

Violation Final Penalty Total $7,600

This violation Final Assessed Penalty (adjusted for limits) $7,600

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$500	24-Sep-2003	26-Jul-2005	1.8	$46	n/a	$46
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Dow incorporated a process to prevent employees from shutting off the unit in a single step, and Dow incorporated an improved discipline for TMA line clearing. Begin date is the date of the first incident and final date is date of the corrective actions.

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

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $500

TOTAL: $46

Screening Date 10-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Miriam Hall

Violation Number 2

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.115(c) and Air Permit No. 20776 SC 7.G.

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to conduct an instrument-monitored fugitive emission inspection on a pump, Tag # EAI273155, for fourth quarter 2003.

Base Penalty $10,000

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

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or the environment may have been exposed to insignificant amounts of pollutants which would not have exceeded protective levels.

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $1,000

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $105

Statutory Limit Test

Violation Final Penalty Total $3,800

This violation Final Assessed Penalty (adjusted for limits) $3,800

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs							
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]	$100	22-Sep-2003	31-Dec-2003	1.0	$5	$100	$105
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs	Cost of additional oversight and monitoring. The component had been tagged but had not been incorporated into the monitoring database and monitored. The date required is the date the violation began, and the final date is the date the violation ended.						

Approx. Cost of Compliance: $100

TOTAL: $105

Screening Date 10-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Miriam Hall

Violation Number 3

Primary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c) and Air Permit No. 20776 SC 6.E. and 7.E.
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to maintain caps and/or plugs on four open-ended lines in the B6600 Quat 188 Plant for components EAI272070 (T-100c/EPN B6610V100), EAI272990 (T-100c/EPN B6610V100), EAI1273010 (D-57/EPN Unknown), and EAI272471 (P-53A/EPN B6610V53).

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or the environment could have been exposed to insignificant emissions which would not have exceeded levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 4

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $4,000

Four single events are recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $15,200

This violation Final Assessed Penalty (adjusted for limits) $15,200

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	$200	23-Jun-2004	28-Jun-2004	0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	The estimated cost of capping the line from the discovery date to compliance date.						
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: $200

TOTAL: $0

Screening Date 10-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Miriam Hall

Violation Number 4

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.115(b)(2)(F) and Air Permit No. 20776 General Condition 7.

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to retain two-year fugitive emission monitoring records for 21 components in methylene chloride service and 22 components in volatile organic compound (VOC) service.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
		x	

Percent 10%

Matrix Notes: About 50% of the rule was met. Dow has monitoring records. However, Dow renumbered and re-tagged components in the plant. A cross-reference list does not exist to correlate the previous numbers with the new tag numbers.

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events: 1

mark only one / use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One event is recommended because the records could not be correlated with the new tag numbers at the time of the investigation on March 31, 2005.

Economic Benefit (EB) for this violation

Estimated EB Amount $110

Statutory Limit Test

Violation Final Penalty Total $3,800

This violation Final Assessed Penalty (adjusted for limits) $3,800

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System	$1,000	21-Mar-2004	31-May-2006	2.2	$110	n/a	$110
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	The estimated cost of determining which previous tag numbers correspond to the current tag numbers on the components and developing a cross-reference list. The begin date is the date the components were re-tagged and the final date is the estimated compliance date.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $1,000

TOTAL $110

Screening Date 10-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Miriam Hall

Violation Number 5

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.115(c) and Air Permit No. 20776 SC10

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description Dow failed to monitor for fugitive emissions all connectors, regardless of size, in VOC service. A total of 649 components were not monitored.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation. The estimated emissions from not monitoring are 1.42 tons per year of VOC.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 4

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	x
annual	
single event	

Violation Base Penalty $10,000

Four semiannual events are recommended from April 1, 2003 through March 31, 2005.

Economic Benefit (EB) for this violation

Estimated EB Amount $10,791

Statutory Limit Test

Violation Final Penalty Total $38,000

This violation Final Assessed Penalty (adjusted for limits) $38,000

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs							
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	$3,245	01-Apr-2003	31-May-2006	3.2	$514	$10,277	$10,791
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	The estimated cost for monitoring valves is $5.00 per valve or $3245 per year. The date required is the earliest date documented, and the final date is the projected compliance date.						

Approx. Cost of Compliance: $3,245

TOTAL: $10,791

Screening Date 10-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Miriam Hall

Violation Number	6
Primary Rule Cite(s)	30 Tex. Admin. Code § 116.110(a)
Secondary Rule Cite(s)	Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)
Violation Description	Failed to obtain a permit prior to constructing and operating methylene chloride extraction Tower T-100c.

Base Penalty $10,000

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

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 5

mark only one use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $12,500

Five quarterly events are recommended from inspection date (3/31/05) to compliance date (5/30/2006).

Economic Benefit (EB) for this violation

Estimated EB Amount $438

Statutory Limit Test

Violation Final Penalty Total $47,500

This violation Final Assessed Penalty (adjusted for limits) $47,500

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs	$5,000	31-Mar-2005	31-Dec-2006	1.8	$438	n/a	$438
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost for obtaining a permit. The date required is unknown so the inspection date was used. Final date is the projected compliance date.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $5,000

TOTAL $438

Compliance History

Customer/Respondent/Owner-Operator: CN600356976 The Dow Chemical Company Classification: AVERAGE Rating: 2.780

Regulated Entity: RN100225945 DOW TEXAS OPERATIONS FREEPORT Classification: AVERAGE Site Rating: 6.81

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200533
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200528
WASTEWATER	PERMIT	TX0059447000
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50161
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1430
AIR NEW SOURCE PERMITS	PERMIT	1407
AIR NEW SOURCE PERMITS	PERMIT	654
AIR NEW SOURCE PERMITS	PERMIT	646
AIR NEW SOURCE PERMITS	PERMIT	313
AIR NEW SOURCE PERMITS	PERMIT	14639
AIR NEW SOURCE PERMITS	PERMIT	13682
AIR NEW SOURCE PERMITS	PERMIT	834
AIR NEW SOURCE PERMITS	PERMIT	9973
AIR NEW SOURCE PERMITS	PERMIT	9938
AIR NEW SOURCE PERMITS	PERMIT	9871
AIR NEW SOURCE PERMITS	PERMIT	37957
AIR NEW SOURCE PERMITS	PERMIT	49685
AIR NEW SOURCE PERMITS	PERMIT	47314
AIR NEW SOURCE PERMITS	PERMIT	49253
AIR NEW SOURCE PERMITS	PERMIT	49235
AIR NEW SOURCE PERMITS	PERMIT	49187
AIR NEW SOURCE PERMITS	PERMIT	48813
AIR NEW SOURCE PERMITS	PERMIT	48479
AIR NEW SOURCE PERMITS	PERMIT	48478
AIR NEW SOURCE PERMITS	PERMIT	48715
AIR NEW SOURCE PERMITS	PERMIT	48567
AIR NEW SOURCE PERMITS	PERMIT	48414
AIR NEW SOURCE PERMITS	PERMIT	48497
AIR NEW SOURCE PERMITS	PERMIT	48337
AIR NEW SOURCE PERMITS	PERMIT	48343
AIR NEW SOURCE PERMITS	PERMIT	48027
AIR NEW SOURCE PERMITS	PERMIT	47970
AIR NEW SOURCE PERMITS	PERMIT	47564
AIR NEW SOURCE PERMITS	PERMIT	47352
AIR NEW SOURCE PERMITS	PERMIT	47347
AIR NEW SOURCE PERMITS	PERMIT	47374
AIR NEW SOURCE PERMITS	PERMIT	47114
AIR NEW SOURCE PERMITS	PERMIT	47203
AIR NEW SOURCE PERMITS	PERMIT	47092
AIR NEW SOURCE PERMITS	PERMIT	47095
AIR NEW SOURCE PERMITS	PERMIT	46987
AIR NEW SOURCE PERMITS	PERMIT	46911
AIR NEW SOURCE PERMITS	PERMIT	46798
AIR NEW SOURCE PERMITS	PERMIT	46767
AIR NEW SOURCE PERMITS	PERMIT	46682
AIR NEW SOURCE PERMITS	PERMIT	46658
AIR NEW SOURCE PERMITS	PERMIT	46568
AIR NEW SOURCE PERMITS	PERMIT	46481
AIR NEW SOURCE PERMITS	PERMIT	46431
AIR NEW SOURCE PERMITS	PERMIT	46428
AIR NEW SOURCE PERMITS	PERMIT	46429
AIR NEW SOURCE PERMITS	PERMIT	46378
AIR NEW SOURCE PERMITS	PERMIT	46306
AIR NEW SOURCE PERMITS	PERMIT	46173

EXHIBIT

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AIR NEW SOURCE PERMITS	PERMIT	46174
AIR NEW SOURCE PERMITS	PERMIT	46051
AIR NEW SOURCE PERMITS	PERMIT	46009
AIR NEW SOURCE PERMITS	PERMIT	45762
AIR NEW SOURCE PERMITS	PERMIT	45449
AIR NEW SOURCE PERMITS	PERMIT	45152
AIR NEW SOURCE PERMITS	PERMIT	45097
AIR NEW SOURCE PERMITS	PERMIT	44834
AIR NEW SOURCE PERMITS	PERMIT	44833
AIR NEW SOURCE PERMITS	PERMIT	44742
AIR NEW SOURCE PERMITS	PERMIT	44719
AIR NEW SOURCE PERMITS	PERMIT	44718
AIR NEW SOURCE PERMITS	PERMIT	44622
AIR NEW SOURCE PERMITS	PERMIT	44608
AIR NEW SOURCE PERMITS	PERMIT	44465
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AIR NEW SOURCE PERMITS	PERMIT	44118
AIR NEW SOURCE PERMITS	PERMIT	44056
AIR NEW SOURCE PERMITS	PERMIT	44036
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AIR NEW SOURCE PERMITS	PERMIT	44002
AIR NEW SOURCE PERMITS	PERMIT	43960
AIR NEW SOURCE PERMITS	PERMIT	43959
AIR NEW SOURCE PERMITS	PERMIT	43859
AIR NEW SOURCE PERMITS	PERMIT	43813
AIR NEW SOURCE PERMITS	PERMIT	42443
AIR NEW SOURCE PERMITS	PERMIT	43698
AIR NEW SOURCE PERMITS	PERMIT	43592
AIR NEW SOURCE PERMITS	PERMIT	43416
AIR NEW SOURCE PERMITS	PERMIT	43417
AIR NEW SOURCE PERMITS	PERMIT	43381
AIR NEW SOURCE PERMITS	PERMIT	43382
AIR NEW SOURCE PERMITS	PERMIT	42923
AIR NEW SOURCE PERMITS	PERMIT	42384
AIR NEW SOURCE PERMITS	PERMIT	42464
AIR NEW SOURCE PERMITS	PERMIT	42327
AIR NEW SOURCE PERMITS	PERMIT	42611
AIR NEW SOURCE PERMITS	PERMIT	42190
AIR NEW SOURCE PERMITS	PERMIT	41555
AIR NEW SOURCE PERMITS	PERMIT	41271
AIR NEW SOURCE PERMITS	PERMIT	41760
AIR NEW SOURCE PERMITS	PERMIT	41542
AIR NEW SOURCE PERMITS	PERMIT	41283
AIR NEW SOURCE PERMITS	PERMIT	41302
AIR NEW SOURCE PERMITS	PERMIT	41304
AIR NEW SOURCE PERMITS	PERMIT	41179
AIR NEW SOURCE PERMITS	PERMIT	41498
AIR NEW SOURCE PERMITS	PERMIT	41108
AIR NEW SOURCE PERMITS	PERMIT	41163
AIR NEW SOURCE PERMITS	PERMIT	41273
AIR NEW SOURCE PERMITS	PERMIT	40854
AIR NEW SOURCE PERMITS	PERMIT	40430
AIR NEW SOURCE PERMITS	PERMIT	40479
AIR NEW SOURCE PERMITS	PERMIT	40046
AIR NEW SOURCE PERMITS	PERMIT	39450
AIR NEW SOURCE PERMITS	PERMIT	39609
AIR NEW SOURCE PERMITS	PERMIT	38759
AIR NEW SOURCE PERMITS	PERMIT	38861
AIR NEW SOURCE PERMITS	PERMIT	38156
AIR NEW SOURCE PERMITS	PERMIT	38157
AIR NEW SOURCE PERMITS	PERMIT	37618
AIR NEW SOURCE PERMITS	PERMIT	37667
AIR NEW SOURCE PERMITS	PERMIT	37937
AIR NEW SOURCE PERMITS	PERMIT	37625
AIR NEW SOURCE PERMITS	PERMIT	37884
AIR NEW SOURCE PERMITS	PERMIT	37569
AIR NEW SOURCE PERMITS	PERMIT	37122
AIR NEW SOURCE PERMITS	PERMIT	37290
AIR NEW SOURCE PERMITS	PERMIT	37000
AIR NEW SOURCE PERMITS	PERMIT	36634
AIR NEW SOURCE PERMITS	PERMIT	36569
AIR NEW SOURCE PERMITS	PERMIT	36523
AIR NEW SOURCE PERMITS	PERMIT	36554

AIR NEW SOURCE PERMITS	PERMIT	25205
AIR NEW SOURCE PERMITS	PERMIT	36397
AIR NEW SOURCE PERMITS	PERMIT	36002
AIR NEW SOURCE PERMITS	PERMIT	35658
AIR NEW SOURCE PERMITS	PERMIT	35413
AIR NEW SOURCE PERMITS	PERMIT	35364
AIR NEW SOURCE PERMITS	PERMIT	35203
AIR NEW SOURCE PERMITS	PERMIT	35204
AIR NEW SOURCE PERMITS	PERMIT	35012
AIR NEW SOURCE PERMITS	PERMIT	35022
AIR NEW SOURCE PERMITS	PERMIT	34541
AIR NEW SOURCE PERMITS	PERMIT	34545
AIR NEW SOURCE PERMITS	PERMIT	34368
AIR NEW SOURCE PERMITS	PERMIT	34116
AIR NEW SOURCE PERMITS	PERMIT	34111
AIR NEW SOURCE PERMITS	PERMIT	33885
AIR NEW SOURCE PERMITS	PERMIT	33608
AIR NEW SOURCE PERMITS	PERMIT	33593
AIR NEW SOURCE PERMITS	PERMIT	33609
AIR NEW SOURCE PERMITS	PERMIT	33328
AIR NEW SOURCE PERMITS	PERMIT	33212
AIR NEW SOURCE PERMITS	PERMIT	32546
AIR NEW SOURCE PERMITS	PERMIT	31992
AIR NEW SOURCE PERMITS	PERMIT	31753
AIR NEW SOURCE PERMITS	PERMIT	30846
AIR NEW SOURCE PERMITS	PERMIT	30503
AIR NEW SOURCE PERMITS	PERMIT	30622
AIR NEW SOURCE PERMITS	PERMIT	29782
AIR NEW SOURCE PERMITS	PERMIT	30154
AIR NEW SOURCE PERMITS	PERMIT	30018
AIR NEW SOURCE PERMITS	PERMIT	29753
AIR NEW SOURCE PERMITS	PERMIT	28220
AIR NEW SOURCE PERMITS	PERMIT	28363
AIR NEW SOURCE PERMITS	PERMIT	25536
AIR NEW SOURCE PERMITS	PERMIT	25124
AIR NEW SOURCE PERMITS	PERMIT	26035
AIR NEW SOURCE PERMITS	PERMIT	27041
AIR NEW SOURCE PERMITS	PERMIT	25702
AIR NEW SOURCE PERMITS	PERMIT	26692
AIR NEW SOURCE PERMITS	PERMIT	24030
AIR NEW SOURCE PERMITS	PERMIT	24101
AIR NEW SOURCE PERMITS	PERMIT	24053
AIR NEW SOURCE PERMITS	PERMIT	23389
AIR NEW SOURCE PERMITS	PERMIT	23388
AIR NEW SOURCE PERMITS	PERMIT	23387
AIR NEW SOURCE PERMITS	PERMIT	23519
AIR NEW SOURCE PERMITS	PERMIT	23076
AIR NEW SOURCE PERMITS	PERMIT	23075
AIR NEW SOURCE PERMITS	PERMIT	22945
AIR NEW SOURCE PERMITS	PERMIT	22862
AIR NEW SOURCE PERMITS	PERMIT	22851
AIR NEW SOURCE PERMITS	PERMIT	22810
AIR NEW SOURCE PERMITS	PERMIT	22809
AIR NEW SOURCE PERMITS	PERMIT	22853
AIR NEW SOURCE PERMITS	PERMIT	22759
AIR NEW SOURCE PERMITS	PERMIT	22743
AIR NEW SOURCE PERMITS	PERMIT	22091
AIR NEW SOURCE PERMITS	PERMIT	22085
AIR NEW SOURCE PERMITS	PERMIT	22083
AIR NEW SOURCE PERMITS	PERMIT	22078
AIR NEW SOURCE PERMITS	PERMIT	22072
AIR NEW SOURCE PERMITS	PERMIT	22071
AIR NEW SOURCE PERMITS	PERMIT	22070
AIR NEW SOURCE PERMITS	PERMIT	22063
AIR NEW SOURCE PERMITS	PERMIT	22077
AIR NEW SOURCE PERMITS	PERMIT	21676
AIR NEW SOURCE PERMITS	PERMIT	20909
AIR NEW SOURCE PERMITS	PERMIT	20777
AIR NEW SOURCE PERMITS	PERMIT	20776
AIR NEW SOURCE PERMITS	PERMIT	20775
AIR NEW SOURCE PERMITS	PERMIT	20774
AIR NEW SOURCE PERMITS	PERMIT	20687
AIR NEW SOURCE PERMITS	PERMIT	20607
AIR NEW SOURCE PERMITS	PERMIT	20525
AIR NEW SOURCE PERMITS	PERMIT	20432

AIR NEW SOURCE PERMITS	PERMIT	20285
AIR NEW SOURCE PERMITS	PERMIT	20228
AIR NEW SOURCE PERMITS	PERMIT	20195
AIR NEW SOURCE PERMITS	PERMIT	19519
AIR NEW SOURCE PERMITS	PERMIT	19050
AIR NEW SOURCE PERMITS	PERMIT	19026
AIR NEW SOURCE PERMITS	PERMIT	18950
AIR NEW SOURCE PERMITS	PERMIT	18624
AIR NEW SOURCE PERMITS	PERMIT	18561
AIR NEW SOURCE PERMITS	PERMIT	18258
AIR NEW SOURCE PERMITS	PERMIT	18020
AIR NEW SOURCE PERMITS	PERMIT	20997
AIR NEW SOURCE PERMITS	PERMIT	20996
AIR NEW SOURCE PERMITS	PERMIT	17374
AIR NEW SOURCE PERMITS	PERMIT	17107
AIR NEW SOURCE PERMITS	PERMIT	17028
AIR NEW SOURCE PERMITS	PERMIT	17027
AIR NEW SOURCE PERMITS	PERMIT	14329
AIR NEW SOURCE PERMITS	PERMIT	13920
AIR NEW SOURCE PERMITS	PERMIT	7009
AIR NEW SOURCE PERMITS	PERMIT	16473
AIR NEW SOURCE PERMITS	PERMIT	16249
AIR NEW SOURCE PERMITS	PERMIT	15811
AIR NEW SOURCE PERMITS	PERMIT	13873
AIR NEW SOURCE PERMITS	PERMIT	13194
AIR NEW SOURCE PERMITS	PERMIT	12520
AIR NEW SOURCE PERMITS	PERMIT	12484
AIR NEW SOURCE PERMITS	PERMIT	12445
AIR NEW SOURCE PERMITS	PERMIT	12432
AIR NEW SOURCE PERMITS	PERMIT	12166
AIR NEW SOURCE PERMITS	PERMIT	12145
AIR NEW SOURCE PERMITS	PERMIT	12130
AIR NEW SOURCE PERMITS	PERMIT	12128
AIR NEW SOURCE PERMITS	PERMIT	11644
AIR NEW SOURCE PERMITS	PERMIT	11567
AIR NEW SOURCE PERMITS	PERMIT	11566
AIR NEW SOURCE PERMITS	PERMIT	11076
AIR NEW SOURCE PERMITS	PERMIT	10959
AIR NEW SOURCE PERMITS	PERMIT	10791
AIR NEW SOURCE PERMITS	PERMIT	10790
AIR NEW SOURCE PERMITS	PERMIT	10690
AIR NEW SOURCE PERMITS	PERMIT	10423
AIR NEW SOURCE PERMITS	PERMIT	9822
AIR NEW SOURCE PERMITS	PERMIT	9047
AIR NEW SOURCE PERMITS	PERMIT	9046
AIR NEW SOURCE PERMITS	PERMIT	9044
AIR NEW SOURCE PERMITS	PERMIT	8567
AIR NEW SOURCE PERMITS	PERMIT	8047
AIR NEW SOURCE PERMITS	PERMIT	8009
AIR NEW SOURCE PERMITS	PERMIT	7593
AIR NEW SOURCE PERMITS	PERMIT	7591
AIR NEW SOURCE PERMITS	PERMIT	7531
AIR NEW SOURCE PERMITS	PERMIT	7423
AIR NEW SOURCE PERMITS	PERMIT	7387
AIR NEW SOURCE PERMITS	PERMIT	7386
AIR NEW SOURCE PERMITS	PERMIT	7341
AIR NEW SOURCE PERMITS	PERMIT	7131
AIR NEW SOURCE PERMITS	PERMIT	6803
AIR NEW SOURCE PERMITS	PERMIT	6743
AIR NEW SOURCE PERMITS	PERMIT	6069
AIR NEW SOURCE PERMITS	PERMIT	5661
AIR NEW SOURCE PERMITS	PERMIT	5520
AIR NEW SOURCE PERMITS	PERMIT	5339
AIR NEW SOURCE PERMITS	PERMIT	4310A
AIR NEW SOURCE PERMITS	PERMIT	4085
AIR NEW SOURCE PERMITS	PERMIT	4031
AIR NEW SOURCE PERMITS	PERMIT	4021
AIR NEW SOURCE PERMITS	PERMIT	4020
AIR NEW SOURCE PERMITS	PERMIT	3320
AIR NEW SOURCE PERMITS	PERMIT	3301
WASTEWATER LICENSING	LICENSE	WQ0000007000
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
AIR OPERATING PERMITS	PERMIT	2697
AIR OPERATING PERMITS	PERMIT	2313

AIR OPERATING PERMITS	PERMIT	2311
AIR OPERATING PERMITS	PERMIT	2221
AIR OPERATING PERMITS	PERMIT	2220
AIR OPERATING PERMITS	PERMIT	2219
AIR OPERATING PERMITS	PERMIT	2218
AIR OPERATING PERMITS	PERMIT	2217
AIR OPERATING PERMITS	PERMIT	2216
AIR OPERATING PERMITS	PERMIT	2215
AIR OPERATING PERMITS	PERMIT	2214
AIR OPERATING PERMITS	PERMIT	2213
AIR OPERATING PERMITS	PERMIT	2212
AIR OPERATING PERMITS	PERMIT	2211
AIR OPERATING PERMITS	PERMIT	2210
AIR OPERATING PERMITS	PERMIT	2209
AIR OPERATING PERMITS	PERMIT	2208
AIR OPERATING PERMITS	PERMIT	2207
AIR OPERATING PERMITS	PERMIT	2206
AIR OPERATING PERMITS	PERMIT	2205
AIR OPERATING PERMITS	PERMIT	2204
AIR OPERATING PERMITS	PERMIT	2203
AIR OPERATING PERMITS	PERMIT	2202
AIR OPERATING PERMITS	PERMIT	1388
AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	76763
AIR NEW SOURCE PERMITS	REGISTRATION	76873
AIR NEW SOURCE PERMITS	REGISTRATION	76863
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	76863
AIR NEW SOURCE PERMITS	EPA ID	PSDTX986M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX994M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX994
AIR NEW SOURCE PERMITS	EPA ID	PSDTX993
AIR NEW SOURCE PERMITS	REGISTRATION	76551
AIR NEW SOURCE PERMITS	EPA ID	PSDTXP999
AIR NEW SOURCE PERMITS	REGISTRATION	76548
AIR NEW SOURCE PERMITS	REGISTRATION	76536
AIR NEW SOURCE PERMITS	REGISTRATION	76504
AIR NEW SOURCE PERMITS	REGISTRATION	76506
AIR NEW SOURCE PERMITS	REGISTRATION	76448
AIR NEW SOURCE PERMITS	PERMIT	76453
AIR NEW SOURCE PERMITS	REGISTRATION	75301
AIR NEW SOURCE PERMITS	REGISTRATION	75239
AIR NEW SOURCE PERMITS	PERMIT	75090
AIR NEW SOURCE PERMITS	REGISTRATION	74940
AIR NEW SOURCE PERMITS	REGISTRATION	74853
AIR NEW SOURCE PERMITS	REGISTRATION	74748
AIR NEW SOURCE PERMITS	REGISTRATION	74651
AIR NEW SOURCE PERMITS	REGISTRATION	74597
AIR NEW SOURCE PERMITS	REGISTRATION	74543
AIR NEW SOURCE PERMITS	REGISTRATION	74455
AIR NEW SOURCE PERMITS	REGISTRATION	74350
AIR NEW SOURCE PERMITS	PERMIT	73750
AIR NEW SOURCE PERMITS	PERMIT	73732
AIR NEW SOURCE PERMITS	PERMIT	71246
AIR NEW SOURCE PERMITS	PERMIT	74209
AIR NEW SOURCE PERMITS	REGISTRATION	74059
AIR NEW SOURCE PERMITS	REGISTRATION	73953
AIR NEW SOURCE PERMITS	REGISTRATION	73781
AIR NEW SOURCE PERMITS	PERMIT	73224
AIR NEW SOURCE PERMITS	REGISTRATION	73101
AIR NEW SOURCE PERMITS	PERMIT	2432
AIR NEW SOURCE PERMITS	PERMIT	3434
AIR NEW SOURCE PERMITS	REGISTRATION	72884
AIR NEW SOURCE PERMITS	REGISTRATION	72854
AIR NEW SOURCE PERMITS	REGISTRATION	72798
AIR NEW SOURCE PERMITS	REGISTRATION	72794
AIR NEW SOURCE PERMITS	REGISTRATION	72671
AIR NEW SOURCE PERMITS	REGISTRATION	72663
AIR NEW SOURCE PERMITS	PERMIT	54140
AIR NEW SOURCE PERMITS	PERMIT	53814
AIR NEW SOURCE PERMITS	PERMIT	53736
AIR NEW SOURCE PERMITS	PERMIT	53811
AIR NEW SOURCE PERMITS	PERMIT	P986
AIR NEW SOURCE PERMITS	PERMIT	50646
AIR NEW SOURCE PERMITS	PERMIT	50805
AIR NEW SOURCE PERMITS	PERMIT	50576

AIR NEW SOURCE PERMITS	PERMIT	71375
AIR NEW SOURCE PERMITS	PERMIT	71936
AIR NEW SOURCE PERMITS	PERMIT	53905
AIR NEW SOURCE PERMITS	PERMIT	54042
AIR NEW SOURCE PERMITS	PERMIT	53897
AIR NEW SOURCE PERMITS	PERMIT	52884
AIR NEW SOURCE PERMITS	PERMIT	50488
AIR NEW SOURCE PERMITS	PERMIT	53954
AIR NEW SOURCE PERMITS	PERMIT	52201
AIR NEW SOURCE PERMITS	PERMIT	53903
AIR NEW SOURCE PERMITS	PERMIT	52179
AIR NEW SOURCE PERMITS	PERMIT	52153
AIR NEW SOURCE PERMITS	PERMIT	52180
AIR NEW SOURCE PERMITS	REGISTRATION	71781
AIR NEW SOURCE PERMITS	REGISTRATION	71584
AIR NEW SOURCE PERMITS	REGISTRATION	105095
AIR NEW SOURCE PERMITS	PERMIT	8105
AIR NEW SOURCE PERMITS	PERMIT	PSDTX994
AIR NEW SOURCE PERMITS	PERMIT	N59
AIR NEW SOURCE PERMITS	PERMIT	71209
AIR NEW SOURCE PERMITS	REGISTRATION	71091
AIR NEW SOURCE PERMITS	REGISTRATION	71090
AIR NEW SOURCE PERMITS	REGISTRATION	71089
AIR NEW SOURCE PERMITS	REGISTRATION	71088
AIR NEW SOURCE PERMITS	REGISTRATION	71087
AIR NEW SOURCE PERMITS	PERMIT	71080
AIR NEW SOURCE PERMITS	PERMIT	71062
AIR NEW SOURCE PERMITS	PERMIT	71039
AIR NEW SOURCE PERMITS	REGISTRATION	70945
AIR NEW SOURCE PERMITS	PERMIT	70940
AIR NEW SOURCE PERMITS	REGISTRATION	70776
AIR NEW SOURCE PERMITS	REGISTRATION	70760
AIR NEW SOURCE PERMITS	REGISTRATION	70592
AIR NEW SOURCE PERMITS	REGISTRATION	70458
AIR NEW SOURCE PERMITS	PERMIT	48892
AIR NEW SOURCE PERMITS	REGISTRATION	70195
AIR NEW SOURCE PERMITS	REGISTRATION	70194
AIR NEW SOURCE PERMITS	REGISTRATION	56851
AIR NEW SOURCE PERMITS	REGISTRATION	56833
AIR NEW SOURCE PERMITS	AFS NUM	0016
AIR NEW SOURCE PERMITS	REGISTRATION	76138
AIR NEW SOURCE PERMITS	REGISTRATION	75512
AIR NEW SOURCE PERMITS	REGISTRATION	75513
AIR NEW SOURCE PERMITS	REGISTRATION	75531
AIR NEW SOURCE PERMITS	REGISTRATION	76039
AIR NEW SOURCE PERMITS	REGISTRATION	76295
AIR NEW SOURCE PERMITS	REGISTRATION	75526
AIR NEW SOURCE PERMITS	REGISTRATION	75579
AIR NEW SOURCE PERMITS	PERMIT	75751
AIR NEW SOURCE PERMITS	REGISTRATION	76012
AIR NEW SOURCE PERMITS	REGISTRATION	75908
AIR NEW SOURCE PERMITS	REGISTRATION	75817
AIR NEW SOURCE PERMITS	REGISTRATION	55537
AIR NEW SOURCE PERMITS	REGISTRATION	55411
AIR NEW SOURCE PERMITS	REGISTRATION	55032
AIR NEW SOURCE PERMITS	PERMIT	54200
AIR NEW SOURCE PERMITS	PERMIT	53895
AIR NEW SOURCE PERMITS	PERMIT	52998
AIR NEW SOURCE PERMITS	PERMIT	52999
AIR NEW SOURCE PERMITS	PERMIT	52200
AIR NEW SOURCE PERMITS	PERMIT	22091
AIR NEW SOURCE PERMITS	PERMIT	52724
AIR NEW SOURCE PERMITS	PERMIT	52152
AIR NEW SOURCE PERMITS	REGISTRATION	72132
AIR NEW SOURCE PERMITS	REGISTRATION	71888
AIR NEW SOURCE PERMITS	PERMIT	2602
AIR NEW SOURCE PERMITS	REGISTRATION	71636
WATER LICENSING	LICENSE	0200232
WASTEWATER	PERMIT	TPDES0006484
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50161
WASTEWATER	PERMIT	TX0006483
WASTEWATER	PERMIT	TPDES0006483

WASTEWATER	PERMIT	WQ0000007000
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200534
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200531
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200530
AIR OPERATING PERMITS	PERMIT	N041
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0023K
AIR NEW SOURCE PERMITS	PERMIT	19041
AIR NEW SOURCE PERMITS	PERMIT	18320
AIR NEW SOURCE PERMITS	PERMIT	18211
AIR NEW SOURCE PERMITS	PERMIT	15988
AIR NEW SOURCE PERMITS	PERMIT	15718
AIR NEW SOURCE PERMITS	PERMIT	12755
AIR NEW SOURCE PERMITS	PERMIT	12173
AIR NEW SOURCE PERMITS	PERMIT	11832
AIR NEW SOURCE PERMITS	PERMIT	11275
AIR NEW SOURCE PERMITS	PERMIT	10770
AIR NEW SOURCE PERMITS	PERMIT	3947
AIR NEW SOURCE PERMITS	PERMIT	3941
AIR NEW SOURCE PERMITS	PERMIT	3434
AIR NEW SOURCE PERMITS	PERMIT	2417
AIR NEW SOURCE PERMITS	PERMIT	941
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008092793
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
AIR NEW SOURCE PERMITS	PERMIT	3914
AIR NEW SOURCE PERMITS	PERMIT	3347
AIR NEW SOURCE PERMITS	PERMIT	3302
AIR NEW SOURCE PERMITS	PERMIT	2773
AIR NEW SOURCE PERMITS	PERMIT	2772
AIR NEW SOURCE PERMITS	PERMIT	2728
AIR NEW SOURCE PERMITS	PERMIT	2606
AIR NEW SOURCE PERMITS	PERMIT	2472
AIR NEW SOURCE PERMITS	PERMIT	2367
AIR NEW SOURCE PERMITS	PERMIT	2008A
AIR NEW SOURCE PERMITS	PERMIT	1715
AIR NEW SOURCE PERMITS	PERMIT	1658
AIR NEW SOURCE PERMITS	PERMIT	1655
AIR NEW SOURCE PERMITS	PERMIT	1559
AIR NEW SOURCE PERMITS	PERMIT	1558
AIR NEW SOURCE PERMITS	PERMIT	1515
AIR NEW SOURCE PERMITS	PERMIT	1472
AIR NEW SOURCE PERMITS	PERMIT	1258
AIR NEW SOURCE PERMITS	PERMIT	770
AIR NEW SOURCE PERMITS	PERMIT	120
AIR NEW SOURCE PERMITS	PERMIT	119
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0022M
AIR NEW SOURCE PERMITS	PERMIT	30002
AIR NEW SOURCE PERMITS	PERMIT	21596
AIR NEW SOURCE PERMITS	PERMIT	20495
AIR NEW SOURCE PERMITS	PERMIT	20433
AIR NEW SOURCE PERMITS	PERMIT	20266
AIR NEW SOURCE PERMITS	PERMIT	19792
AIR NEW SOURCE PERMITS	PERMIT	19720
AIR NEW SOURCE PERMITS	PERMIT	19715
AIR NEW SOURCE PERMITS	PERMIT	19243
AIR NEW SOURCE PERMITS	PERMIT	19202
AIR NEW SOURCE PERMITS	PERMIT	18145
AIR NEW SOURCE PERMITS	PERMIT	6911
AIR NEW SOURCE PERMITS	PERMIT	12340
AIR NEW SOURCE PERMITS	PERMIT	4022
AIR NEW SOURCE PERMITS	PERMIT	15386
AIR NEW SOURCE PERMITS	PERMIT	14935
AIR NEW SOURCE PERMITS	PERMIT	13950
AIR NEW SOURCE PERMITS	PERMIT	13132
AIR NEW SOURCE PERMITS	PERMIT	13104
AIR NEW SOURCE PERMITS	PERMIT	12970

AIR NEW SOURCE PERMITS	PERMIT	12613
AIR NEW SOURCE PERMITS	PERMIT	12265
AIR NEW SOURCE PERMITS	PERMIT	12104
AIR NEW SOURCE PERMITS	PERMIT	12051
AIR NEW SOURCE PERMITS	PERMIT	12045
AIR NEW SOURCE PERMITS	PERMIT	12008
AIR NEW SOURCE PERMITS	PERMIT	12007
AIR NEW SOURCE PERMITS	PERMIT	11919
AIR NEW SOURCE PERMITS	PERMIT	11745
AIR NEW SOURCE PERMITS	PERMIT	11691A
AIR NEW SOURCE PERMITS	PERMIT	11691
AIR NEW SOURCE PERMITS	PERMIT	11159
AIR NEW SOURCE PERMITS	PERMIT	11092
AIR NEW SOURCE PERMITS	PERMIT	10955
AIR NEW SOURCE PERMITS	PERMIT	10845
AIR NEW SOURCE PERMITS	PERMIT	10794
AIR NEW SOURCE PERMITS	PERMIT	10792
AIR NEW SOURCE PERMITS	PERMIT	10766
AIR NEW SOURCE PERMITS	PERMIT	10731
AIR NEW SOURCE PERMITS	PERMIT	10689
AIR NEW SOURCE PERMITS	PERMIT	10677
AIR NEW SOURCE PERMITS	PERMIT	10674
AIR NEW SOURCE PERMITS	PERMIT	10613
AIR NEW SOURCE PERMITS	PERMIT	10534
AIR NEW SOURCE PERMITS	PERMIT	10469
AIR NEW SOURCE PERMITS	PERMIT	9838
AIR NEW SOURCE PERMITS	PERMIT	9837
AIR NEW SOURCE PERMITS	PERMIT	9773
AIR NEW SOURCE PERMITS	PERMIT	9045
AIR NEW SOURCE PERMITS	PERMIT	7942
AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	6932
AIR NEW SOURCE PERMITS	PERMIT	6744
AIR NEW SOURCE PERMITS	PERMIT	6383
AIR NEW SOURCE PERMITS	PERMIT	6161
AIR NEW SOURCE PERMITS	PERMIT	6069A
AIR NEW SOURCE PERMITS	PERMIT	5746
AIR NEW SOURCE PERMITS	PERMIT	5340
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541 Rating Date: 9/1/05 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: October 10, 2005

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: October 10, 2000 to October 10, 2005

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Miriam Hall Phone: (512) 239-1044

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
6. Comments: STEERS

Components (Multimedia) for the Site :

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

1 1660

Effective Date: 2/17/03 ADMINORDER 2002-0689-IHW-E 7660
Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)
Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

1 Finding 1

Effective Date: 1/7/02 ADMINORDER 2000-1459-AIR-E FINDING 5
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to submit complete notifications for 29 upsets.
Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has allowed unauthorized emissions into the atmosphere.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC No. 2 PERMIT
Description: Failure to properly control emissions from Benzene Tank AD-20X.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2 PERMIT
Description: Failure to properly control emissions from Reactor R-5.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2A PERMIT
Description: Failure to properly control emissions from Distillation Tower T-30.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 13E PERMIT
Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 8F PERMIT
Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)

Citation: GP No. 9A PERMIT
SP No. 8B PERMIT
SP No. 8E PERMIT
Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: Not Specified PERMIT
Description: Dow has failed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.7[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

2F

Effective Date: 3/22/02 ADMINORDER 2001-0854-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]
Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

Effective Date: 8/7/05 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)

3F

Citation: 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)
Citation: 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)
Citation: 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)

Citation: 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)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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.

2 1660 Effective Date: 11/11/04 ADMINORDER 2003-0947-AIR-E 1660
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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)
Citation: 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.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1 08/13/2002 (8036)
2 02/28/2003 (26378)
3 07/03/2002 (4135)
4 10/24/2002 (159615)
5 10/24/2001 (159614)
6 08/21/2003 (151151)
7 07/19/2002 (4762)
8 06/24/2003 (60303)
9 09/26/2002 (12350)
10 10/15/2002 (12337)
11 08/15/2002 (6894)
12 02/03/2003 (286198)
13 08/31/2004 (272564)
14 10/20/2000 (159613)
15 02/05/2004 (258950)
16 01/07/2005 (338837)
17 07/07/2004 (258307)
18 09/26/2002 (11829)
19 08/24/2005 (403273)
20 06/28/2005 (376054)
21 10/31/2004 (276897)
22 03/07/2005 (372291)
23 12/22/2004 (289575)
24 01/21/2005 (337408)
25 09/25/2002 (159612)
26 03/18/2005 (346350)
27 07/30/2003 (133869)
28 10/29/2002 (14541)
29 12/15/2003 (254080)
30 09/24/2001 (159611)
31 07/22/2005 (397876)
32 11/27/2001 (IE0001062003001)
33 06/17/2005 (376522)
34 08/25/2005 (404533)
35 05/30/2003 (60877)
36 09/17/2003 (248098)
37 06/16/2004 (247738)
38 08/26/2002 (159609)
39 12/17/2004 (286731)
40 05/17/2005 (376212)
41 04/12/2004 (264619)
42 02/11/2004 (260442)
43 07/12/2005 (393369)
44 06/30/2004 (266880)
45 06/02/2004 (272991)
46 07/28/2005 (380321)
47 12/16/2004 (285097)
48 08/27/2001 (159608)
49 03/07/2003 (21400)
50 04/30/2004 (255002)
51 08/31/2004 (273678)
52 08/23/2002 (4928)
53 03/02/2005 (372448)
54 09/04/2002 (9088)
55 02/23/2004 (260927)
56 05/23/2005 (262475)
57 07/31/2002 (5786)
58 08/04/2003 (36623)
59 07/29/2002 (159606)
60 12/20/2004 (339119)
61 08/07/2002 (7213)
62 07/08/2005 (376056)
63 03/07/2005 (372281)
64 03/23/2005 (347781)
65 07/01/2005 (378760)
66 08/19/2002 (4885)
67 08/30/2003 (152221)
68 01/03/2003 (15110)
69 10/11/2002 (11055)
70 08/25/2002 (8609)
71 09/30/2005 (402695)
72 01/07/2005 (339147)
73 07/02/2003 (35418)
74 11/18/2002 (12073)
75 03/22/2004 (263436)
76 07/22/2005 (397878)
77 07/31/2002 (6169)
78 07/23/2001 (159605)
79 08/08/2005 (396518)
80 12/31/2004 (338842)
81 08/18/2004 (277856)
82 02/24/2005 (339179)
83 02/21/2005 (337409)
84 12/17/2004 (339587)
85 01/27/2005 (347186)
86 03/29/2004 (264628)
87 02/23/2005 (346354)
88 05/14/2004 (248280)
89 06/03/2004 (258305)
90 03/10/2004 (261603)
91 08/08/2003 (159603)
92 06/02/2005 (376058)
93 06/25/2002 (159602)
94 02/21/2005 (344830)
95 08/22/2003 (150711)
96 08/31/2004 (273416)
97 07/22/2005 (397880)
98 08/14/2003 (150122)
99 01/27/2003 (21017)
100 09/04/2003 (247717)
101 06/26/2001 (159601)
102 10/16/2002 (12820)
103 09/14/2005 (431669)
104 11/04/2004 (338243)
105 09/01/2004 (267453)

106	12/09/2002	(14830)
107	07/22/2005	(397881)
108	08/14/2002	(7906)
109	08/11/2005	(377164)
110	08/25/2003	(151529)
111	01/28/2002	(IE0018454001001)
112	12/28/2004	(251988)
113	08/31/2004	(273127)
114	05/19/2003	(159599)
115	02/06/2004	(251940)
116	02/03/2004	(257672)
117	05/23/2005	(345033)
118	05/20/2005	(392573)
119	08/04/2005	(398933)
120	03/20/2003	(23813)
121	05/20/2002	(159598)
122	06/02/2005	(376059)
123	12/16/2004	(286819)
124	12/13/2004	(339850)
125	06/23/2003	(35416)
126	07/09/2002	(2159)
127	03/06/2003	(26396)
128	05/29/2001	(159597)
129	12/17/2004	(338429)
130	01/06/2005	(339121)
131	01/31/2005	(347857)
132	05/17/2005	(376280)
133	04/28/2003	(159595)
134	12/28/2004	(256034)
135	07/28/2004	(276490)
136	08/31/2004	(273881)
137	08/20/2002	(7588)
138	07/31/2003	(33803)
139	07/19/2002	(4827)
140	04/30/2002	(159594)
141	07/17/2002	(4563)
142	07/11/2005	(393361)
143	05/27/2003	(29063)
144	08/30/2003	(149187)
145	05/26/2004	(352355)
146	04/24/2001	(159593)
147	05/28/2003	(31177)
148	02/21/2005	(337411)
149	06/28/2004	(352356)
150	08/22/2005	(396197)
151	01/16/2002	(120354)
152	08/29/2005	(398935)
153	05/24/2005	(380324)
154	07/26/2004	(352357)
155	05/08/2001	(159592)
156	07/19/2002	(5014)
157	05/27/2005	(379484)
158	08/27/2004	(267540)
159	06/15/2005	(380845)
160	11/26/2003	(250021)
161	01/07/2005	(339138)
162	08/24/2004	(352358)
163	07/13/2005	(397022)
164	11/05/2004	(334318)
165	09/23/2004	(352359)
166	02/25/2005	(345303)
167	08/31/2002	(10381)
168	08/15/2005	(398936)
169	10/22/2004	(352360)
170	11/01/2004	(285137)
171	02/21/2005	(345433)
172	08/15/2005	(393373)
173	08/16/2002	(7720)
174	08/31/2004	(272729)
175	03/21/2003	(159590)
176	08/17/2004	(284165)
177	08/15/2002	(7525)
178	11/24/2004	(352361)
179	08/05/2005	(398937)
180	08/25/2005	(397853)
181	01/09/2004	(254701)
182	02/03/2003	(285652)
183	08/31/2002	(8599)
184	08/27/2004	(266751)
185	08/07/2002	(7201)
186	03/20/2002	(159589)
187	06/14/2005	(375259)
188	08/30/2005	(398938)
189	07/26/2003	(61449)
190	02/26/2004	(296001)
191	09/05/2002	(10360)
192	12/19/2002	(18859)
193	03/10/2005	(346208)
194	03/15/2004	(262011)
195	03/26/2001	(159588)
196	06/30/2003	(35785)
197	05/14/2004	(263118)
198	02/01/2005	(347843)
199	10/01/2003	(250440)
200	11/05/2004	(334295)
201	05/08/2001	(159587)
202	03/22/2004	(296004)
203	10/31/2003	(253956)
204	02/28/2003	(159586)
205	06/24/2005	(396413)
206	08/31/2004	(272789)
207	04/19/2004	(296006)
208	03/10/2004	(264415)
209	05/28/2003	(31159)
210	02/20/2002	(159585)
211	09/07/2004	(291280)
212	05/06/2005	(376209)
213	08/29/2004	(265955)
214	02/28/2005	(381956)
215	08/05/2005	(396199)
216	11/22/2004	(335797)
217	08/27/2004	(279078)
218	10/30/2002	(10265)
219	03/28/2005	(381957)
220	05/24/2004	(31438)
221	07/28/2004	(282417)
222	12/16/2004	(114225)
223	12/10/2004	(114224)
224	08/19/2005	(404732)
225	05/19/2003	(28851)
226	02/23/2001	(159584)
227	12/23/2004	(381958)
228	04/23/2004	(265028)
229	08/31/2004	(272814)
230	01/21/2005	(381959)
231	10/31/2004	(276789)
232	03/15/2004	(261999)
233	01/31/2005	(347762)
234	05/12/2004	(257994)
235	09/28/2005	(406914)
236	07/23/2003	(296010)
237	12/13/2004	(336762)
238	09/01/2004	(277902)
239	09/30/2002	(7575)
240	05/10/2005	(346362)
241	12/17/2002	(15107)
242	04/14/2003	(27517)
243	01/14/2005	(338682)
244	10/31/2004	(289698)
245	07/21/2005	(393364)
246	08/15/2003	(140682)
247	11/30/2003	(126059)
248	11/01/2004	(284370)
249	08/26/2003	(296012)
250	08/27/2002	(9435)
251	08/15/2002	(7533)
252	08/19/2003	(150391)
253	01/31/2003	(159627)
254	03/18/2005	(346346)
255	08/16/2004	(281509)
256	12/21/2004	(334606)
257	03/21/2005	(346710)
258	04/23/2004	(258324)
259	10/01/2003	(296014)
260	05/31/2005	(346355)
261	06/26/2003	(60783)
262	01/05/2005	(285365)
263	02/05/2004	(260440)
264	01/29/2002	(159626)
265	05/26/2004	(258253)
266	10/16/2002	(12725)
267	06/22/2005	(350704)
268	09/07/2004	(333240)
269	08/31/2004	(274129)
270	10/01/2003	(250457)
271	01/27/2003	(21168)
272	01/29/2001	(159625)
273	04/29/2004	(255279)
274	10/23/2003	(296016)
275	11/01/2004	(285135)
276	06/24/2005	(396517)
277	09/28/2005	(402693)
278	04/30/2004	(254073)
279	04/13/2004	(265611)
280	07/28/2004	(282469)
281	10/05/2005	(374026)
282	08/29/2003	(152748)
283	03/30/2004	(264622)
284	11/15/2001	(97516)
285	08/05/2005	(393374)
286	02/23/2005	(346345)
287	11/24/2003	(296017)
288	03/04/2003	(26394)
289	06/01/2004	(254581)
290	12/23/2002	(159623)
291	04/01/2005	(345046)
292	08/17/2004	(273076)
293	05/04/2005	(347119)
294	09/01/2005	(403238)
295	08/09/2002	(7520)
296	08/07/2003	(61967)
297	07/06/2001	(97515)
298	05/17/2005	(376237)
299	01/07/2005	(339177)
300	12/24/2003	(296018)
301	11/01/2004	(286768)
302	12/27/2001	(159622)
303	11/30/2003	(249732)
304	12/22/2004	(289567)
305	03/22/2005	(346347)
306	07/20/2004	(278387)
307	05/23/2005	(376200)
308	07/06/2001	(97514)
309	08/12/2005	(285295)
310	07/06/2001	(97513)
311	01/21/2004	(296019)
312	08/17/2004	(284292)
313	03/15/2004	(261987)
314	12/26/2000	(159621)
315	11/12/2003	(254614)
316	02/11/2004	(260085)
317	01/09/2005	(339130)
318	08/07/2002	(7186)
319	02/12/2003	(22520)
320	08/16/2002	(8175)
321	05/04/2005	(338714)
322	01/31/2005	(347883)
323	08/16/2002	(7857)
324	07/06/2004	(258308)
325	08/19/2002	(6722)
326	11/27/2002	(159619)
327	02/11/2004	(260441)
328	06/14/2005	(350783)
329	12/16/2004	(289573)
330	06/29/2005	(347598)

331 11/19/2001 (159618)
332 04/08/2005 (347573)
333 09/12/2005 (406575)
334 02/21/2005 (345507)
335 01/09/2004 (253974)
336 12/13/2004 (334315)
337 08/15/2002 (7408)
338 05/17/2004 (253533)
339 06/30/2004 (267508)
340 06/30/2004 (267938)
341 11/21/2000 (159617)
342 01/09/2004 (254710)
343 12/06/2004 (284914)
344 08/27/2002 (9436)
345 02/21/2005 (344930)
346 08/31/2002 (4886)
347 08/19/2005 (393378)
348 07/19/2002 (5209)
349 01/17/2005 (249734)
350 08/29/2003 (151240)
351 05/27/2005 (374664)
352 12/20/2004 (339116)

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

1O Date: 03/05/2003 (26396)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

2O 1E Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

3O 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.

4O Date: 08/31/2002 (159612)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
2E TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

5O 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Exceedance of the concentration limit for chlorine; Permit 4021, SC 7

6O 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 IA
Description: Exceeded VOC permit limit during an emissions event.

Date: 07/22/2005 (397876)
Self Report? NO Classification: Moderate
7O Citation: 30 TAC Chapter 335, SubChapter C 335.62
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(c)[G]
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]
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)[G]
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: 08/31/2005 (403238)
Self Report? NO Classification: Minor
1S 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 IA
PERMIT IA
X 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)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
Rqmt Prov: OP IA
PERMIT IA
X 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 IA
PERMIT IA
X 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 IA
PERMIT IA
X 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)[G]
X Description: Dow failed to maintain a daily average scrubber water flow for the SC-2 Kettle Scrubber (EPN B13SV3).

Date: 07/08/2005 (376056)
Self Report? NO Classification: Moderate
8D Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Dow had an avoidable emissions event during Incident 51417.

Date: 11/30/2003 (249732)
Self Report? NO Classification: Moderate
9D 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 after final emissions from a scheduled maintenance event exceeded emissions reported on the Initial Notification.

Date: 06/30/2001 (159605)
10D Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
3P TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/20/2002 (7575)
Self Report? NO Classification: Minor
2S Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
X Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.
Self Report? NO Classification: Moderate
Citation: TEXAS HEALTH AND SAFETY CODE 382.085

Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

Date: 05/24/2003 (29063)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
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: 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)[G]
Description: Failure to meet the limit for one or more permit parameter

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

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 IA
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 IA
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 IA
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 IA
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 IA
Description: Failed to meet maximum allowable emission rates.

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 IA
Description: Incident 40337 was an avoidable emissions event.

16 D

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 IA
Description: Exceeded VOC permit limit during an avoidable emissions event.

17 D

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 emissons event.

18 D
5 E

Date: 03/31/2001 (159593)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

19 D

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.

20 D

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

21 D

Date: 01/07/2002 (120354)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITION

4 S

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: OP IA
PERMIT IA
A 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: OP IA
PERMIT IA
Description: Failure to maintain partial pressure records.

22 D

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

23 D
6 E

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)[G]
Description: Failure to meet the limit for one or more permit parameter

5 S

Date: 05/24/2005 (380324)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
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)
X 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 IA
PERMIT IA

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.

240 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

250 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: 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)
6S Rqmt Prov: OP IA
PA IA
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 IA
PA IA
X Description: Failure to cap or plug open-ended lines per the Permit No. 7531, SC No. 3E

Date: 03/29/2004 (264622)
Self Report? NO Classification: Minor
26D 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: 08/08/2005 (396518)
Self Report? NO Classification: Moderate
27D 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: 08/26/2005 (403273)
Self Report? NO Classification: Minor
7S Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Operation of Flare A26VEF1 without a flame present; Permit 1472, SC 8

Date: 08/27/2004 (266751)
Self Report? NO Classification: Moderate
28D Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Dow exceeded VOC permit limit during 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: Moderate
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 IA
Description: Incident #43280 was avoidable.

Date: 01/31/2001 (159584)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2004 (296006)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/29/2004 (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: 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)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 03/05/2003 (26394)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have proper grade of licensed operator.

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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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 IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to re-monitor fugitive components within 15 days.

35P 10E
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)[G]
Description: Failure to meet the limit for one or more permit parameter

36P 11E
Date: 12/31/2002 (159627)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

37P 12E
Date: 12/31/2001 (159626)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

38P 13E
Date: 12/31/2000 (159625)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

39D
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 IA
Description: Dow had an avoidable emissions event during Incident 59062. Not an excessive event.

9S
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: OP IA
PERMIT IA
X Description: Failure to plug open ended valves.

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 IA
PERMIT IA
Description: THROX unit exceeded CO MAER.

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 IA
PERMIT IA
Description: Exceeded vinyl chloride average feedrate limit.

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 IA

PERMIT IA
Description: Exceeded firebox temperatures for THROX & TOX
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 IA
PERMIT IA
Description: Flowmeters on vent stream to TOX not operational.
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 IA
PERMIT IA
Description: Flare A32CSF1 exceeded hourly VOC MAER
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)(4)
Rqmt Prov: OP IA
PERMIT IA
Description: Failure to monitor valves and pressure sensing devices
Self Report? NO Classification: Moderate
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 IA
Description: Failure to monitor connectors

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)[G]
Description: Failure to meet the limit for one or more permit parameter

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 IA
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: 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to equip open-ended valve with a plug.

Date: 01/14/2005 (338682)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
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 IA
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: 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 IA
Description: Incident 7827 was an avoidable emissions event.

Date: 11/30/2002 (159623)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

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

Date: 07/09/2001 (97515)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITION

Date: 11/30/2001 (159622)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/09/2001 (97514)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
Description: NESHAP STANDARDS

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: 11/30/2000 (159621)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 05/04/2005 (338714)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
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 IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.05181(a)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP IA
Description: Dow failed to register the production processes of various Maxistab products under either a PBR or NSR permit.

Date: 10/31/2002 (159619)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 11/05/2004 (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: OP IA
PA IA

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 IA

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 IA

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: OP IA
PA IA

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

Date: 08/29/2003 (151240)

53 D

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: 02/06/2004 (251940)

54 D

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT IA

Description: Avoidable emissions event with emissions of benzene.

Date: 12/31/2002 (15110)

55 D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)
5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to control emissions.

56 D

Date: 10/31/2000 (159617)

Self Report? YES Classification: Moderate

20 E

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

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

Date: 11/30/2003 (249734)

57 D

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: 06/17/2005 (376522)

125

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 IA

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

F. Environmental audits.

1 Notice of Intent Date: 12/11/2001
No DOV Associated

2 Notice of Intent Date: 02/18/2004
No DOV Associated

3 Notice of Intent Date: 04/14/2004
No DOV Associated

4 Notice of Intent Date: 03/19/2004
No DOV Associated

5 Notice of Intent Date: 12/17/2004
Disclosure Date: 05/18/2005
Citation: Viol. Classification: Moderate
10 30 TAC Chapter 116, SubChapter G 116.715(c)(10)
Description: identified connectors and valves that were not monitored under a prescribed keak Detection and Repair Program
Citation: Viol. Classification: Moderate
30 TAC Chapter 116, SubChapter G 116.715(c)(10)
Description: failed to monitor 90% of the hot insulated connectors in VOC service in the plant as required by Flexible Permit

6 Notice of Intent Date: 03/30/2005
No DOV Associated

7 Notice of Intent Date: 04/20/2005
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

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) *PCW Revision May 19, 2005*

DATES						
Assigned	23-Jan-2006					
PCW	13-Dec-2007	Screening	16-Feb-2006	EPA Due	10-Oct-2006	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	12064	No. of Violations	1
Docket No.	2004-1344-MLM-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Miriam Hall
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*: $2,500

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 336% Enhancement — *Subtotals 2, 3, & 7*: $8,400

Notes: The respondent has received 34 NOVs for same or similar NOVs, 31 NOVs for unrelated violations including 15 self-reported effluent violations, two 1660 orders, and three Findings orders. The respondent conducted 11 audits.

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

Notes: The Respondent does not meet the culpability criteria.

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

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

Notes: The respondent completed all corrective actions to come into compliance by October 18, 2005. The Notice of Enforcement was issued January 17, 2006.

Economic Benefit — 0% Enhancement* — *Subtotal 6*: $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$41
Approx. Cost of Compliance	$1,000

SUM OF SUBTOTALS 1-7 — Final Subtotal: $10,275

OTHER FACTORS AS JUSTICE MAY REQUIRE — Adjustment: $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount: $10,275

STATUTORY LIMIT ADJUSTMENT — Final Assessed Penalty: $10,000

DEFERRAL — 0% Reduction — Adjustment: $0

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

Notes: No deferral because Findings Order.

PAYABLE PENALTY: $10,000

EXHIBIT

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PCW 7

Screening Date	16-Feb-2006	**Docket No.**	2004-1344-MLM-E	**PCW**
Respondent	The Dow Chemical Company			*Policy Revision 2 (September 2002)*
Case ID No.	12064			*PCW Revision May 19, 2005*
Reg. Ent. Reference No.	RN100225945			
Media [Statute]	Air Quality			
Enf. Coordinator	Miriam Hall			

Compliance History Worksheet

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)*	34	170%
	Other written NOVs	31	62%
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*	11	-11%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) **336%**

No

Adjustment Percentage (Subtotal 3) **0%**

Average Performer

Adjustment Percentage (Subtotal 7) **0%**

Compliance History Notes

The respondent has received 34 NOVs for same or similar NOVs, 31 NOVs for unrelated violations including 15 self-reported effluent violations, two 1660 orders, and three Findings orders. The respondent conducted 11 audits.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **336%**

Screening Date	16-Feb-2006	**Docket No.** 2004-1344-MLM-E	**PCW**
Respondent	The Dow Chemical Company		*Policy Revision 2 (September 2002)*
Case ID No.	12064		*PCW Revision May 19, 2005*
Reg. Ent. Reference No.	RN100225945		
Media [Statute]	Air Quality		
Enf. Coordinator	Miriam Hall		

Violation Number 1

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Permit No. 7386 Special Condition 1

Secondary Rule Cite(s) Texas Health & Safety Code § 382.085(b)

Violation Description Exceeded the maximum allowable emission rate (MAER) for volatile organic compounds (VOC) during an avoidable emissions event at the Hydroxy Alkyl Acrylates Plant on December 23, 2004. Dow failed to close a valve after maintenance which resulted in an over pressurization, blown rupture disc, and release of 1,061 pounds (lbs) of propylene oxide from the VS-1 Scrubber. The duration was one hour and 45 minutes. The MAER for VOCs is 0.20 lbs per hour. Because the event was avoidable, Dow failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

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

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one use a small x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One event was documented during the investigation conducted on August 25, 2005.

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

Estimated EB Amount $41

Violation Final Penalty Total $10,275

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$1,000	23-Dec-2004	18-Oct-2005	0.8	$41	n/a	$41

Notes for DELAYED costs: The estimated cost of corrective actions from the date of the event to the date of the last corrective action taken.

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

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $1,000

TOTAL $41

Compliance History

Customer/Respondent/Owner-Operator:	CN600356976	The Dow Chemical Company	Classification: AVERAGE	Rating: 2.70
Regulated Entity:	RN100225945	DOW TEXAS OPERATIONS FREEPORT	Classification: AVERAGE	Site Rating: 5.23
ID Number(s):				

AIR OPERATING PERMITS	ACCOUNT NUMBER	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	N041
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
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
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
UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
AIR NEW SOURCE PERMITS	REGISTRATION	71636
AIR NEW SOURCE PERMITS	PERMIT	2602
AIR NEW SOURCE PERMITS	REGISTRATION	71888
AIR NEW SOURCE PERMITS	REGISTRATION	72132
AIR NEW SOURCE PERMITS	PERMIT	52152
AIR NEW SOURCE PERMITS	PERMIT	52724
AIR NEW SOURCE PERMITS	PERMIT	22091
AIR NEW SOURCE PERMITS	PERMIT	52200
AIR NEW SOURCE PERMITS	PERMIT	52999
AIR NEW SOURCE PERMITS	PERMIT	52998
AIR NEW SOURCE PERMITS	PERMIT	53895
AIR NEW SOURCE PERMITS	PERMIT	54200
AIR NEW SOURCE PERMITS	REGISTRATION	55032
AIR NEW SOURCE PERMITS	REGISTRATION	55411
AIR NEW SOURCE PERMITS	REGISTRATION	55537
AIR NEW SOURCE PERMITS	REGISTRATION	75817

EXHIBIT

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AIR NEW SOURCE PERMITS	REGISTRATION	73781
AIR NEW SOURCE PERMITS	REGISTRATION	73953
AIR NEW SOURCE PERMITS	REGISTRATION	74059
AIR NEW SOURCE PERMITS	PERMIT	74209
AIR NEW SOURCE PERMITS	PERMIT	71246
AIR NEW SOURCE PERMITS	PERMIT	73732
AIR NEW SOURCE PERMITS	PERMIT	73750
AIR NEW SOURCE PERMITS	REGISTRATION	74350
AIR NEW SOURCE PERMITS	REGISTRATION	74455
AIR NEW SOURCE PERMITS	REGISTRATION	74543
AIR NEW SOURCE PERMITS	REGISTRATION	74597
AIR NEW SOURCE PERMITS	REGISTRATION	74651
AIR NEW SOURCE PERMITS	REGISTRATION	74748
AIR NEW SOURCE PERMITS	REGISTRATION	74853
AIR NEW SOURCE PERMITS	REGISTRATION	74940
AIR NEW SOURCE PERMITS	PERMIT	75090
AIR NEW SOURCE PERMITS	REGISTRATION	75239
AIR NEW SOURCE PERMITS	REGISTRATION	75301
AIR NEW SOURCE PERMITS	PERMIT	76453
AIR NEW SOURCE PERMITS	REGISTRATION	76448
AIR NEW SOURCE PERMITS	REGISTRATION	76506
AIR NEW SOURCE PERMITS	REGISTRATION	76504
AIR NEW SOURCE PERMITS	REGISTRATION	76536
AIR NEW SOURCE PERMITS	REGISTRATION	76548
AIR NEW SOURCE PERMITS	EPA ID	PSDTXP999
AIR NEW SOURCE PERMITS	REGISTRATION	76551
AIR NEW SOURCE PERMITS	EPA ID	PSDTX993
AIR NEW SOURCE PERMITS	EPA ID	PSDTX994
AIR NEW SOURCE PERMITS	EPA ID	PSDTX994M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX986M1
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	76863
AIR NEW SOURCE PERMITS	REGISTRATION	76863
AIR NEW SOURCE PERMITS	REGISTRATION	76873
AIR NEW SOURCE PERMITS	PERMIT	76763
AIR NEW SOURCE PERMITS	REGISTRATION	77143
AIR NEW SOURCE PERMITS	REGISTRATION	77171
AIR NEW SOURCE PERMITS	REGISTRATION	77188
AIR NEW SOURCE PERMITS	REGISTRATION	77189
AIR NEW SOURCE PERMITS	REGISTRATION	77190
AIR NEW SOURCE PERMITS	REGISTRATION	77211
AIR NEW SOURCE PERMITS	REGISTRATION	77287
AIR NEW SOURCE PERMITS	REGISTRATION	77339
AIR NEW SOURCE PERMITS	REGISTRATION	77405
AIR NEW SOURCE PERMITS	REGISTRATION	77426
AIR NEW SOURCE PERMITS	REGISTRATION	77522
AIR NEW SOURCE PERMITS	REGISTRATION	77521
AIR NEW SOURCE PERMITS	REGISTRATION	77645
AIR NEW SOURCE PERMITS	REGISTRATION	77647
AIR NEW SOURCE PERMITS	REGISTRATION	77669
AIR NEW SOURCE PERMITS	REGISTRATION	77765
AIR NEW SOURCE PERMITS	REGISTRATION	77826
AIR NEW SOURCE PERMITS	REGISTRATION	77882
AIR NEW SOURCE PERMITS	REGISTRATION	78008
AIR NEW SOURCE PERMITS	PERMIT	5340
AIR NEW SOURCE PERMITS	PERMIT	5746
AIR NEW SOURCE PERMITS	PERMIT	6069A
AIR NEW SOURCE PERMITS	PERMIT	6161
AIR NEW SOURCE PERMITS	PERMIT	6383
AIR NEW SOURCE PERMITS	PERMIT	6744
AIR NEW SOURCE PERMITS	PERMIT	6932
AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7942
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AIR NEW SOURCE PERMITS	PERMIT	9773
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AIR NEW SOURCE PERMITS	PERMIT	4310A
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AIR NEW SOURCE PERMITS	PERMIT	5520
AIR NEW SOURCE PERMITS	PERMIT	5661
AIR NEW SOURCE PERMITS	PERMIT	6743
AIR NEW SOURCE PERMITS	PERMIT	6803
AIR NEW SOURCE PERMITS	PERMIT	7131
AIR NEW SOURCE PERMITS	PERMIT	7341
AIR NEW SOURCE PERMITS	PERMIT	7386
AIR NEW SOURCE PERMITS	PERMIT	7387
AIR NEW SOURCE PERMITS	PERMIT	7423
AIR NEW SOURCE PERMITS	PERMIT	7531
AIR NEW SOURCE PERMITS	PERMIT	7593
AIR NEW SOURCE PERMITS	PERMIT	8009
AIR NEW SOURCE PERMITS	PERMIT	8047
AIR NEW SOURCE PERMITS	PERMIT	8567
AIR NEW SOURCE PERMITS	PERMIT	9044
AIR NEW SOURCE PERMITS	PERMIT	9046
AIR NEW SOURCE PERMITS	PERMIT	9047
AIR NEW SOURCE PERMITS	PERMIT	9822
AIR NEW SOURCE PERMITS	PERMIT	10423
AIR NEW SOURCE PERMITS	PERMIT	10690
AIR NEW SOURCE PERMITS	PERMIT	10790
AIR NEW SOURCE PERMITS	PERMIT	10791
AIR NEW SOURCE PERMITS	PERMIT	10959
AIR NEW SOURCE PERMITS	PERMIT	11076
AIR NEW SOURCE PERMITS	PERMIT	11566
AIR NEW SOURCE PERMITS	PERMIT	11567
AIR NEW SOURCE PERMITS	PERMIT	11644
AIR NEW SOURCE PERMITS	PERMIT	12128
AIR NEW SOURCE PERMITS	PERMIT	12130
AIR NEW SOURCE PERMITS	PERMIT	12145
AIR NEW SOURCE PERMITS	PERMIT	12166
AIR NEW SOURCE PERMITS	PERMIT	12432
AIR NEW SOURCE PERMITS	PERMIT	12445
AIR NEW SOURCE PERMITS	PERMIT	12484
AIR NEW SOURCE PERMITS	PERMIT	12520
AIR NEW SOURCE PERMITS	PERMIT	13194
AIR NEW SOURCE PERMITS	PERMIT	13873
AIR NEW SOURCE PERMITS	PERMIT	15811
AIR NEW SOURCE PERMITS	PERMIT	16249
AIR NEW SOURCE PERMITS	PERMIT	16473
AIR NEW SOURCE PERMITS	PERMIT	7009
AIR NEW SOURCE PERMITS	PERMIT	13920
AIR NEW SOURCE PERMITS	PERMIT	14329
AIR NEW SOURCE PERMITS	PERMIT	17027
AIR NEW SOURCE PERMITS	PERMIT	17028
AIR NEW SOURCE PERMITS	PERMIT	17107
AIR NEW SOURCE PERMITS	PERMIT	17374
AIR NEW SOURCE PERMITS	PERMIT	20996
AIR NEW SOURCE PERMITS	PERMIT	20997
AIR NEW SOURCE PERMITS	PERMIT	18020
AIR NEW SOURCE PERMITS	PERMIT	18258
AIR NEW SOURCE PERMITS	PERMIT	18561
AIR NEW SOURCE PERMITS	PERMIT	18624
AIR NEW SOURCE PERMITS	PERMIT	18950
AIR NEW SOURCE PERMITS	PERMIT	19026
AIR NEW SOURCE PERMITS	PERMIT	19050
AIR NEW SOURCE PERMITS	PERMIT	19519
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	36569
AIR NEW SOURCE PERMITS	PERMIT	36634
AIR NEW SOURCE PERMITS	PERMIT	37000
AIR NEW SOURCE PERMITS	PERMIT	37290
AIR NEW SOURCE PERMITS	PERMIT	37122
AIR NEW SOURCE PERMITS	PERMIT	37569
AIR NEW SOURCE PERMITS	PERMIT	37884
AIR NEW SOURCE PERMITS	PERMIT	37625
AIR NEW SOURCE PERMITS	PERMIT	37667
AIR NEW SOURCE PERMITS	PERMIT	37618
AIR NEW SOURCE PERMITS	PERMIT	38157
AIR NEW SOURCE PERMITS	PERMIT	38156
AIR NEW SOURCE PERMITS	PERMIT	38861
AIR NEW SOURCE PERMITS	PERMIT	38759
AIR NEW SOURCE PERMITS	PERMIT	39609
AIR NEW SOURCE PERMITS	PERMIT	39450
AIR NEW SOURCE PERMITS	PERMIT	40046
AIR NEW SOURCE PERMITS	PERMIT	40479
AIR NEW SOURCE PERMITS	PERMIT	40430
AIR NEW SOURCE PERMITS	PERMIT	40854
AIR NEW SOURCE PERMITS	PERMIT	41273
AIR NEW SOURCE PERMITS	PERMIT	41163
AIR NEW SOURCE PERMITS	PERMIT	41108
AIR NEW SOURCE PERMITS	PERMIT	41498
AIR NEW SOURCE PERMITS	PERMIT	41179
AIR NEW SOURCE PERMITS	PERMIT	41304
AIR NEW SOURCE PERMITS	PERMIT	41302
AIR NEW SOURCE PERMITS	PERMIT	41283
AIR NEW SOURCE PERMITS	PERMIT	41542
AIR NEW SOURCE PERMITS	PERMIT	41760
AIR NEW SOURCE PERMITS	PERMIT	41271
AIR NEW SOURCE PERMITS	PERMIT	41555
AIR NEW SOURCE PERMITS	PERMIT	42190
AIR NEW SOURCE PERMITS	PERMIT	42611
AIR NEW SOURCE PERMITS	PERMIT	42327
AIR NEW SOURCE PERMITS	PERMIT	42464
AIR NEW SOURCE PERMITS	PERMIT	42384
AIR NEW SOURCE PERMITS	PERMIT	42923
AIR NEW SOURCE PERMITS	PERMIT	43382
AIR NEW SOURCE PERMITS	PERMIT	43381
AIR NEW SOURCE PERMITS	PERMIT	43417
AIR NEW SOURCE PERMITS	PERMIT	43416
AIR NEW SOURCE PERMITS	PERMIT	43592
AIR NEW SOURCE PERMITS	PERMIT	43698
AIR NEW SOURCE PERMITS	PERMIT	42443
AIR NEW SOURCE PERMITS	PERMIT	43813
AIR NEW SOURCE PERMITS	PERMIT	43859
AIR NEW SOURCE PERMITS	PERMIT	43959
AIR NEW SOURCE PERMITS	PERMIT	43960
AIR NEW SOURCE PERMITS	PERMIT	44002
AIR NEW SOURCE PERMITS	PERMIT	44001
AIR NEW SOURCE PERMITS	PERMIT	44036
AIR NEW SOURCE PERMITS	PERMIT	44056
AIR NEW SOURCE PERMITS	PERMIT	44118
AIR NEW SOURCE PERMITS	PERMIT	44370
AIR NEW SOURCE PERMITS	PERMIT	44411
AIR NEW SOURCE PERMITS	PERMIT	44464
AIR NEW SOURCE PERMITS	PERMIT	44465
AIR NEW SOURCE PERMITS	PERMIT	44608
AIR NEW SOURCE PERMITS	PERMIT	44622
AIR NEW SOURCE PERMITS	PERMIT	44718
AIR NEW SOURCE PERMITS	PERMIT	44719
AIR NEW SOURCE PERMITS	PERMIT	44742
AIR NEW SOURCE PERMITS	PERMIT	44833
AIR NEW SOURCE PERMITS	PERMIT	44834
AIR NEW SOURCE PERMITS	PERMIT	45097
AIR NEW SOURCE PERMITS	PERMIT	45152
AIR NEW SOURCE PERMITS	PERMIT	45449
AIR NEW SOURCE PERMITS	PERMIT	45762

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
WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50161
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD STE B1226, FREEPORT, TX, 77541 Rating Date: 9/1/2005 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: February 13, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 13, 2001 to February 13, 2006

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

Name: Miriam Hall Phone: 512/239-1044

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.

1 1660

Effective Date: 02/17/2003 ADMINORDER 2002-0689-IHW-E: 1660

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)

Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

1 F

Effective Date: 01/07/2002 ADMINORDER 2000-1459-AIR-E FINDING 5

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit complete notifications for 29 upsets.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Dow has allowed unauthorized emissions into the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Rqmt Prov: GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.

Classification: Moderate

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

Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not Specified PERMIT
Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.

Classification: Minor

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

Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.

Classification: Minor

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

Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

2 F Effective Date: 03/22/2002 ADMINORDER 2001-0854-AIR-E FINDINGS

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]

Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

3 F Effective Date: 08/07/2005 ADMINORDER 2004-0572-AIR-E FINDINGS

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)

26	07/30/2003	(133869)
27	10/29/2002	(14541)
28	12/15/2003	(254080)
29	02/03/2006	(436165)
30	09/24/2001	(159611)
31	07/22/2005	(397876)
32	11/27/2001	(IE0001062003001)
33	06/17/2005	(376522)
34	10/26/2005	(432895)
35	08/25/2005	(404533)
36	05/30/2003	(60877)
37	09/17/2003	(248098)
38	06/16/2004	(247738)
39	08/26/2002	(159609)
40	12/17/2004	(286731)
41	05/17/2005	(376212)
42	04/12/2004	(264619)
43	02/11/2004	(260442)
44	07/12/2005	(393369)
45	06/30/2004	(266880)
46	06/02/2004	(272991)
47	07/28/2005	(380321)
48	12/16/2004	(285097)
49	08/27/2001	(159608)
50	03/07/2003	(21400)
51	04/30/2004	(255002)
52	08/31/2004	(273678)
53	08/23/2002	(4928)
54	03/02/2005	(372448)
55	09/04/2002	(9088)
56	02/23/2004	(260927)
57	05/23/2005	(262475)
58	07/31/2002	(5786)
59	08/04/2003	(36623)
60	07/29/2002	(159606)
61	12/20/2004	(339119)
62	08/07/2002	(7213)
63	07/08/2005	(376056)
64	03/07/2005	(372281)
65	03/23/2005	(347781)
66	07/01/2005	(378760)
67	01/10/2006	(436188)
68	08/19/2002	(4885)
69	08/30/2003	(152221)
70	01/03/2003	(15110)
71	10/11/2002	(11055)
72	08/25/2002	(8609)
73	09/30/2005	(402695)
74	01/07/2005	(339147)
75	07/02/2003	(35418)
76	11/18/2002	(12073)
77	03/22/2004	(263436)

130	12/13/2004	(339850)
131	06/23/2003	(35416)
132	07/09/2002	(2159)
133	03/06/2003	(26396)
134	05/29/2001	(159597)
135	12/17/2004	(338429)
136	01/06/2005	(339121)
137	01/31/2005	(347857)
138	05/17/2005	(376280)
139	04/28/2003	(159595)
140	12/28/2004	(256034)
141	07/28/2004	(276490)
142	08/31/2004	(273881)
143	08/20/2002	(7588)
144	07/31/2003	(33803)
145	07/19/2002	(4827)
146	04/30/2002	(159594)
147	07/17/2002	(4563)
148	07/11/2005	(393361)
149	05/27/2003	(29063)
150	08/30/2003	(149187)
151	05/26/2004	(352355)
152	04/24/2001	(159593)
153	05/28/2003	(31177)
154	02/21/2005	(337411)
155	06/28/2004	(352356)
156	08/22/2005	(396197)
157	01/16/2002	(120354)
158	08/29/2005	(398935)
159	01/17/2006	(376062)
160	05/24/2005	(380324)
161	07/26/2004	(352357)
162	05/08/2001	(159592)
163	07/19/2002	(5014)
164	05/27/2005	(379484)
165	08/27/2004	(267540)
166	06/15/2005	(380845)
167	11/26/2003	(250021)
168	10/26/2005	(432935)
169	01/07/2005	(339138)
170	08/24/2004	(352358)
171	07/13/2005	(397022)
172	11/05/2004	(334318)
173	09/23/2004	(352359)
174	02/25/2005	(345303)
175	08/31/2002	(10381)
176	08/15/2005	(398936)
177	10/22/2004	(352360)
178	11/01/2004	(285137)
179	02/21/2005	(345433)
180	08/15/2005	(393373)
181	08/16/2002	(7720)

234	05/19/2003	(28851)
235	02/23/2001	(159584)
236	12/23/2004	(381958)
237	10/26/2005	(432043)
238	04/23/2004	(265028)
239	08/31/2004	(272814)
240	01/21/2005	(381959)
241	10/31/2004	(276789)
242	03/15/2004	(261999)
243	01/31/2005	(347762)
244	05/12/2004	(257994)
245	09/28/2005	(406914)
246	07/23/2003	(296010)
247	12/13/2004	(336762)
248	09/01/2004	(277902)
249	09/30/2002	(7575)
250	05/10/2005	(346362)
251	12/17/2002	(15107)
252	04/14/2003	(27517)
253	01/14/2005	(338682)
254	11/30/2005	(373986)
255	10/31/2004	(289698)
256	07/21/2005	(393364)
257	08/15/2003	(140682)
258	11/30/2003	(126059)
259	11/01/2004	(284370)
260	08/26/2003	(296012)
261	08/27/2002	(9435)
262	08/15/2002	(7533)
263	08/19/2003	(150391)
264	01/31/2003	(159627)
265	03/18/2005	(346346)
266	08/16/2004	(281509)
267	12/21/2004	(334606)
268	03/21/2005	(346710)
269	04/23/2004	(258324)
270	10/01/2003	(296014)
271	05/31/2005	(346355)
272	06/26/2003	(60783)
273	01/05/2005	(285365)
274	02/05/2004	(260440)
275	01/29/2002	(159626)
276	05/26/2004	(258253)
277	10/16/2002	(12725)
278	06/22/2005	(350704)
279	09/07/2004	(333240)
280	08/31/2004	(274129)
281	10/01/2003	(250457)
282	01/27/2003	(21168)
283	04/29/2004	(255279)
284	10/23/2003	(296016)
285	11/01/2004	(285135)

338 02/11/2004 (260441)
339 06/14/2005 (350783)
340 11/30/2005 (435278)
341 12/16/2004 (289573)
342 06/29/2005 (347598)
343 11/19/2001 (159618)
344 04/08/2005 (347573)
345 09/12/2005 (406575)
346 02/21/2005 (345507)
347 01/09/2004 (253974)
348 12/13/2004 (334315)
349 08/15/2002 (7408)
350 05/17/2004 (253533)
351 06/30/2004 (267508)
352 06/30/2004 (267938)
353 10/26/2005 (432097)
354 01/09/2004 (254710)
355 12/06/2004 (284914)
356 08/27/2002 (9436)
357 08/31/2002 (4886)
358 08/19/2005 (393378)
359 07/19/2002 (5209)
360 01/17/2005 (249734)
361 08/29/2003 (151240)
362 05/27/2005 (374664)
363 12/20/2004 (339116)
364 02/21/2005 (344930)

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

1. 10 Date: 03/05/2003 (26396)
Self Report? NO
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

2 20 Date: 09/30/2002 (159615)
Self Report? YES
Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
1E
Description: Failure to meet the limit for one or more permit parameter

3 15 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.

4 3D Date: 08/31/2002 (159612)
Self Report? YES
Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
2E TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

5 Date: 08/22/2005 (404732)
Self Report? NO
Classification: Moderate
25 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA

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 IA
PERMIT IA

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 IA
PERMIT IA

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)[G]

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

9 Date: 07/08/2005 (376056)

45 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 IA

Description: Dow had an avoidable emissions event during Incident 51417.

10 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)

55 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.

11 Date: 06/30/2001 (159605)

Self Report? YES Classification: Moderate

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

3E Description: Failure to meet the limit for one or more permit parameter

12 Date: 08/20/2002 (7575)

Self Report? NO Classification: Minor

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

65 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]

Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Self Report? NO Classification: Moderate

Citation: TEXAS HEALTH AND SAFETY CODE 382.085

Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

13 Date: 05/24/2003 (29063)

Self Report? NO Classification: Minor

75 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
30 TAC Chapter 116, SubChapter G 116.715(a) ~ Grissom

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

14 Date: 04/30/2003 (159599)

70 Self Report? YES Classification: Moderate

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

4E

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 IA
Description: Exceeded VOC permit limit during an avoidable emissions event.

20
Date: 08/30/2003 (152221)
Self Report? NO
Classification: Moderate
135
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
Description: Failure to control VOC emissions during an emissons event.

21
Date: 03/31/2001 (159593)
Self Report? YES
Classification: Moderate
8D
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
5E
Description: Failure to meet the limit for one or more permit parameter

22
Date: 07/25/2003 (133869)
Self Report? NO
Classification: Minor
9D
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.

23
Date: 12/02/2003 (250021)
Self Report? NO
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
10D
Rqmt Prov: PERMIT IA
Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal oxidizer.

24
Date: 01/07/2002 (120354)
Self Report? NO
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
11D
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

25
Date: 07/12/2004 (258308)
Self Report? NO
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
12D
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 IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to maintain partial pressure records.

26
13D
Date: 05/30/2003 (60877)
Self Report? NO
Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)[G]
Description: Notification updates under TAC 335.6 are required.

27
Date: 06/30/2004 (352357)
Self Report? YES
Classification: Moderate
14D
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
6E
Description: Failure to meet the limit for one or more permit parameter

28
Date: 05/24/2005 (380324)
14S
Self Report? NO
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov:

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

35 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)
205 Rqmt Prov: PERMIT IA
Description: Dow exceeded VOC permit limit during an avoidable emissions event.

36 Date: 12/31/2004 (338842)
Self Report? NO Classification: Moderate
215 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 IA
Description: Incident #43280 was avoidable.

37 Date: 03/31/2004 (296006)
Self Report? YES Classification: Moderate
160 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
7E Description: Failure to meet the limit for one or more permit parameter

38 Date: 08/29/2004 (265955)
Self Report? NO Classification: Moderate
225 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.

39 Date: 12/31/2004 (381959)
Self Report? YES Classification: Moderate
170 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
8E Description: Failure to meet the limit for one or more permit parameter

40 Date: 03/05/2003 (26394)
Self Report? NO Classification: Moderate
180 Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have proper grade of licensed operator.

Date: 07/12/2004 (258307)
Self Report? NO Classification: Minor
235 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
Description: Failure to report a deviation in the semiannual deviation report.

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

Date: 08/15/2005 (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 IA
Description: Dow had an avoidable emissions event during Incident 59062. Not an excessive 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: OP IA
PERMIT IA
Description: Failure to plug open ended valves.

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 IA
PERMIT IA
Description: THROX unit exceeded CO MAER.

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 IA
PERMIT IA
Description: Exceeded vinyl chloride average feedrate limit.

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 IA
PERMIT IA
Description: Exceeded firebox temperatures for THROX & TOX

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 IA
PERMIT IA
Description: Flowmeters on vent stream to TOX not operational.

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 IA
PERMIT IA
Description: Flare A32CSF1 exceeded hourly VOC MAER

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)(4)
Rqmt Prov: OP IA
PERMIT IA
Description: Failure to monitor valves and pressure sensing devices

Self Report? NO — Classification: Moderate
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 IA

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
PERMIT IA
295 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 IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
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 IA
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.

51 Date: 12/28/2004 (256034)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
295 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Incident 7827 was an avoidable emissions event.

52 Date: 11/30/2002 (159623)
Self Report? YES Classification: Moderate
220 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
12E Description: Failure to meet the limit for one or more permit parameter

53 Date: 09/30/2003 (296016)
Self Report? YES Classification: Moderate
230 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
13E Description: Failure to meet the limit for one or more permit parameter

Date: 07/09/2001 (97515)
Self Report? NO Classification: Moderate
240 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA

60 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)

310

Rqmt Prov: OP IA
PA IA

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 IA

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 IA

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: OP IA
PA IA

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

61 Date: 08/29/2003 (151240)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)

305

Description: Failure to prevent the release of unauthorized emissons during an emissions event.

62 Date: 02/06/2004 (251940)

Self Report? NO Classification: Moderate

313

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

Rqmt Prov: PERMIT IA

Description: Avoidable emissions event with emissions of benzene.

63 Date: 12/31/2002 (15110)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)
5C THC Chapter 382, SubChapter A 382.085(a)

325

Description: Failure to control emissions.

64 Date: 11/30/2003 (249734)

Self Report? NO Classification: Moderate

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

335

30 TAC Chapter 116, SubChapter B 116.115(b)(1) emission

Description: Dow failed to notify the TCEQ when the maintenance event became an emissions event.

65 Date: 06/17/2005 (376522)

Self Report? NO Classification: Moderate

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

345

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:

6 Notice of Intent Date: 06/14/2004 (347895)
No DOV Associated

7 Notice of Intent Date: 03/30/2005 (378947)
No DOV Associated

8 Notice of Intent Date: 04/20/2005 (380855)
No DOV Associated

9 Notice of Intent Date: 08/16/2005 (434104)
No DOV Associated

10 Notice of Intent Date: 09/16/2005 (436340)
No DOV Associated

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision May 19, 2005*

TCEQ

DATES						
Assigned	19-Sep-2005					
PCW	10-Dec-2007	Screening	19-Oct-2005	EPA Due	11-Jun-2006	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	12064	No. of Violations	5
Docket No.	2004-1344-MLM-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	J. Craig Fleming
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1*: $23,500

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 362% Enhancement — *Subtotals 2, 3, & 7*: $85,070

Notes: Penalty enhancement due to 33 NOVs for the same or similar violations, 33 NOVs for unrelated violations, which include 20 self-reported effluent violations, two Agreed Orders containing a denial of liability, three Agreed Orders without a denial of liability, and Repeat Violator status. Penalty reduction due to seven Notices of Audit and one Disclosure of Violations.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 0% Reduction — *Subtotal 5*: $0

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

Notes: The Respondent came into compliance on October 31, 2006.

Economic Benefit — 0% Enhancement* — *Subtotal 6*: $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$678
Approx. Cost of Compliance	$9,500

SUM OF SUBTOTALS 1-7 — Final Subtotal: $108,570

OTHER FACTORS AS JUSTICE MAY REQUIRE — Adjustment: $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount: $108,570

STATUTORY LIMIT ADJUSTMENT — Final Assessed Penalty: $107,020

DEFERRAL — 0% Reduction — Adjustment: $0

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

Notes: No deferral is offered since this is not an expedited case.

PAYABLE PENALTY: $107,020

EXHIBIT

tabbies

PCW 8

Screening Date 19-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**
Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*
Case ID No. 12064 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Enf. Coordinator J. Craig Fleming

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)*	33	165%
	Other written NOVs	33	66%
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*	7	-7%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	1	-2%
		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) **337%**

>> **Repeat Violator (Subtotal 3)**

Yes ***Adjustment Percentage (Subtotal 3)*** **25%**

>> **Compliance History *Person* Classification (Subtotal 7)**

Average Performer ***Adjustment Percentage (Subtotal 7)*** **0%**

>> **Compliance History Summary**

Compliance History Notes

Penalty enhancement due to 33 NOVs for the same or similar violations, 33 NOVs for unrelated violations, which include 20 self-reported effluent violations, two Agreed Orders containing a denial of liability, three Agreed Orders without a denial of liability, and Repeat Violator status. Penalty reduction due to seven Notices of Audit and one Disclosure of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **362%**

Screening Date 19-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator J. Craig Fleming

Violation Number 1

Primary Rule Cite(s)	30 Tex. Admin. Code § 115.354(2)(C) and 40 Code of Federal Regulations § 63.168(b)(1)
Secondary Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(2) and 122.143(4), TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A., and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to monitor 269 valves in Volatile Hazardous Air Pollutant ("VHAP") service in the Chemicals and Metals (1) area from February 3, 2004 to September 30, 2004, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Estimated emissions of 15.5 tons per year of VHAPs for the four quarters not monitored were calculated utilizing the Facility/Compound Specific Fugitive Emission Factors in the "Air Permits Technical Guidance for Chemical Sources: Equipment Leak Fugitives" publication.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 3

mark only one use a small x	*daily*	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty $7,500

Three quarterly events are recommended for the failure to monitor during all four quarters of 2004.

Economic Benefit (EB) for this violation

Estimated EB Amount $322

Statutory Limit Test

Violation Final Penalty Total $34,650

This violation Final Assessed Penalty (adjusted for limits) $34,650

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$5,000	31-Jan-2004	01-Jan-2005	0.9	$15	$307	$322
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost to monitor all 269 valves. Date required is the first day of the quarter in which the deviation began. Final date is the first day of the quarter in which compliance was achieved.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $5,000

TOTAL $322

Screening Date 19-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator J. Craig Fleming

Violation Number 2

Primary Rule Cite(s)	30 Tex. Admin. Code § 115.352(4) and 40 Code of Federal Regulations § 63.167(a)(1)
Secondary Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(2) and 122.143(4), TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A., and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to equip 49 open-ended lines in the Chemicals and Metals (1) area with a second valve, blind flange, cap, or plug. Specifically, during the deviation reporting periods of February 3, 2004 to August 3, 2004 and August 3, 2004 to February 2, 2005, it was reported there were 11 open-ended lines in VHAP service on February 3, 2004, and 38 open-ended lines in VHAP service from August 17, 2004 to January 7, 2005.

Base Penalty $10,000

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

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Estimated emissions of 648 pounds of VHAPs for the 49 open-ended lines were calculated utilizing the Facility/Compound Specific Fugitive Emission Factors in the "Air Permits Technical Guidance for Chemical Sources: Equipment Leak Fugitives" publication.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty $2,500

One annual event is recommended for the deviations that occurred on February 3, 2004 and August 17, 2004 to January 7, 2005.

Economic Benefit (EB) for this violation

Estimated EB Amount $98

Statutory Limit Test

Violation Final Penalty Total $11,550

This violation Final Assessed Penalty (adjusted for limits) $11,550

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$1,500	03-Feb-2004	07-Jan-2005	0.9	$5	$93	$98
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to equip 49 open-ended lines with a second valve, blind flange, plug, or cap. Date required is the first day of the reported deviations. Final date is the date compliance was achieved by installing second valves, blind flanges, plugs or caps on all open-ended lines.

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: $98

Screening Date 19-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator J. Craig Fleming

Violation Number 3

Primary Rule Cite(s)	40 Code of Federal Regulations § 63.148(b)
Secondary Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(2) and 122.143(4), TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A., and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to conduct an annual Audio, Visual, and Olfactory ("AVO") inspection of the closed vent system in VHAP service in the Chemicals and Metals (1) area, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005.

Base Penalty $10,000

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

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One single event is recommended for the failure to conduct an AVO inspection.

Economic Benefit (EB) for this violation

Estimated EB Amount $20

Statutory Limit Test

Violation Final Penalty Total $4,620

This violation Final Assessed Penalty (adjusted for limits) $4,620

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$500	03-Aug-2004	25-Feb-2005	0.6	$1	$19	$20
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to implement measures designed to ensure the AVO inspection of the closed vent system is conducted annually. Date required is the first day of the deviation period during which the deviation was reported. Final date is the date it was reported that processes were implemented to complete, document, and track completion of the AVO inspection.

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

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $500

TOTAL $20

Screening Date 19-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator J. Craig Fleming

Violation Number 4

Primary Rule Cite(s)	TCEQ Air Permit No. 5339, Special Condition No. 11
Secondary Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), TCEQ Air Permit No. 48478, Special Condition No. 2, TCEQ Air Permit No. 5661, Special Condition No. 6, and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to adequately maintain records regarding repairs and replacements done as a result of leaks documented during AVO inspections of the Chemicals and Metals (1) area once per shift, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005..

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes: The Respondent failed to comply with 100% of the permit requirement.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $14

Statutory Limit Test

Violation Final Penalty Total $11,550

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$500	03-Aug-2004	25-Feb-2005	0.6	$14	n/a	$14
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to implement measures designed to ensure AVO inspection forms contain all required information. Date required is the first day of the deviation period during which the deviation was reported. Final date is the date it was reported that operations personnel were retrained on proper completion of AVO inspection forms.

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

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $500

TOTAL $14

Screening Date 19-Oct-2005 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator J. Craig Fleming

Violation Number	5
Primary Rule Cite(s)	30 Tex. Admin. Code § 116.116(b)(1)
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to operate within permit representations. Specifically, TCEQ Air Permit No. 5661 does not authorize chlorine emissions from the J-20 HCl absorber in the Chemicals and Metals (1) area (EPN B15V20), however, during the deviation reporting period of August 3, 2004 to February 2, 2005, unauthorized chlorine emissions from the J-20 HCl absorber were reported.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 4

mark only one use a small x	
daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $10,000

Four quarterly events are recommended from February 3, 2004, the first day of the deviation period during which the deviation was reported, to the screening date of October 19, 2005.

Economic Benefit (EB) for this violation

Estimated EB Amount $224

Statutory Limit Test

Violation Final Penalty Total $46,200

This violation Final Assessed Penalty (adjusted for limits) $46,200

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
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	$2,000	03-Aug-2004	31-Oct-2006	2.2	$224	n/a	$224
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to obtain authorization for chlorine emissions from the J-20 HCl absorber. Date required is the first day of the deviation period during which the deviation was reported. Final date is the projected date of compliance.

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

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

Notes for AVOIDED costs:

Approx. Cost of Compliance: $2,000

TOTAL $224

Compliance History

Customer/Respondent/Owner-Operator: CN600356976 The Dow Chemical Company Classification: AVERAGE Rating: 2.780

Regulated Entity: RN100225945 DOW TEXAS OPERATIONS FREEPORT Classification: AVERAGE Site Rating: 6.81

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200533
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200528
WASTEWATER	PERMIT	TX0059447000
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50161
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1430
AIR NEW SOURCE PERMITS	PERMIT	1407
AIR NEW SOURCE PERMITS	PERMIT	654
AIR NEW SOURCE PERMITS	PERMIT	646
AIR NEW SOURCE PERMITS	PERMIT	313
AIR NEW SOURCE PERMITS	PERMIT	14639
AIR NEW SOURCE PERMITS	PERMIT	13682
AIR NEW SOURCE PERMITS	PERMIT	834
AIR NEW SOURCE PERMITS	PERMIT	9973
AIR NEW SOURCE PERMITS	PERMIT	9938
AIR NEW SOURCE PERMITS	PERMIT	9871
AIR NEW SOURCE PERMITS	PERMIT	37957
AIR NEW SOURCE PERMITS	PERMIT	49685
AIR NEW SOURCE PERMITS	PERMIT	47314
AIR NEW SOURCE PERMITS	PERMIT	49253
AIR NEW SOURCE PERMITS	PERMIT	49235
AIR NEW SOURCE PERMITS	PERMIT	49187
AIR NEW SOURCE PERMITS	PERMIT	48813
AIR NEW SOURCE PERMITS	PERMIT	48479
AIR NEW SOURCE PERMITS	PERMIT	48478
AIR NEW SOURCE PERMITS	PERMIT	48715
AIR NEW SOURCE PERMITS	PERMIT	48567
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AIR NEW SOURCE PERMITS	PERMIT	48497
AIR NEW SOURCE PERMITS	PERMIT	48337
AIR NEW SOURCE PERMITS	PERMIT	48343
AIR NEW SOURCE PERMITS	PERMIT	48027
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AIR NEW SOURCE PERMITS	PERMIT	47347
AIR NEW SOURCE PERMITS	PERMIT	47374
AIR NEW SOURCE PERMITS	PERMIT	47114
AIR NEW SOURCE PERMITS	PERMIT	47203
AIR NEW SOURCE PERMITS	PERMIT	47092
AIR NEW SOURCE PERMITS	PERMIT	47095
AIR NEW SOURCE PERMITS	PERMIT	46987
AIR NEW SOURCE PERMITS	PERMIT	46911
AIR NEW SOURCE PERMITS	PERMIT	46798
AIR NEW SOURCE PERMITS	PERMIT	46767
AIR NEW SOURCE PERMITS	PERMIT	46682
AIR NEW SOURCE PERMITS	PERMIT	46658
AIR NEW SOURCE PERMITS	PERMIT	46568
AIR NEW SOURCE PERMITS	PERMIT	46481
AIR NEW SOURCE PERMITS	PERMIT	46431
AIR NEW SOURCE PERMITS	PERMIT	46428
AIR NEW SOURCE PERMITS	PERMIT	46429
AIR NEW SOURCE PERMITS	PERMIT	46378
AIR NEW SOURCE PERMITS	PERMIT	46306
AIR NEW SOURCE PERMITS	PERMIT	46173

EXHIBIT

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AIR NEW SOURCE PERMITS	PERMIT	46174
AIR NEW SOURCE PERMITS	PERMIT	46051
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AIR NEW SOURCE PERMITS	PERMIT	45762
AIR NEW SOURCE PERMITS	PERMIT	45449
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AIR NEW SOURCE PERMITS	PERMIT	44834
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AIR NEW SOURCE PERMITS	PERMIT	44742
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AIR NEW SOURCE PERMITS	PERMIT	7531
AIR NEW SOURCE PERMITS	PERMIT	7423
AIR NEW SOURCE PERMITS	PERMIT	7387
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AIR NEW SOURCE PERMITS	PERMIT	7131
AIR NEW SOURCE PERMITS	PERMIT	6803
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AIR NEW SOURCE PERMITS	PERMIT	5520
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AIR NEW SOURCE PERMITS	PERMIT	4020
AIR NEW SOURCE PERMITS	PERMIT	3320
AIR NEW SOURCE PERMITS	PERMIT	3301
WASTEWATER LICENSING	LICENSE	WQ0000007000
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
AIR OPERATING PERMITS	PERMIT	2697
AIR OPERATING PERMITS	PERMIT	2313

AIR OPERATING PERMITS	PERMIT	2311
AIR OPERATING PERMITS	PERMIT	2221
AIR OPERATING PERMITS	PERMIT	2220
AIR OPERATING PERMITS	PERMIT	2219
AIR OPERATING PERMITS	PERMIT	2218
AIR OPERATING PERMITS	PERMIT	2217
AIR OPERATING PERMITS	PERMIT	2216
AIR OPERATING PERMITS	PERMIT	2215
AIR OPERATING PERMITS	PERMIT	2214
AIR OPERATING PERMITS	PERMIT	2213
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AIR OPERATING PERMITS	PERMIT	2210
AIR OPERATING PERMITS	PERMIT	2209
AIR OPERATING PERMITS	PERMIT	2208
AIR OPERATING PERMITS	PERMIT	2207
AIR OPERATING PERMITS	PERMIT	2206
AIR OPERATING PERMITS	PERMIT	2205
AIR OPERATING PERMITS	PERMIT	2204
AIR OPERATING PERMITS	PERMIT	2203
AIR OPERATING PERMITS	PERMIT	2202
AIR OPERATING PERMITS	PERMIT	1388
AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	76763
AIR NEW SOURCE PERMITS	REGISTRATION	76873
AIR NEW SOURCE PERMITS	REGISTRATION	76863
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	76863
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AIR NEW SOURCE PERMITS	REGISTRATION	76551
AIR NEW SOURCE PERMITS	EPA ID	PSDTXP999
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AIR NEW SOURCE PERMITS	REGISTRATION	76536
AIR NEW SOURCE PERMITS	REGISTRATION	76504
AIR NEW SOURCE PERMITS	REGISTRATION	76506
AIR NEW SOURCE PERMITS	REGISTRATION	76448
AIR NEW SOURCE PERMITS	PERMIT	76453
AIR NEW SOURCE PERMITS	REGISTRATION	75301
AIR NEW SOURCE PERMITS	REGISTRATION	75239
AIR NEW SOURCE PERMITS	PERMIT	75090
AIR NEW SOURCE PERMITS	REGISTRATION	74940
AIR NEW SOURCE PERMITS	REGISTRATION	74853
AIR NEW SOURCE PERMITS	REGISTRATION	74748
AIR NEW SOURCE PERMITS	REGISTRATION	74651
AIR NEW SOURCE PERMITS	REGISTRATION	74597
AIR NEW SOURCE PERMITS	REGISTRATION	74543
AIR NEW SOURCE PERMITS	REGISTRATION	74455
AIR NEW SOURCE PERMITS	REGISTRATION	74350
AIR NEW SOURCE PERMITS	PERMIT	73750
AIR NEW SOURCE PERMITS	PERMIT	73732
AIR NEW SOURCE PERMITS	PERMIT	71246
AIR NEW SOURCE PERMITS	PERMIT	74209
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AIR NEW SOURCE PERMITS	REGISTRATION	73953
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AIR NEW SOURCE PERMITS	REGISTRATION	72884
AIR NEW SOURCE PERMITS	REGISTRATION	72854
AIR NEW SOURCE PERMITS	REGISTRATION	72798
AIR NEW SOURCE PERMITS	REGISTRATION	72794
AIR NEW SOURCE PERMITS	REGISTRATION	72671
AIR NEW SOURCE PERMITS	REGISTRATION	72663
AIR NEW SOURCE PERMITS	PERMIT	54140
AIR NEW SOURCE PERMITS	PERMIT	53814
AIR NEW SOURCE PERMITS	PERMIT	53736
AIR NEW SOURCE PERMITS	PERMIT	53811
AIR NEW SOURCE PERMITS	PERMIT	P986
AIR NEW SOURCE PERMITS	PERMIT	50646
AIR NEW SOURCE PERMITS	PERMIT	50805
AIR NEW SOURCE PERMITS	PERMIT	50576

AIR NEW SOURCE PERMITS	PERMIT	71375
AIR NEW SOURCE PERMITS	PERMIT	71936
AIR NEW SOURCE PERMITS	PERMIT	53905
AIR NEW SOURCE PERMITS	PERMIT	54042
AIR NEW SOURCE PERMITS	PERMIT	53897
AIR NEW SOURCE PERMITS	PERMIT	52884
AIR NEW SOURCE PERMITS	PERMIT	50488
AIR NEW SOURCE PERMITS	PERMIT	53954
AIR NEW SOURCE PERMITS	PERMIT	52201
AIR NEW SOURCE PERMITS	PERMIT	53903
AIR NEW SOURCE PERMITS	PERMIT	52179
AIR NEW SOURCE PERMITS	PERMIT	52153
AIR NEW SOURCE PERMITS	PERMIT	52180
AIR NEW SOURCE PERMITS	REGISTRATION	71781
AIR NEW SOURCE PERMITS	REGISTRATION	71584
AIR NEW SOURCE PERMITS	REGISTRATION	105095
AIR NEW SOURCE PERMITS	PERMIT	8105
AIR NEW SOURCE PERMITS	PERMIT	PSDTX994
AIR NEW SOURCE PERMITS	PERMIT	N59
AIR NEW SOURCE PERMITS	PERMIT	71209
AIR NEW SOURCE PERMITS	REGISTRATION	71091
AIR NEW SOURCE PERMITS	REGISTRATION	71090
AIR NEW SOURCE PERMITS	REGISTRATION	71089
AIR NEW SOURCE PERMITS	REGISTRATION	71088
AIR NEW SOURCE PERMITS	REGISTRATION	71087
AIR NEW SOURCE PERMITS	PERMIT	71080
AIR NEW SOURCE PERMITS	PERMIT	71062
AIR NEW SOURCE PERMITS	PERMIT	71039
AIR NEW SOURCE PERMITS	REGISTRATION	70945
AIR NEW SOURCE PERMITS	PERMIT	70940
AIR NEW SOURCE PERMITS	REGISTRATION	70776
AIR NEW SOURCE PERMITS	REGISTRATION	70760
AIR NEW SOURCE PERMITS	REGISTRATION	70592
AIR NEW SOURCE PERMITS	REGISTRATION	70458
AIR NEW SOURCE PERMITS	PERMIT	48892
AIR NEW SOURCE PERMITS	REGISTRATION	70195
AIR NEW SOURCE PERMITS	REGISTRATION	70194
AIR NEW SOURCE PERMITS	REGISTRATION	56851
AIR NEW SOURCE PERMITS	REGISTRATION	56833
AIR NEW SOURCE PERMITS	AFS NUM	0016
AIR NEW SOURCE PERMITS	REGISTRATION	76138
AIR NEW SOURCE PERMITS	REGISTRATION	75512
AIR NEW SOURCE PERMITS	REGISTRATION	75513
AIR NEW SOURCE PERMITS	REGISTRATION	75531
AIR NEW SOURCE PERMITS	REGISTRATION	76039
AIR NEW SOURCE PERMITS	REGISTRATION	76295
AIR NEW SOURCE PERMITS	REGISTRATION	75526
AIR NEW SOURCE PERMITS	REGISTRATION	75579
AIR NEW SOURCE PERMITS	PERMIT	75751
AIR NEW SOURCE PERMITS	REGISTRATION	76012
AIR NEW SOURCE PERMITS	REGISTRATION	75908
AIR NEW SOURCE PERMITS	REGISTRATION	75817
AIR NEW SOURCE PERMITS	REGISTRATION	55537
AIR NEW SOURCE PERMITS	REGISTRATION	55411
AIR NEW SOURCE PERMITS	REGISTRATION	55032
AIR NEW SOURCE PERMITS	PERMIT	54200
AIR NEW SOURCE PERMITS	PERMIT	53895
AIR NEW SOURCE PERMITS	PERMIT	52998
AIR NEW SOURCE PERMITS	PERMIT	52999
AIR NEW SOURCE PERMITS	PERMIT	52200
AIR NEW SOURCE PERMITS	PERMIT	22091
AIR NEW SOURCE PERMITS	PERMIT	52724
AIR NEW SOURCE PERMITS	PERMIT	52152
AIR NEW SOURCE PERMITS	REGISTRATION	72132
AIR NEW SOURCE PERMITS	REGISTRATION	71888
AIR NEW SOURCE PERMITS	PERMIT	2602
AIR NEW SOURCE PERMITS	REGISTRATION	71636
WATER LICENSING	LICENSE	0200232
WASTEWATER	PERMIT	TPDES0006484
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50161
WASTEWATER	PERMIT	TX0006483
WASTEWATER	PERMIT	TPDES0006483

WASTEWATER	PERMIT	WQ0000007000
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200534
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200531
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200530
AIR OPERATING PERMITS	PERMIT	N041
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0023K
AIR NEW SOURCE PERMITS	PERMIT	19041
AIR NEW SOURCE PERMITS	PERMIT	18320
AIR NEW SOURCE PERMITS	PERMIT	18211
AIR NEW SOURCE PERMITS	PERMIT	15988
AIR NEW SOURCE PERMITS	PERMIT	15718
AIR NEW SOURCE PERMITS	PERMIT	12755
AIR NEW SOURCE PERMITS	PERMIT	12173
AIR NEW SOURCE PERMITS	PERMIT	11832
AIR NEW SOURCE PERMITS	PERMIT	11275
AIR NEW SOURCE PERMITS	PERMIT	10770
AIR NEW SOURCE PERMITS	PERMIT	3947
AIR NEW SOURCE PERMITS	PERMIT	3941
AIR NEW SOURCE PERMITS	PERMIT	3434
AIR NEW SOURCE PERMITS	PERMIT	2417
AIR NEW SOURCE PERMITS	PERMIT	941
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008092793
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
AIR NEW SOURCE PERMITS	PERMIT	3914
AIR NEW SOURCE PERMITS	PERMIT	3347
AIR NEW SOURCE PERMITS	PERMIT	3302
AIR NEW SOURCE PERMITS	PERMIT	2773
AIR NEW SOURCE PERMITS	PERMIT	2772
AIR NEW SOURCE PERMITS	PERMIT	2728
AIR NEW SOURCE PERMITS	PERMIT	2606
AIR NEW SOURCE PERMITS	PERMIT	2472
AIR NEW SOURCE PERMITS	PERMIT	2367
AIR NEW SOURCE PERMITS	PERMIT	2008A
AIR NEW SOURCE PERMITS	PERMIT	1715
AIR NEW SOURCE PERMITS	PERMIT	1658
AIR NEW SOURCE PERMITS	PERMIT	1655
AIR NEW SOURCE PERMITS	PERMIT	1559
AIR NEW SOURCE PERMITS	PERMIT	1558
AIR NEW SOURCE PERMITS	PERMIT	1515
AIR NEW SOURCE PERMITS	PERMIT	1472
AIR NEW SOURCE PERMITS	PERMIT	1258
AIR NEW SOURCE PERMITS	PERMIT	770
AIR NEW SOURCE PERMITS	PERMIT	120
AIR NEW SOURCE PERMITS	PERMIT	119
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0022M
AIR NEW SOURCE PERMITS	PERMIT	30002
AIR NEW SOURCE PERMITS	PERMIT	21596
AIR NEW SOURCE PERMITS	PERMIT	20495
AIR NEW SOURCE PERMITS	PERMIT	20433
AIR NEW SOURCE PERMITS	PERMIT	20266
AIR NEW SOURCE PERMITS	PERMIT	19792
AIR NEW SOURCE PERMITS	PERMIT	19720
AIR NEW SOURCE PERMITS	PERMIT	19715
AIR NEW SOURCE PERMITS	PERMIT	19243
AIR NEW SOURCE PERMITS	PERMIT	19202
AIR NEW SOURCE PERMITS	PERMIT	18145
AIR NEW SOURCE PERMITS	PERMIT	6911
AIR NEW SOURCE PERMITS	PERMIT	12340
AIR NEW SOURCE PERMITS	PERMIT	4022
AIR NEW SOURCE PERMITS	PERMIT	15386
AIR NEW SOURCE PERMITS	PERMIT	14935
AIR NEW SOURCE PERMITS	PERMIT	13950
AIR NEW SOURCE PERMITS	PERMIT	13132
AIR NEW SOURCE PERMITS	PERMIT	13104
AIR NEW SOURCE PERMITS	PERMIT	12970

AIR NEW SOURCE PERMITS	PERMIT	12613
AIR NEW SOURCE PERMITS	PERMIT	12265
AIR NEW SOURCE PERMITS	PERMIT	12104
AIR NEW SOURCE PERMITS	PERMIT	12051
AIR NEW SOURCE PERMITS	PERMIT	12045
AIR NEW SOURCE PERMITS	PERMIT	12008
AIR NEW SOURCE PERMITS	PERMIT	12007
AIR NEW SOURCE PERMITS	PERMIT	11919
AIR NEW SOURCE PERMITS	PERMIT	11745
AIR NEW SOURCE PERMITS	PERMIT	11691A
AIR NEW SOURCE PERMITS	PERMIT	11691
AIR NEW SOURCE PERMITS	PERMIT	11159
AIR NEW SOURCE PERMITS	PERMIT	11092
AIR NEW SOURCE PERMITS	PERMIT	10955
AIR NEW SOURCE PERMITS	PERMIT	10845
AIR NEW SOURCE PERMITS	PERMIT	10794
AIR NEW SOURCE PERMITS	PERMIT	10792
AIR NEW SOURCE PERMITS	PERMIT	10766
AIR NEW SOURCE PERMITS	PERMIT	10731
AIR NEW SOURCE PERMITS	PERMIT	10689
AIR NEW SOURCE PERMITS	PERMIT	10677
AIR NEW SOURCE PERMITS	PERMIT	10674
AIR NEW SOURCE PERMITS	PERMIT	10613
AIR NEW SOURCE PERMITS	PERMIT	10534
AIR NEW SOURCE PERMITS	PERMIT	10469
AIR NEW SOURCE PERMITS	PERMIT	9838
AIR NEW SOURCE PERMITS	PERMIT	9837
AIR NEW SOURCE PERMITS	PERMIT	9773
AIR NEW SOURCE PERMITS	PERMIT	9045
AIR NEW SOURCE PERMITS	PERMIT	7942
AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	6932
AIR NEW SOURCE PERMITS	PERMIT	6744
AIR NEW SOURCE PERMITS	PERMIT	6383
AIR NEW SOURCE PERMITS	PERMIT	6161
AIR NEW SOURCE PERMITS	PERMIT	6069A
AIR NEW SOURCE PERMITS	PERMIT	5746
AIR NEW SOURCE PERMITS	PERMIT	5340
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541 Rating Date: 9/1/05 Repeat Violator: YES

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: October 10, 2005

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: October 10, 2000 to October 10, 2005

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Kimberly Morales Phone: (713) 422-8938

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: 2/17/03 ADMINORDER 2002-0689-IHW-E
Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)
Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Effective Date: 1/7/02 ADMINORDER 2000-1459-AIR-E
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to submit complete notifications for 29 upsets.
Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has allowed unauthorized emissions into the atmosphere.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC No. 2 PERMIT
Description: Failure to properly control emissions from Benzene Tank AD-20X.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2 PERMIT
Description: Failure to properly control emissions from Reactor R-5.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 2A PERMIT
Description: Failure to properly control emissions from Distillation Tower T-30.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to meet the applicable emission specification of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 13E PERMIT
Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SP No. 8F PERMIT
Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9A PERMIT
SP No. 8B PERMIT
SP No. 8E PERMIT
Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: Not Specified PERMIT
Description: Dow has failed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.7[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete final report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Effective Date: 3/22/02 ADMINORDER 2001-0854-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.
Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]
Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

Effective Date: 8/7/05 ADMINORDER 2004-0572-AIR-E
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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)
Citation: 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)

Citation: 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)
Citation: 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)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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: 11/11/04 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)
Citation: 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)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Citation: 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)
Citation: 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.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1. 08/13/2002 (8036)
2. 02/28/2003 (26378)
3. 07/03/2002 (4135)
4. 10/24/2002 (159615)
5. 10/24/2001 (159614)
6. 08/21/2003 (151151)
7. 07/19/2002 (4762)
8. 06/24/2003 (60303)
9. 09/26/2002 (12350)
10. 10/15/2002 (12337)
11. 08/15/2002 (6894)
12. 02/03/2003 (286198)
13. 08/31/2004 (272564)
14. 10/20/2000 (159613)
15. 02/05/2004 (258950)
16. 01/07/2005 (338837)
17. 07/07/2004 (258307)
18. 09/26/2002 (11829)
19. 08/24/2005 (403273)
20. 06/28/2005 (376054)
21. 10/31/2004 (276897)
22. 03/07/2005 (372291)
23. 12/22/2004 (289575)
24. 01/21/2005 (337408)
25. 09/25/2002 (159612)
26. 03/18/2005 (346350)
27. 07/30/2003 (133869)

28.	10/29/2002	(14541)
29.	12/15/2003	(254080)
30.	09/24/2001	(159611)
31.	07/22/2005	(397876)
32.	11/27/2001	(IE0001062003001)
33.	06/17/2005	(376522)
34.	08/25/2005	(404533)
35.	05/30/2003	(60877)
36.	09/17/2003	(248098)
37.	06/16/2004	(247738)
38.	08/26/2002	(159609)
39.	12/17/2004	(286731)
40.	05/17/2005	(376212)
41.	04/12/2004	(264619)
42.	02/11/2004	(260442)
43.	07/12/2005	(393369)
44.	06/30/2004	(266880)
45.	06/02/2004	(272991)
46.	07/28/2005	(380321)
47.	12/16/2004	(285097)
48.	08/27/2001	(159608)
49.	03/07/2003	(21400)
50.	04/30/2004	(255002)
51.	08/31/2004	(273678)
52.	08/23/2002	(4928)
53.	03/02/2005	(372448)
54.	09/04/2002	(9088)
55.	02/23/2004	(260927)
56.	05/23/2005	(262475)
57.	07/31/2002	(5786)
58.	08/04/2003	(36623)
59.	07/29/2002	(159606)
60.	12/20/2004	(339119)
61.	08/07/2002	(7213)
62.	07/08/2005	(376056)
63.	03/07/2005	(372281)
64.	03/23/2005	(347781)
65.	07/01/2005	(378760)
66.	08/19/2002	(4885)
67.	08/30/2003	(152221)
68.	01/03/2003	(15110)
69.	10/11/2002	(11055)
70.	08/25/2002	(8609)
71.	09/30/2005	(402695)
72.	01/07/2005	(339147)
73.	07/02/2003	(35418)
74.	11/18/2002	(12073)
75.	03/22/2004	(263436)
76.	07/22/2005	(397878)
77.	07/31/2002	(6169)
78.	07/23/2001	(159605)
79.	08/08/2005	(396518)
80.	12/31/2004	(338842)
81.	08/18/2004	(277856)
82.	02/24/2005	(339179)
83.	02/21/2005	(337409)
84.	12/17/2004	(339587)
85.	01/27/2005	(347186)
86.	03/29/2004	(264628)
87.	02/23/2005	(346354)
88.	05/14/2004	(248280)
89.	06/03/2004	(258305)
90.	03/10/2004	(261603)
91.	08/08/2003	(159603)
92.	06/02/2005	(376058)
93.	06/25/2002	(159602)
94.	02/21/2005	(344830)
95.	08/22/2003	(150711)
96.	08/31/2004	(273416)
97.	07/22/2005	(397880)
98.	08/14/2003	(150122)
99.	01/27/2003	(21017)
100.	09/04/2003	(247717)
101.	06/26/2001	(159601)
102.	10/16/2002	(12820)

103.	09/14/2005	(431669)
104.	11/04/2004	(338243)
105.	09/01/2004	(267453)
106.	12/09/2002	(14830)
107.	07/22/2005	(397881)
108.	08/14/2002	(7906)
109.	08/11/2005	(377164)
110.	08/25/2003	(151529)
111.	01/28/2002	(IE0018454001001)
112.	12/28/2004	(251988)
113.	08/31/2004	(273127)
114.	05/19/2003	(159599)
115.	02/06/2004	(251940)
116.	02/03/2004	(257672)
117.	05/23/2005	(345033)
118.	05/20/2005	(392573)
119.	08/04/2005	(398933)
120.	03/20/2003	(23813)
121.	05/20/2002	(159598)
122.	06/02/2005	(376059)
123.	12/16/2004	(286819)
124.	12/13/2004	(339850)
125.	06/23/2003	(35416)
126.	07/09/2002	(2159)
127.	03/06/2003	(26396)
128.	05/29/2001	(159597)
129.	12/17/2004	(338429)
130.	01/06/2005	(339121)
131.	01/31/2005	(347857)
132.	05/17/2005	(376280)
133.	04/28/2003	(159595)
134.	12/28/2004	(256034)
135.	07/28/2004	(276490)
136.	08/31/2004	(273881)
137.	08/20/2002	(7588)
138.	07/31/2003	(33803)
139.	07/19/2002	(4827)
140.	04/30/2002	(159594)
141.	07/17/2002	(4563)
142.	07/11/2005	(393361)
143.	05/27/2003	(29063)
144.	08/30/2003	(149187)
145.	05/26/2004	(352355)
146.	04/24/2001	(159593)
147.	05/28/2003	(31177)
148.	02/21/2005	(337411)
149.	06/28/2004	(352356)
150.	08/22/2005	(396197)
151.	01/16/2002	(120354)
152.	08/29/2005	(398935)
153.	05/24/2005	(380324)
154.	07/26/2004	(352357)
155.	05/08/2001	(159592)
156.	07/19/2002	(5014)
157.	05/27/2005	(379484)
158.	08/27/2004	(267540)
159.	06/15/2005	(380845)
160.	11/26/2003	(250021)
161.	01/07/2005	(339138)
162.	08/24/2004	(352358)
163.	07/13/2005	(397022)
164.	11/05/2004	(334318)
165.	09/23/2004	(352359)
166.	02/25/2005	(345303)
167.	08/31/2002	(10381)
168.	08/15/2005	(398936)
169.	10/22/2004	(352360)
170.	11/01/2004	(285137)
171.	02/21/2005	(345433)
172.	08/15/2005	(393373)
173.	08/16/2002	(7720)
174.	08/31/2004	(272729)
175.	03/21/2003	(159590)
176.	08/17/2004	(284165)
177.	08/15/2002	(7525)

178.	11/24/2004	(352361)
179.	08/05/2005	(398937)
180.	08/25/2005	(397853)
181.	01/09/2004	(254701)
182.	02/03/2003	(285652)
183.	08/31/2002	(8599)
184.	08/27/2004	(266751)
185.	08/07/2002	(7201)
186.	03/20/2002	(159589)
187.	06/14/2005	(375259)
188.	08/30/2005	(398938)
189.	07/26/2003	(61449)
190.	02/26/2004	(296001)
191.	09/05/2002	(10360)
192.	12/19/2002	(18859)
193.	03/10/2005	(346208)
194.	03/15/2004	(262011)
195.	03/26/2001	(159588)
196.	06/30/2003	(35785)
197.	05/14/2004	(263118)
198.	02/01/2005	(347843)
199.	10/01/2003	(250440)
200.	11/05/2004	(334295)
201.	05/08/2001	(159587)
202.	03/22/2004	(296004)
203.	10/31/2003	(253956)
204.	02/28/2003	(159586)
205.	06/24/2005	(396413)
206.	08/31/2004	(272789)
207.	04/19/2004	(296006)
208.	03/10/2004	(264415)
209.	05/28/2003	(31159)
210.	02/20/2002	(159585)
211.	09/07/2004	(291280)
212.	05/06/2005	(376209)
213.	08/29/2004	(265955)
214.	02/28/2005	(381956)
215.	08/05/2005	(396199)
216.	11/22/2004	(335797)
217.	08/27/2004	(279078)
218.	10/30/2002	(10265)
219.	03/28/2005	(381957)
220.	05/24/2004	(31438)
221.	07/28/2004	(282417)
222.	12/16/2004	(114225)
223.	12/10/2004	(114224)
224.	08/19/2005	(404732)
225.	05/19/2003	(28851)
226.	02/23/2001	(159584)
227.	12/23/2004	(381958)
228.	04/23/2004	(265028)
229.	08/31/2004	(272814)
230.	01/21/2005	(381959)
231.	10/31/2004	(276789)
232.	03/15/2004	(261999)
233.	01/31/2005	(347762)
234.	05/12/2004	(257994)
235.	09/28/2005	(406914)
236.	07/23/2003	(296010)
237.	12/13/2004	(336762)
238.	09/01/2004	(277902)
239.	09/30/2002	(7575)
240.	05/10/2005	(346362)
241.	12/17/2002	(15107)
242.	04/14/2003	(27517)
243.	01/14/2005	(338682)
244.	10/31/2004	(289698)
245.	07/21/2005	(393364)
246.	08/15/2003	(140682)
247.	11/30/2003	(126059)
248.	11/01/2004	(284370)
249.	08/26/2003	(296012)
250.	08/27/2002	(9435)
251.	08/15/2002	(7533)
252.	08/19/2003	(150391)

253.	01/31/2003	(159627)
254.	03/18/2005	(346346)
255.	08/16/2004	(281509)
256.	12/21/2004	(334606)
257.	03/21/2005	(346710)
258.	04/23/2004	(258324)
259.	10/01/2003	(296014)
260.	05/31/2005	(346355)
261.	06/26/2003	(60783)
262.	01/05/2005	(285365)
263.	02/05/2004	(260440)
264.	01/29/2002	(159626)
265.	05/26/2004	(258253)
266.	10/16/2002	(12725)
267.	06/22/2005	(350704)
268.	09/07/2004	(333240)
269.	08/31/2004	(274129)
270.	10/01/2003	(250457)
271.	01/27/2003	(21168)
272.	01/29/2001	(159625)
273.	04/29/2004	(255279)
274.	10/23/2003	(296016)
275.	11/01/2004	(285135)
276.	06/24/2005	(396517)
277.	09/28/2005	(402693)
278.	04/30/2004	(254073)
279.	04/13/2004	(265611)
280.	07/28/2004	(282469)
281.	10/05/2005	(374026)
282.	08/29/2003	(152748)
283.	03/30/2004	(264622)
284.	11/15/2001	(97516)
285.	08/05/2005	(393374)
286.	02/23/2005	(346345)
287.	11/24/2003	(296017)
288.	03/04/2003	(26394)
289.	06/01/2004	(254581)
290.	12/23/2002	(159623)
291.	04/01/2005	(345046)
292.	08/17/2004	(273076)
293.	05/04/2005	(347119)
294.	09/01/2005	(403238)
295.	08/09/2002	(7520)
296.	08/07/2003	(61967)
297.	07/06/2001	(97515)
298.	05/17/2005	(376237)
299.	01/07/2005	(339177)
300.	12/24/2003	(296018)
301.	11/01/2004	(286768)
302.	12/27/2001	(159622)
303.	11/30/2003	(249732)
304.	12/22/2004	(289567)
305.	03/22/2005	(346347)
306.	07/20/2004	(278387)
307.	05/23/2005	(376200)
308.	07/06/2001	(97514)
309.	08/12/2005	(285295)
310.	07/06/2001	(97513)
311.	01/21/2004	(296019)
312.	08/17/2004	(284292)
313.	03/15/2004	(261987)
314.	12/26/2000	(159621)
315.	11/12/2003	(254614)
316.	02/11/2004	(260085)
317.	01/09/2005	(339130)
318.	08/07/2002	(7186)
319.	02/12/2003	(22520)
320.	08/16/2002	(8175)
321.	05/04/2005	(338714)
322.	01/31/2005	(347883)
323.	08/16/2002	(7857)
324.	07/06/2004	(258308)
325.	08/19/2002	(6722)
326.	11/27/2002	(159619)
327.	02/11/2004	(260441)

328. 06/14/2005 (350783)
329. 12/16/2004 (289573)
330. 06/29/2005 (347598)
331. 11/19/2001 (159618)
332. 04/08/2005 (347573)
333. 09/12/2005 (406575)
334. 02/21/2005 (345507)
335. 01/09/2004 (253974)
336. 12/13/2004 (334315)
337. 08/15/2002 (7408)
338. 05/17/2004 (253533)
339. 06/30/2004 (267508)
340. 06/30/2004 (267938)
341. 11/21/2000 (159617)
342. 01/09/2004 (254710)
343. 12/06/2004 (284914)
344. 08/27/2002 (9436)
345. 08/31/2002 (4886)
346. 08/19/2005 (393378)
347. 07/19/2002 (5209)
348. 01/17/2005 (249734)
349. 08/29/2003 (151240)
350. 05/27/2005 (374664)
351. 12/20/2004 (339116)
352. 02/21/2005 (344930)

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

Date: 03/05/2003 (26396)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 06/01/2004 (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: 08/31/2002 (159612)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/22/2005 (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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Exceedance of the concentration limit for chlorine; Permit 4021, SC 7

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 IA
Description: Exceeded VOC permit limit during an emissions event.

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(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(c)[G]
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]
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: Major

Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)[G]
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: 08/31/2005 (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 IA
PERMIT IA

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)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

Rqmt Prov: OP IA
PERMIT IA

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 IA
PERMIT IA

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 IA
PERMIT IA

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)[G]
Description: Dow failed to maintain a daily average scrubber water flow for the SC-2 Kettle Scrubber (EPN B13SV3).

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 IA

Description: Dow had an avoidable emissions event during Incident 51417.

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 after final emissions from a scheduled maintenance event exceeded emissions reported on the Initial Notification.

Date: 06/30/2001 (159605)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/20/2002 (7575)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]
Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.
Self Report? NO Classification: Moderate
Citation: TEXAS HEALTH AND SAFETY CODE 382.085
Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

Date: 05/24/2003 (29063)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
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: 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)[G]
Description: Failure to meet the limit for one or more permit parameter

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

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 IA
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) and (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 IA
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 IA
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 IA
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.

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 IA
Description: Incident 40337 was an avoidable emissions event.

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 IA
Description: Exceeded VOC permit limit during an avoidable 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 emissons event.

Date: 03/31/2001 (159593)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/25/2003 (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: 12/02/2003 (250021)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal oxidizer.

Date: 01/07/2002 (120354)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

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

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)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 05/24/2005 (380324)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
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 IA
PERMIT IA
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: 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)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failure to report an emissions event within 24 hours following incident 35402

Date: 08/07/2003 (61967)
Self Report? NO Classification: Major
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: 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 IA
PA IA
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 IA
PA IA
Description: Failure to cap or plug open-ended lines per the Permit No. 7531, SC No. 3E

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: 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: 08/26/2005 (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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Operation of Flare A26VEF1 without a flame present; Permit 1472, SC 8

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 IA
Description: Dow exceeded VOC permit limit during 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 IA
Description: Incident #43280 was avoidable.

Date: 01/31/2001 (159584)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2004 (296006)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/29/2004 (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: 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)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 03/05/2003 (26394)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have proper grade of licensed operator.

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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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 IA

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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to re-monitor fugitive components within 15 days.

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)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2002 (159627)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2001 (159626)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2000 (159625)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/15/2005 (398936)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT IA
Description: Dow had an avoidable emissions event during Incident 59062. Not an excessive 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: OP IA
PERMIT IA
Description: Failure to plug open ended valves.
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 IA
PERMIT IA
Description: THROX unit exceeded CO MAER.
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 IA
PERMIT IA
Description: Exceeded vinyl chloride average feedrate limit.
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 IA
PERMIT IA
Description: Exceeded firebox temperatures for THROX & TOX
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 IA
PERMIT IA
Description: Flowmeters on vent stream to TOX not operational.
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 IA
PERMIT IA
Description: Flare A32CSF1 exceeded hourly VOC MAER
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)(4)
Rqmt Prov: OP IA
PERMIT IA
Description: Failure to monitor valves and pressure sensing devices
Self Report? NO Classification: Moderate
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 IA
Description: Failure to monitor connectors

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)[G]
Description: Failure to meet the limit for one or more permit parameter

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 IA
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: 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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to equip open-ended valve with a plug.

Date: 01/14/2005 (338682)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
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 IA
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: 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 IA
Description: Incident 7827 was an avoidable emissions event.

Date: 11/30/2002 (159623)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

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

Date: 07/09/2001 (97515)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

Date: 11/30/2001 (159622)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 06/29/2005 (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: 11/30/2000 (159621)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 05/04/2005 (338714)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
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 IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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 IA
PERMIT IA
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)[G]
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.05181(a)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP IA
Description: Dow failed to register the production processes of various Maxistab products under either a PBR or NSR permit.

Date: 10/31/2002 (159619)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 11/05/2004 (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: OP IA
PA IA
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 IA
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 IA
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: OP IA
PA IA
Description: Failure to keep records of the date of first repair attempt and date of leak repair for two leaking valves.

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 emissons during an emissions event.

Date: 02/06/2004 (251940)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT IA
Description: Avoidable emissions event with emissions of benzene.

Date: 12/31/2002 (15110)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)
5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to control emissions.

Date: 10/31/2000 (159617)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 06/17/2005 (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 IA
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.

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

F. Environmental audits.

Notice of Intent Date: 12/11/2001
No DOV Associated

Notice of Intent Date: 02/18/2004
No DOV Associated

Notice of Intent Date: 04/14/2004
No DOV Associated

Notice of Intent Date: 03/19/2004
No DOV Associated

Notice of Intent Date: 12/17/2004
Disclosure Date: 05/18/2005
Citation: Viol. Classification: Moderate
30 TAC Chapter 116, SubChapter G 116.715(c)(10)
Description: identified connectors and valves that were not monitored under a prescribed keak Detection and Repair Program
Citation: Viol. Classification: Moderate
30 TAC Chapter 116, SubChapter G 116.715(c)(10)
Description: failed to monitor 90% of the hot insulated connectors in VOC service in the plant as required by Flexible Permit

Notice of Intent Date: 03/30/2005

Notice of Intent Date: 04/20/2005

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

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) *PCW Revision April 25, 2006*

DATES Assigned: 15-May-2006 PCW: 20-Dec-2007 Screening: 24-May-2006 EPA Due:

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.: 12064
Docket No.: 2004-1344-MLM-E
Media Program(s): Air Quality
Multi-Media:
Admin. Penalty $ Limit Minimum: $0 Maximum: $10,000

No. of Violations: 2
Order Type: Findings
Enf. Coordinator: Trina Grieco
EC's Team: Enforcement Team 6

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1*: $10,100

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 367% Enhancement *Subtotals 2, 3, & 7*: $37,067

Notes: Penalty enhancement due to 38 previous NOVs for same or similar violations, 31 previous NOVs for non-similar violations (this includes 15 self-reported effluent violations), 3 agreed orders with denial of liability, and 3 agreed orders without denial of liability. Penalty reduction due to 20 notice of audits submitted.

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

Notes: The Respondent does not meet culpability criteria.

Good Faith Effort to Comply 10% Reduction *Subtotal 5*: -$1,010

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

Notes: The Respondent completed corrective actions on July 7, 2006.

Economic Benefit 0% Enhancement* *Subtotal 6*: $0
**Capped at the Total EB $ Amount*

Total EB Amounts: $340
Approx. Cost of Compliance: $2,300

SUM OF SUBTOTALS 1-7 Final Subtotal: $46,157

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment: $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount: $46,157

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty: $10,457

DEFERRAL 0% Reduction Adjustment: $0

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

Notes: No deferral is offered since this is a Findings Order.

PAYABLE PENALTY $10,457

EXHIBIT
tabbies
PCW 9

Screening Date 24-May-2006 **Docket No.** 2004-1344-MLM-E **PCW**
Respondent The Dow Chemical Company
Policy Revision 2 (September 2002)
Case ID No. 12064
PCW Revision April 25, 2006
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Enf. Coordinator Trina Grieco

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action *(number of NOVs meeting criteria)*	38	190%
	Other written NOVs	31	62%
Orders	Any agreed final enforcement orders containing a denial of liability *(number of orders meeting criteria)*	3	60%
	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*	20	-20%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 367%

>> 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 38 previous NOVs for same or similar violations, 31 previous NOVs for non-similar violations (this includes 15 self-reported effluent violations), 3 agreed orders with denial of liability, and 3 agreed orders without denial of liability. Penalty reduction due to 20 notice of audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 367%

Screening Date 24-May-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision April 25, 2006*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number	1
Primary Rule Cite(s)	TCEQ New Source Review Permit No. 834, Special Condition 1
Secondary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to prevent unauthorized emissions of 10,085 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene during an emissions event that occurred on May 26, 2004 and lasted 4 hours and 30 minutes. These emissions were not authorized by the permit. Since the emissions event was avoidable, not reported within the required timeframe, and determined to be excessive, The Dow Chemical Company failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

OR

Percent 100%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health and the environment in the Houston-Galveston-Brazoria nonattainment area was exposed to 10,085 lbs of the HRVOC ethylene. Screen 3 Modeling results documented that fence line ambient air concentration of ethylene was above the TCEQ 1-hour Effects Screening Levels, exceeding levels that are protective to human health and the environment.

Adjustment $0

Base Penalty Subtotal $10,000

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one use a small x	
daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $10,000

One daily event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $296

Statutory Limit Test

Violation Final Penalty Total $45,700

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

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 1

	Percent Interest	Years of Depreciation
	5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$2,000	26-May-2004	07-Jul-2006	2.1	$14	$282	$296
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated expense to complete, submit, and implement a corrective action plan. Date required based on the date of the emissions event. Final date based on 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: $2,000

TOTAL: $296

Screening Date 24-May-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision April 25, 2006*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number	2
Primary Rule Cite(s)	30 Tex. Admin. Code § 101.201(a)(1)(B)
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on May 26, 2004 at 9:30 a.m., but was not reported until May 27, 2006 at 1:59 p.m.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: At least 70% of the requirements were met.

Adjustment -$9,900

Base Penalty Subtotal $100

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $44

Statutory Limit Test

Violation Final Penalty Total $457

This violation Final Assessed Penalty (adjusted for limits) $457

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$300	27-May-2004	07-Jul-2006	2.1	$2	$42	$44
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to implement measures designed to ensure that emissions events are properly reported. Date required based on the date the report should have been submitted (by 9:30 a.m.). Final date based on 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: $300

TOTAL: $44

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: 5.23

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	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	N041
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
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
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
UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
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AIR NEW SOURCE PERMITS	PERMIT	5340
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AIR NEW SOURCE PERMITS	PERMIT	6383
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AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7942

EXHIBIT

tabbies

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AIR NEW SOURCE PERMITS	PERMIT	9045
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AIR NEW SOURCE PERMITS	PERMIT	9047
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AIR NEW SOURCE PERMITS	PERMIT	12166
AIR NEW SOURCE PERMITS	PERMIT	12432
AIR NEW SOURCE PERMITS	PERMIT	12445
AIR NEW SOURCE PERMITS	PERMIT	12484
AIR NEW SOURCE PERMITS	PERMIT	12520
AIR NEW SOURCE PERMITS	PERMIT	13194
AIR NEW SOURCE PERMITS	PERMIT	13873
AIR NEW SOURCE PERMITS	PERMIT	15811
AIR NEW SOURCE PERMITS	PERMIT	16249
AIR NEW SOURCE PERMITS	PERMIT	16473
AIR NEW SOURCE PERMITS	PERMIT	7009
AIR NEW SOURCE PERMITS	PERMIT	13920
AIR NEW SOURCE PERMITS	PERMIT	14329
AIR NEW SOURCE PERMITS	PERMIT	17027
AIR NEW SOURCE PERMITS	PERMIT	17028
AIR NEW SOURCE PERMITS	PERMIT	17107
AIR NEW SOURCE PERMITS	PERMIT	17374
AIR NEW SOURCE PERMITS	PERMIT	20996
AIR NEW SOURCE PERMITS	PERMIT	20997
AIR NEW SOURCE PERMITS	PERMIT	18020
AIR NEW SOURCE PERMITS	PERMIT	18258
AIR NEW SOURCE PERMITS	PERMIT	18561
AIR NEW SOURCE PERMITS	PERMIT	18624
AIR NEW SOURCE PERMITS	PERMIT	18950
AIR NEW SOURCE PERMITS	PERMIT	19026
AIR NEW SOURCE PERMITS	PERMIT	19050
AIR NEW SOURCE PERMITS	PERMIT	19519
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	22083
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	27041
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	29753
AIR NEW SOURCE PERMITS	PERMIT	30018
AIR NEW SOURCE PERMITS	PERMIT	30154
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	33608
AIR NEW SOURCE PERMITS	PERMIT	33885
AIR NEW SOURCE PERMITS	PERMIT	34111
AIR NEW SOURCE PERMITS	PERMIT	34116
AIR NEW SOURCE PERMITS	PERMIT	34368
AIR NEW SOURCE PERMITS	PERMIT	34545
AIR NEW SOURCE PERMITS	PERMIT	34541
AIR NEW SOURCE PERMITS	PERMIT	35022
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
AIR NEW SOURCE PERMITS	PERMIT	25205
AIR NEW SOURCE PERMITS	PERMIT	36554
AIR NEW SOURCE PERMITS	PERMIT	36523
AIR NEW SOURCE PERMITS	PERMIT	36569
AIR NEW SOURCE PERMITS	PERMIT	36634
AIR NEW SOURCE PERMITS	PERMIT	37000
AIR NEW SOURCE PERMITS	PERMIT	37290
AIR NEW SOURCE PERMITS	PERMIT	37122
AIR NEW SOURCE PERMITS	PERMIT	37569
AIR NEW SOURCE PERMITS	PERMIT	37884
AIR NEW SOURCE PERMITS	PERMIT	37667
AIR NEW SOURCE PERMITS	PERMIT	37618
AIR NEW SOURCE PERMITS	PERMIT	38157
AIR NEW SOURCE PERMITS	PERMIT	38156
AIR NEW SOURCE PERMITS	PERMIT	38861
AIR NEW SOURCE PERMITS	PERMIT	38759
AIR NEW SOURCE PERMITS	PERMIT	39609
AIR NEW SOURCE PERMITS	PERMIT	39450
AIR NEW SOURCE PERMITS	PERMIT	40046
AIR NEW SOURCE PERMITS	PERMIT	40479
AIR NEW SOURCE PERMITS	PERMIT	40430
AIR NEW SOURCE PERMITS	PERMIT	40854
AIR NEW SOURCE PERMITS	PERMIT	41273
AIR NEW SOURCE PERMITS	PERMIT	41163
AIR NEW SOURCE PERMITS	PERMIT	41108
AIR NEW SOURCE PERMITS	PERMIT	41498
AIR NEW SOURCE PERMITS	PERMIT	41179
AIR NEW SOURCE PERMITS	PERMIT	41304
AIR NEW SOURCE PERMITS	PERMIT	41302
AIR NEW SOURCE PERMITS	PERMIT	41283
AIR NEW SOURCE PERMITS	PERMIT	41542
AIR NEW SOURCE PERMITS	PERMIT	41760
AIR NEW SOURCE PERMITS	PERMIT	41271
AIR NEW SOURCE PERMITS	PERMIT	41555
AIR NEW SOURCE PERMITS	PERMIT	42190
AIR NEW SOURCE PERMITS	PERMIT	42611
AIR NEW SOURCE PERMITS	PERMIT	42327
AIR NEW SOURCE PERMITS	PERMIT	42464
AIR NEW SOURCE PERMITS	PERMIT	42384
AIR NEW SOURCE PERMITS	PERMIT	42923
AIR NEW SOURCE PERMITS	PERMIT	43382
AIR NEW SOURCE PERMITS	PERMIT	43381
AIR NEW SOURCE PERMITS	PERMIT	43417
AIR NEW SOURCE PERMITS	PERMIT	43416
AIR NEW SOURCE PERMITS	PERMIT	43592
AIR NEW SOURCE PERMITS	PERMIT	43698
AIR NEW SOURCE PERMITS	PERMIT	42443
AIR NEW SOURCE PERMITS	PERMIT	43813
AIR NEW SOURCE PERMITS	PERMIT	43859
AIR NEW SOURCE PERMITS	PERMIT	43959
AIR NEW SOURCE PERMITS	PERMIT	43960
AIR NEW SOURCE PERMITS	PERMIT	44002
AIR NEW SOURCE PERMITS	PERMIT	44001
AIR NEW SOURCE PERMITS	PERMIT	44036
AIR NEW SOURCE PERMITS	PERMIT	44056
AIR NEW SOURCE PERMITS	PERMIT	44118
AIR NEW SOURCE PERMITS	PERMIT	44411
AIR NEW SOURCE PERMITS	PERMIT	44464
AIR NEW SOURCE PERMITS	PERMIT	44465
AIR NEW SOURCE PERMITS	PERMIT	44608
AIR NEW SOURCE PERMITS	PERMIT	44622
AIR NEW SOURCE PERMITS	PERMIT	44718
AIR NEW SOURCE PERMITS	PERMIT	44719
AIR NEW SOURCE PERMITS	PERMIT	44742
AIR NEW SOURCE PERMITS	PERMIT	44833
AIR NEW SOURCE PERMITS	PERMIT	44834
AIR NEW SOURCE PERMITS	PERMIT	45097

AIR NEW SOURCE PERMITS	PERMIT	45152
AIR NEW SOURCE PERMITS	PERMIT	45449
AIR NEW SOURCE PERMITS	PERMIT	45762
AIR NEW SOURCE PERMITS	PERMIT	46009
AIR NEW SOURCE PERMITS	PERMIT	46051
AIR NEW SOURCE PERMITS	PERMIT	46174
AIR NEW SOURCE PERMITS	PERMIT	46173
AIR NEW SOURCE PERMITS	PERMIT	46306
AIR NEW SOURCE PERMITS	PERMIT	46378
AIR NEW SOURCE PERMITS	PERMIT	46429
AIR NEW SOURCE PERMITS	PERMIT	46428
AIR NEW SOURCE PERMITS	PERMIT	46431
AIR NEW SOURCE PERMITS	PERMIT	46481
AIR NEW SOURCE PERMITS	PERMIT	46568
AIR NEW SOURCE PERMITS	PERMIT	46658
AIR NEW SOURCE PERMITS	PERMIT	46682
AIR NEW SOURCE PERMITS	PERMIT	46767
AIR NEW SOURCE PERMITS	PERMIT	46798
AIR NEW SOURCE PERMITS	PERMIT	46911
AIR NEW SOURCE PERMITS	PERMIT	46987
AIR NEW SOURCE PERMITS	PERMIT	47095
AIR NEW SOURCE PERMITS	PERMIT	47092
AIR NEW SOURCE PERMITS	PERMIT	47203
AIR NEW SOURCE PERMITS	PERMIT	47114
AIR NEW SOURCE PERMITS	PERMIT	47374
AIR NEW SOURCE PERMITS	PERMIT	47347
AIR NEW SOURCE PERMITS	PERMIT	47352
AIR NEW SOURCE PERMITS	PERMIT	47564
AIR NEW SOURCE PERMITS	PERMIT	47970
AIR NEW SOURCE PERMITS	PERMIT	48027
AIR NEW SOURCE PERMITS	PERMIT	48343
AIR NEW SOURCE PERMITS	PERMIT	48337
AIR NEW SOURCE PERMITS	PERMIT	48497
AIR NEW SOURCE PERMITS	PERMIT	48414
AIR NEW SOURCE PERMITS	PERMIT	48567
AIR NEW SOURCE PERMITS	PERMIT	48715
AIR NEW SOURCE PERMITS	PERMIT	48478
AIR NEW SOURCE PERMITS	PERMIT	48479
AIR NEW SOURCE PERMITS	PERMIT	48813
AIR NEW SOURCE PERMITS	PERMIT	49187
AIR NEW SOURCE PERMITS	PERMIT	49235
AIR NEW SOURCE PERMITS	PERMIT	49253
AIR NEW SOURCE PERMITS	PERMIT	47314
AIR NEW SOURCE PERMITS	PERMIT	49685
AIR NEW SOURCE PERMITS	PERMIT	37957
AIR NEW SOURCE PERMITS	PERMIT	9871
AIR NEW SOURCE PERMITS	PERMIT	9938
AIR NEW SOURCE PERMITS	PERMIT	9973
AIR NEW SOURCE PERMITS	PERMIT	834
AIR NEW SOURCE PERMITS	PERMIT	13682
AIR NEW SOURCE PERMITS	PERMIT	313
AIR NEW SOURCE PERMITS	PERMIT	646
AIR NEW SOURCE PERMITS	PERMIT	654
AIR NEW SOURCE PERMITS	PERMIT	1407
AIR NEW SOURCE PERMITS	PERMIT	1430
AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	941
AIR NEW SOURCE PERMITS	PERMIT	2417
AIR NEW SOURCE PERMITS	PERMIT	3434
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	REGISTRATION	78471
AIR NEW SOURCE PERMITS	REGISTRATION	78482
AIR NEW SOURCE PERMITS	REGISTRATION	78570
AIR NEW SOURCE PERMITS	REGISTRATION	78626
AIR NEW SOURCE PERMITS	REGISTRATION	78680
AIR NEW SOURCE PERMITS	REGISTRATION	78668
AIR NEW SOURCE PERMITS	REGISTRATION	78897
AIR NEW SOURCE PERMITS	REGISTRATION	78966
WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50161
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD, STE B1226, FREEPORT (HWY 288) Rating Date: September 01 05 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 16, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 16, 2001 to May 16, 2006

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: 02/17/2003 ADMINORDER 2002-0689-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)

Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Effective Date: 01/07/2002 ADMINORDER 2000-1459-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)

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

Description: Failure to submit complete notifications for 29 upsets.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Dow has allowed unauthorized emissions into the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC No. 2 PERMIT

Description: Failure to properly control emissions from Benzene Tank AD-20X.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to properly control emissions from Reactor R-5.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2A PERMIT

Description: Failure to properly control emissions from Distillation Tower T-30.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.

Classification: Moderate

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

Rqmt Prov: SP No. 13E PERMIT

Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.

Classification: Moderate

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

Rqmt Prov: SP No. 1 PERMIT

Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.

Classification: Moderate

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

Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.

Classification: Moderate

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

Rqmt Prov: SP NO. 8C PERMIT

Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.

Classification: Minor

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

Rqmt Prov: SP No. 8F PERMIT

Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.

Classification: Moderate

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

Rqmt Prov: GP No. 9A PERMIT
SP No. 8B PERMIT
SP No. 8E PERMIT

Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.

Classification: Moderate

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

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

Rqmt Prov: GP No. 9C PERMIT

Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.

Classification: Moderate

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

Rqmt Prov: GP No. 9C PERMIT

Description: Failed to conduct monthly VOC monitoring of the cooling tower.

Classification: Moderate

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

Rqmt Prov: GC No. 7E PERMIT

Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.

Classification: Moderate

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

Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not Specified PERMIT

Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.

Classification: Minor

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

Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.

Classification: Minor

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

Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

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)[G]
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: 03/22/2002 ADMINORDER 2001-0854-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 12(A) PERMIT

Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]

Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

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)[G]
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: 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)[G]
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.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1 08/13/2002 (8036)
2 02/28/2003 (26378)
3 07/03/2002 (4135)
4 10/24/2002 (159615)
5 10/24/2001 (159614)
6 08/21/2003 (151151)
7 07/19/2002 (4762)
8 06/24/2003 (60303)
9 09/26/2002 (12350)
10 10/15/2002 (12337)
11 08/15/2002 (6894)
12 02/03/2003 (286198)
13 08/31/2004 (272564)
14 02/05/2004 (258950)
15 01/07/2005 (338837)
16 07/07/2004 (258307)
17 09/26/2002 (11829)
18 08/24/2005 (403273)
19 06/28/2005 (376054)
20 10/31/2004 (276897)
21 03/07/2005 (372291)
22 12/22/2004 (289575)
23 01/21/2005 (337408)
24 09/25/2002 (159612)
25 03/18/2005 (346350)
26 07/30/2003 (133869)
27 10/29/2002 (14541)
28 12/15/2003 (254080)
29 02/03/2006 (436165)
30 09/24/2001 (159611)
31 07/22/2005 (397876)
32 11/27/2001 (IE0001062003001)
33 06/17/2005 (376522)
34 10/26/2005 (432895)
35 08/25/2005 (404533)
36 05/30/2003 (60877)
37 09/17/2003 (248098)
38 06/16/2004 (247738)
39 08/26/2002 (159609)
40 12/17/2004 (286731)
41 05/17/2005 (376212)
42 04/12/2004 (264619)
43 02/11/2004 (260442)

44	07/12/2005	(393369)
45	06/30/2004	(266880)
46	06/02/2004	(272991)
47	07/28/2005	(380321)
48	12/16/2004	(285097)
49	08/27/2001	(159608)
50	03/07/2003	(21400)
51	04/30/2004	(255002)
52	08/31/2004	(273678)
53	08/23/2002	(4928)
54	03/02/2005	(372448)
55	09/04/2002	(9088)
56	02/23/2004	(260927)
57	05/23/2005	(262475)
58	07/31/2002	(5786)
59	08/04/2003	(36623)
60	03/17/2006	(340573)
61	07/29/2002	(159606)
62	12/20/2004	(339119)
63	08/07/2002	(7213)
64	07/08/2005	(376056)
65	03/07/2005	(372281)
66	03/23/2005	(347781)
67	07/01/2005	(378760)
68	01/10/2006	(436188)
69	08/19/2002	(4885)
70	08/30/2003	(152221)
71	01/03/2003	(15110)
72	10/11/2002	(11055)
73	08/25/2002	(8609)
74	09/30/2005	(402695)
75	01/07/2005	(339147)
76	07/02/2003	(35418)
77	11/18/2002	(12073)
78	03/22/2004	(263436)
79	07/22/2005	(397878)
80	07/31/2002	(6169)
81	07/23/2001	(159605)
82	05/09/2006	(459139)
83	08/08/2005	(396518)
84	12/31/2004	(338842)
85	08/18/2004	(277856)
86	02/24/2005	(339179)
87	02/21/2005	(337409)
88	05/11/2006	(459075)
89	12/17/2004	(339587)
90	11/15/2005	(435315)
91	01/27/2005	(347186)
92	03/29/2004	(264628)
93	02/23/2005	(346354)
94	05/14/2004	(248280)
95	06/03/2004	(258305)

96	03/10/2004	(261603)
97	08/08/2003	(159603)
98	06/02/2005	(376058)
99	06/25/2002	(159602)
100	02/21/2005	(344830)
101	08/22/2003	(150711)
102	08/31/2004	(273416)
103	07/22/2005	(397880)
104	08/14/2003	(150122)
105	02/09/2006	(435249)
106	01/27/2003	(21017)
107	09/04/2003	(247717)
108	06/26/2001	(159601)
109	10/16/2002	(12820)
110	03/24/2006	(374721)
111	09/14/2005	(431669)
112	11/04/2004	(338243)
113	10/26/2005	(432986)
114	03/02/2006	(431805)
115	09/01/2004	(267453)
116	12/09/2002	(14830)
117	07/22/2005	(397881)
118	08/14/2002	(7906)
119	08/11/2005	(377164)
120	08/25/2003	(151529)
121	01/28/2002	(IE0018454001001)
122	12/28/2004	(251988)
123	08/31/2004	(273127)
124	05/19/2003	(159599)
125	02/06/2004	(251940)
126	02/03/2004	(257672)
127	05/23/2005	(345033)
128	03/23/2006	(436917)
129	04/17/2006	(459765)
130	05/20/2005	(392573)
131	08/04/2005	(398933)
132	01/27/2006	(436181)
133	03/20/2003	(23813)
134	05/20/2002	(159598)
135	06/02/2005	(376059)
136	12/16/2004	(286819)
137	12/13/2004	(339850)
138	06/23/2003	(35416)
139	07/09/2002	(2159)
140	03/06/2003	(26396)
141	05/29/2001	(159597)
142	12/17/2004	(338429)
143	01/06/2005	(339121)
144	01/31/2005	(347857)
145	05/17/2005	(376280)
146	04/28/2003	(159595)
147	12/28/2004	(256034)

148	07/28/2004	(276490)
149	08/31/2004	(273881)
150	08/20/2002	(7588)
151	07/31/2003	(33803)
152	07/19/2002	(4827)
153	04/30/2002	(159594)
154	07/17/2002	(4563)
155	07/11/2005	(393361)
156	02/27/2006	(436730)
157	05/27/2003	(29063)
158	08/30/2003	(149187)
159	05/26/2004	(352355)
160	05/28/2003	(31177)
161	02/21/2005	(337411)
162	06/28/2004	(352356)
163	08/22/2005	(396197)
164	01/16/2002	(120354)
165	08/29/2005	(398935)
166	01/17/2006	(376062)
167	05/24/2005	(380324)
168	03/31/2006	(436922)
169	07/26/2004	(352357)
170	07/19/2002	(5014)
171	05/27/2005	(379484)
172	08/27/2004	(267540)
173	06/15/2005	(380845)
174	11/26/2003	(250021)
175	10/26/2005	(432935)
176	01/07/2005	(339138)
177	08/24/2004	(352358)
178	07/13/2005	(397022)
179	11/05/2004	(334318)
180	09/23/2004	(352359)
181	02/25/2005	(345303)
182	08/31/2002	(10381)
183	08/15/2005	(398936)
184	10/22/2004	(352360)
185	11/01/2004	(285137)
186	02/21/2005	(345433)
187	08/15/2005	(393373)
188	08/16/2002	(7720)
189	08/31/2004	(272729)
190	03/21/2003	(159590)
191	08/17/2004	(284165)
192	08/15/2002	(7525)
193	11/24/2004	(352361)
194	08/05/2005	(398937)
195	08/25/2005	(397853)
196	01/09/2004	(254701)
197	02/03/2003	(285652)
198	04/19/2006	(459137)
199	08/31/2002	(8599)

200	08/27/2004	(266751)
201	08/07/2002	(7201)
202	03/20/2002	(159589)
203	06/14/2005	(375259)
204	08/30/2005	(398938)
205	07/26/2003	(61449)
206	04/17/2006	(454234)
207	02/26/2004	(296001)
208	09/05/2002	(10360)
209	12/19/2002	(18859)
210	03/10/2005	(346208)
211	03/15/2004	(262011)
212	06/30/2003	(35785)
213	05/14/2004	(263118)
214	02/01/2005	(347843)
215	10/01/2003	(250440)
216	11/05/2004	(334295)
217	02/27/2006	(453320)
218	03/22/2004	(296004)
219	10/31/2003	(253956)
220	02/28/2003	(159586)
221	06/24/2005	(396413)
222	08/31/2004	(272789)
223	04/19/2004	(296006)
224	03/10/2004	(264415)
225	05/28/2003	(31159)
226	02/20/2002	(159585)
227	09/07/2004	(291280)
228	05/06/2005	(376209)
229	08/29/2004	(265955)
230	02/28/2005	(381956)
231	08/05/2005	(396199)
232	11/22/2004	(335797)
233	08/27/2004	(279078)
234	10/30/2002	(10265)
235	03/28/2005	(381957)
236	05/24/2004	(31438)
237	10/26/2005	(431242)
238	07/28/2004	(282417)
239	12/16/2004	(114225)
240	12/10/2004	(114224)
241	08/19/2005	(404732)
242	05/19/2003	(28851)
243	12/23/2004	(381958)
244	10/26/2005	(432043)
245	04/23/2004	(265028)
246	05/11/2006	(459108)
247	08/31/2004	(272814)
248	01/21/2005	(381959)
249	10/31/2004	(276789)
250	03/15/2004	(261999)
251	01/31/2005	(347762)

252	05/12/2004	(257994)
253	09/28/2005	(406914)
254	07/23/2003	(296010)
255	12/13/2004	(336762)
256	09/01/2004	(277902)
257	09/30/2002	(7575)
258	05/10/2005	(346362)
259	12/17/2002	(15107)
260	04/14/2003	(27517)
261	01/14/2005	(338682)
262	11/30/2005	(373986)
263	10/31/2004	(289698)
264	07/21/2005	(393364)
265	08/15/2003	(140682)
266	11/30/2003	(126059)
267	11/01/2004	(284370)
268	08/26/2003	(296012)
269	08/27/2002	(9435)
270	08/15/2002	(7533)
271	08/19/2003	(150391)
272	01/31/2003	(159627)
273	03/18/2005	(346346)
274	08/16/2004	(281509)
275	12/21/2004	(334606)
276	03/21/2005	(346710)
277	04/23/2004	(258324)
278	10/01/2003	(296014)
279	05/31/2005	(346355)
280	06/26/2003	(60783)
281	01/05/2005	(285365)
282	02/05/2004	(260440)
283	01/29/2002	(159626)
284	05/26/2004	(258253)
285	10/16/2002	(12725)
286	06/22/2005	(350704)
287	09/07/2004	(333240)
288	04/17/2006	(436288)
289	08/31/2004	(274129)
290	10/01/2003	(250457)
291	04/11/2006	(454294)
292	01/27/2003	(21168)
293	04/29/2004	(255279)
294	10/23/2003	(296016)
295	11/01/2004	(285135)
296	06/24/2005	(396517)
297	09/28/2005	(402693)
298	04/30/2004	(254073)
299	04/13/2004	(265611)
300	07/28/2004	(282469)
301	10/05/2005	(374026)
302	04/26/2006	(433177)
303	08/29/2003	(152748)

304	03/30/2004	(264622)
305	11/15/2001	(97516)
306	08/05/2005	(393374)
307	02/23/2005	(346345)
308	04/17/2006	(433179)
309	11/24/2003	(296017)
310	03/04/2003	(26394)
311	03/23/2006	(433180)
312	06/01/2004	(254581)
313	03/28/2006	(436841)
314	12/23/2002	(159623)
315	04/01/2005	(345046)
316	08/17/2004	(273076)
317	05/04/2005	(347119)
318	09/01/2005	(403238)
319	08/09/2002	(7520)
320	08/07/2003	(61967)
321	07/06/2001	(97515)
322	05/17/2005	(376237)
323	01/07/2005	(339177)
324	12/24/2003	(296018)
325	11/01/2004	(286768)
326	12/27/2001	(159622)
327	11/30/2003	(249732)
328	12/22/2004	(289567)
329	02/07/2006	(436297)
330	03/22/2005	(346347)
331	07/20/2004	(278387)
332	05/23/2005	(376200)
333	07/06/2001	(97514)
334	05/11/2006	(289568)
335	08/12/2005	(285295)
336	07/06/2001	(97513)
337	01/21/2004	(296019)
338	08/17/2004	(284292)
339	03/15/2004	(261987)
340	11/12/2003	(254614)
341	12/30/2005	(433116)
342	02/11/2004	(260085)
343	03/31/2006	(454296)
344	01/09/2005	(339130)
345	08/07/2002	(7186)
346	02/12/2003	(22520)
347	08/16/2002	(8175)
348	05/04/2005	(338714)
349	01/31/2005	(347883)
350	08/16/2002	(7857)
351	07/06/2004	(258308)
352	08/19/2002	(6722)
353	11/27/2002	(159619)
354	02/11/2004	(260441)
355	06/14/2005	(350783)

356 11/30/2005 (435278)
357 12/16/2004 (289573)
358 06/29/2005 (347598)
359 11/19/2001 (159618)
360 04/08/2005 (347573)
361 09/12/2005 (406575)
362 02/21/2005 (345507)
363 01/09/2004 (253974)
364 12/13/2004 (334315)
365 08/15/2002 (7408)
366 05/17/2004 (253533)
367 06/30/2004 (267508)
368 06/30/2004 (267938)
369 10/26/2005 (432097)
370 01/09/2004 (254710)
371 12/06/2004 (284914)
372 08/27/2002 (9436)
373 08/31/2002 (4886)
374 08/19/2005 (393378)
375 07/19/2002 (5209)
376 01/17/2005 (249734)
377 08/29/2003 (151240)
378 05/27/2005 (374664)
379 12/20/2004 (339116)
380 02/21/2005 (344930)

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

Date: 03/05/2003 (26396)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 04/18/2006 (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 IA
Description: Failure to notify and report in a timely manner following a reportable emissions event (Incident No. 64153).

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: 08/31/2002 (159612)
Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 08/22/2005 (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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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

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 IA

Description: Exceeded VOC permit limit during an emissions event.

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(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(c)[G]

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]

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)[G]

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: 08/31/2005 (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 IA

PERMIT IA

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)[G]

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

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

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 IA

Description: Dow had an avoidable emissions event during Incident 51417.

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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: 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: 06/30/2001 (159605)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 08/20/2002 (7575)

Self Report? NO Classification: Minor

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

30 TAC Chapter 115, SubChapter D 115.354(1)(B)

30 TAC Chapter 116, SubChapter B 116.115(c)[G]

40 CFR Part 60, Subpart VV 60.482-7[G]

Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Self Report? NO Classification: Moderate

Citation: TEXAS HEALTH AND SAFETY CODE 382.085

Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

Date: 05/24/2003 (29063)

Self Report? NO Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]

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: 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)[G]

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

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: 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 IA

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

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 IA

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 IA

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 IA

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 IA

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 IA

Description: Failed to meet maximum allowable emission rates.

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 IA

Description: Incident 40337 was an avoidable emissions event.

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 IA

Description: Exceeded VOC permit limit during an avoidable 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 emissons event.

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

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 IA
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: 01/07/2002 (120354)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to maintain partial pressure records.

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

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)[G]
Description: Failure to meet the limit for one or more permit parameter

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 IA

Description: Failure to maintain a plug on an open ended line.

Date: 05/24/2005 (380324)

Self Report? NO Classification: Minor

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

Rqmt Prov: OP IA

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 IA

PERMIT IA

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: 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: 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: 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 IA

PA IA

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 IA

PA IA

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

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: 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: 08/26/2005 (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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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

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 IA

Description: Dow exceeded VOC permit limit during 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 IA

Description: Incident #43280 was avoidable.

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)[G]

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

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: 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)[G]

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

Date: 03/05/2003 (26394)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]

Description: Failure to have proper grade of licensed operator.

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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 IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Failure to re-monitor fugitive components within 15 days.

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)[G]

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

Date: 12/31/2002 (159627)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 12/31/2001 (159626)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 04/26/2006 (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 IA

Description: Failure to provide a backup dempster resulting in unauthorized emisssions.(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: 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 IA

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

PERMIT IA

Description: Failure to plug open ended valves.

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 IA

PERMIT IA

Description: THROX unit exceeded CO MAER.

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 IA

PERMIT IA

Description: Exceeded vinyl chloride average feedrate limit.

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 IA

PERMIT IA

Description: Exceeded firebox temperatures for THROX & TOX

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 IA

PERMIT IA

Description: Flowmeters on vent stream to TOX not operational.

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 IA

PERMIT IA

Description: Flare A32CSF1 exceeded hourly VOC MAER

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)(4)

Rqmt Prov: OP IA

PERMIT IA

Description: Failure to monitor valves and pressure sensing devices

Self Report? NO Classification: Moderate

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 IA

Description: Failure to monitor connectors

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)[G]

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

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 IA

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: 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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Failure to equip open-ended valve with a plug.

Date: 01/14/2005 (338682)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

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 IA

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: 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 IA

Description: Incident 7827 was an avoidable emissions event.

Date: 11/30/2002 (159623)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 09/30/2003 (296016)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 07/09/2001 (97515)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

Description: PERMIT SPECIAL CONDIT!

Date: 11/30/2001 (159622)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 07/09/2001 (97514)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

Description: NESHAP STANDARDS

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: 05/04/2005 (338714)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

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 IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.05181(a)[G]

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

Rqmt Prov: OP IA

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

Date: 10/31/2002 (159619)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 11/05/2004 (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: OP IA

PA IA

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 IA

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 IA

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: OP IA

PA IA

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

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 emissons during an emissions event.

Date: 02/06/2004 (251940)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT IA

Description: Avoidable emissions event with emissions of benzene.

Date: 12/31/2002 (15110)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)

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

Description: Failure to control emissions.

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: 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 IA

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 IA

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 IA

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 IA

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 IA

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

F. Environmental audits.

Notice of Intent Date: 02/18/2004 (265119)
No DOV Associated

Notice of Intent Date: 04/14/2004 (274298)
No DOV Associated

Notice of Intent Date: 12/11/2001 (32894)
No DOV Associated

Notice of Intent Date: 03/19/2004 (336700)
No DOV Associated

Notice of Intent Date: 12/17/2004 (347242)
No DOV Associated

Notice of Intent Date: 06/14/2004 (347895)
No DOV Associated

Notice of Intent Date: 03/30/2005 (378947)
No DOV Associated

Notice of Intent Date: 04/20/2005 (380855)
No DOV Associated

Notice of Intent Date: 08/16/2005 (434104)
No DOV Associated

Notice of Intent Date: 09/16/2005 (436340)
No DOV Associated

Notice of Intent Date: 01/06/2006 (452904)
No DOV Associated

Notice of Intent Date: 02/06/2006 (458261)
No DOV Associated

Notice of Intent Date: 02/27/2006 (459089)
No DOV Associated

Notice of Intent Date: 03/29/2006 (464367)
No DOV Associated

Notice of Intent Date: 03/29/2006 (464509)
No DOV Associated

Notice of Intent Date: 03/19/2006 (464513)

No DOV Associated

Notice of Intent Date: 10/26/2005 (465631)
No DOV Associated

Notice of Intent Date: 04/21/2006 (465958)
No DOV Associated

Notice of Intent Date: 03/29/2006 (466306)
No DOV Associated

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) PCW Revision May 19, 2005

DATES					
Assigned	20-Mar-2006				
PCW	20-Dec-2007	Screening	04-Apr-2006	EPA Due	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	12064	No. of Violations	1
Docket No.	2004-1344-MLM-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Trina Grieco
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* $20,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 324% Enhancement *Subtotals 2, 3, & 7* $64,800

Notes: Penalty enhancement due to 30 previous NOVs for same or similar violations, 36 previous NOVs for non-similar violations (this includes 16 self-reported effluent violations), 2 agreed orders with denial of liability, and 3 agreed orders without denial of liability. Penalty reduction due to 13 notice of audits submitted.

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

Notes: The Respondent does not meet culpability criteria.

Good Faith Effort to Comply 10% Reduction *Subtotal 5* -$2,000

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

Notes: The Respondent completed corrective actions on May 17, 2006.

Economic Benefit 0% Enhancement* *Subtotal 6* $0

*Capped at the Total EB $ Amount

Total EB Amounts	$448
Approx. Cost of Compliance	$2,000

SUM OF SUBTOTALS 1-7 Final Subtotal $82,800

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount $82,800

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty $20,000

DEFERRAL 0% Reduction Adjustment $0

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

Notes: No deferral is offered as this is a Findings Order.

PAYABLE PENALTY $20,000

EXHIBIT
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PCW 10

Screening Date 04-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**
Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*
Case ID No. 12064 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Enf. Coordinator Trina Grieco

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action *(number of NOVs meeting criteria)*	30	150%
	Other written NOVs	36	72%
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*	13	-13%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 324%

>> 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 30 previous NOVs for same or similar violations, 36 previous NOVs for non-similar violations (this includes 16 self-reported effluent violations), 2 agreed orders with denial of liability, and 3 agreed orders without denial of liability. Penalty reduction due to 13 notice of audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 324%

Screening Date 04-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 1

Primary Rule Cite(s) TCEQ Flexible Permit No. 20432, Special Condition Chapter III-1

Secondary Rule Cite(s) 30 Tex. Admin. Code § 116.715(a) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions of 307.52 pounds ("lbs") of the hazardous air pollutant ("HAP") and highly reactive volatile organic compound ("HRVOC") 1,3-butadiene, 236.54 lbs of the HRVOC 1-butene, 204.36 lbs of 1-pentene, 6.91 lbs of acetylene, 161.71 lbs of the HAP benzene, 87.61 lbs of butane, 40,064.50 lbs of carbon monoxide, 39.12 lbs of cyclohexane, 6,397.78 lbs of ethane, 24,787.55 lbs of the HRVOC ethylene, 2,009.76 lbs of hydrogen, 0,11 lbs of hydrogen sulfide, 0.62 lbs of isobutane, 11,622.74 lbs of methane, 1981 lbs of methyl acetylene, 280.23 lbs of nitrogen dioxide, 5,324.46 lbs of nitrogen oxide, 58.75 lbs of propadiene, 2,662.36 lbs of propane, 7,116.38 lbs of the HRVOC propylene, 49.24 lbs of the HAP toluene, and 10.77 lbs of the HAP xylene for a total of 32,447.99 lbs of HRVOCs and 529.24 lbs of HAPs during an event at the Light Hydrocarbon-8 Unit which began March 5, 2003 and lasted 27 hours and 30 minutes. These emissions were not authorized by the permit. Since the emissions event was avoidable and determined to be excessive, The Dow Chemical Company failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

OR

Percent 100%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes Human health and the environment in the Houston-Galveston-Brazoria nonattainment area, over a 2 day period, was exposed to 40,064.50 lbs of carbon monoxide, 5,604.69 lbs of nitrogen oxides, and 42,147.03 lbs of VOCs, including 32,447.99 lbs of HRVOCs and 529.24 lbs of HAPs. This event resulted in the exposure of a significant amount of contaminants which exceeded levels that are protective to human health and the environment.

Adjustment $0

Base Penalty Subtotal $10,000

Violation Events

Number of Violation Events 2

mark only one use a small x	
daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $20,000

Two daily events are recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $448

Statutory Limit Test

Violation Final Penalty Total $82,800

This violation Final Assessed Penalty (adjusted for limits) $20,000

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 1

	Percent Interest	Years of Depreciation
	5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$2,000	05-Mar-2003	17-May-2006	3.2	$21	$427	$448
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost to implement measures designed to prevent unauthorized emissions due to the same cause. Date required based of the date of the emissions event. Final date based on 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 $2,000

TOTAL $448

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: 5.23

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	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	N041
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
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
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
UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
AIR NEW SOURCE PERMITS	REGISTRATION	71636
AIR NEW SOURCE PERMITS	PERMIT	2602
AIR NEW SOURCE PERMITS	REGISTRATION	71888
AIR NEW SOURCE PERMITS	REGISTRATION	72132
AIR NEW SOURCE PERMITS	PERMIT	52152
AIR NEW SOURCE PERMITS	PERMIT	52724
AIR NEW SOURCE PERMITS	PERMIT	22091
AIR NEW SOURCE PERMITS	PERMIT	52200
AIR NEW SOURCE PERMITS	PERMIT	52999
AIR NEW SOURCE PERMITS	PERMIT	52998
AIR NEW SOURCE PERMITS	PERMIT	53895
AIR NEW SOURCE PERMITS	PERMIT	54200
AIR NEW SOURCE PERMITS	REGISTRATION	55032
AIR NEW SOURCE PERMITS	REGISTRATION	55411
AIR NEW SOURCE PERMITS	REGISTRATION	55537
AIR NEW SOURCE PERMITS	REGISTRATION	75817
AIR NEW SOURCE PERMITS	REGISTRATION	75908

EXHIBIT

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CH 1D

AIR NEW SOURCE PERMITS	REGISTRATION	76012
AIR NEW SOURCE PERMITS	PERMIT	75751
AIR NEW SOURCE PERMITS	REGISTRATION	75579
AIR NEW SOURCE PERMITS	REGISTRATION	75526
AIR NEW SOURCE PERMITS	REGISTRATION	76295
AIR NEW SOURCE PERMITS	REGISTRATION	76039
AIR NEW SOURCE PERMITS	REGISTRATION	75531
AIR NEW SOURCE PERMITS	REGISTRATION	75513
AIR NEW SOURCE PERMITS	REGISTRATION	75512
AIR NEW SOURCE PERMITS	REGISTRATION	76138
AIR NEW SOURCE PERMITS	REGISTRATION	56833
AIR NEW SOURCE PERMITS	REGISTRATION	56851
AIR NEW SOURCE PERMITS	REGISTRATION	70194
AIR NEW SOURCE PERMITS	REGISTRATION	70195
AIR NEW SOURCE PERMITS	PERMIT	48892
AIR NEW SOURCE PERMITS	REGISTRATION	70458
AIR NEW SOURCE PERMITS	REGISTRATION	70592
AIR NEW SOURCE PERMITS	REGISTRATION	70760
AIR NEW SOURCE PERMITS	REGISTRATION	70776
AIR NEW SOURCE PERMITS	PERMIT	70940
AIR NEW SOURCE PERMITS	REGISTRATION	70945
AIR NEW SOURCE PERMITS	PERMIT	71039
AIR NEW SOURCE PERMITS	PERMIT	71062
AIR NEW SOURCE PERMITS	PERMIT	71080
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WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161

	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
	INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50161
	INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD, STE B1226, FREEPORT (HWY 288) Rating Date: 9/1/2005 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: March 22, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 22, 2001 to March 22, 2006

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: 02/17/2003 ADMINORDER 2002-0689-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)

Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Effective Date: 01/07/2002 ADMINORDER 2000-1459-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)

30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit complete notifications for 29 upsets.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Dow has allowed unauthorized emissions into the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)

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

Rqmt Prov: SC No. 2 PERMIT
Description: Failure to properly control emissions from Benzene Tank AD-20X.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT
Description: Failure to properly control emissions from Reactor R-5.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2A PERMIT
Description: Failure to properly control emissions from Distillation Tower T-30.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.

Classification: Moderate

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

Rqmt Prov: SP No. 13E PERMIT
Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.

Classification: Moderate

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

Rqmt Prov: SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.

Classification: Moderate

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

Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.

Classification: Moderate

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

Rqmt Prov: SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.

Classification: Minor

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

Rqmt Prov: SP No. 8F PERMIT
Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.

Classification: Moderate

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

Rqmt Prov: GP No. 9A PERMIT
SP No. 8B PERMIT

SP No. 8E PERMIT

Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.

Classification: Moderate

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

Rqmt Prov: GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.

Classification: Moderate

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

Rqmt Prov: GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.

Classification: Moderate

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

Rqmt Prov: GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.

Classification: Moderate

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

Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: Not Specified PERMIT
Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.

Classification: Minor

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

Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.

Classification: Minor

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

Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Effective Date: 03/22/2002 ADMINORDER 2001-0854-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]

Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

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)[G]

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: 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)[G]
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.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1 08/13/2002 (8036)

2 02/28/2003 (26378)

3	07/03/2002	(4135)
4	10/24/2002	(159615)
5	10/24/2001	(159614)
6	08/21/2003	(151151)
7	07/19/2002	(4762)
8	06/24/2003	(60303)
9	09/26/2002	(12350)
10	10/15/2002	(12337)
11	08/15/2002	(6894)
12	02/03/2003	(286198)
13	08/31/2004	(272564)
14	02/05/2004	(258950)
15	01/07/2005	(338837)
16	07/07/2004	(258307)
17	09/26/2002	(11829)
18	08/24/2005	(403273)
19	06/28/2005	(376054)
20	10/31/2004	(276897)
21	03/07/2005	(372291)
22	12/22/2004	(289575)
23	01/21/2005	(337408)
24	09/25/2002	(159612)
25	03/18/2005	(346350)
26	07/30/2003	(133869)
27	10/29/2002	(14541)
28	12/15/2003	(254080)
29	02/03/2006	(436165)
30	09/24/2001	(159611)
31	07/22/2005	(397876)
32	11/27/2001	(IE0001062003001)
33	06/17/2005	(376522)
34	10/26/2005	(432895)
35	08/25/2005	(404533)
36	05/30/2003	(60877)
37	09/17/2003	(248098)
38	06/16/2004	(247738)
39	08/26/2002	(159609)
40	12/17/2004	(286731)
41	05/17/2005	(376212)
42	04/12/2004	(264619)
43	02/11/2004	(260442)
44	07/12/2005	(393369)
45	06/30/2004	(266880)
46	06/02/2004	(272991)
47	07/28/2005	(380321)
48	12/16/2004	(285097)
49	08/27/2001	(159608)
50	03/07/2003	(21400)
51	04/30/2004	(255002)
52	08/31/2004	(273678)
53	08/23/2002	(4928)
54	03/02/2005	(372448)
55	09/04/2002	(9088)

56	02/23/2004	(260927)
57	05/23/2005	(262475)
58	07/31/2002	(5786)
59	08/04/2003	(36623)
60	03/17/2006	(340573)
61	07/29/2002	(159606)
62	12/20/2004	(339119)
63	08/07/2002	(7213)
64	07/08/2005	(376056)
65	03/07/2005	(372281)
66	03/23/2005	(347781)
67	07/01/2005	(378760)
68	01/10/2006	(436188)
69	08/19/2002	(4885)
70	08/30/2003	(152221)
71	01/03/2003	(15110)
72	10/11/2002	(11055)
73	08/25/2002	(8609)
74	09/30/2005	(402695)
75	01/07/2005	(339147)
76	07/02/2003	(35418)
77	11/18/2002	(12073)
78	03/22/2004	(263436)
79	07/22/2005	(397878)
80	07/31/2002	(6169)
81	07/23/2001	(159605)
82	08/08/2005	(396518)
83	12/31/2004	(338842)
84	08/18/2004	(277856)
85	02/24/2005	(339179)
86	02/21/2005	(337409)
87	12/17/2004	(339587)
88	11/15/2005	(435315)
89	01/27/2005	(347186)
90	03/29/2004	(264628)
91	02/23/2005	(346354)
92	05/14/2004	(248280)
93	06/03/2004	(258305)
94	03/10/2004	(261603)
95	08/08/2003	(159603)
96	06/02/2005	(376058)
97	06/25/2002	(159602)
98	02/21/2005	(344830)
99	08/22/2003	(150711)
100	08/31/2004	(273416)
101	07/22/2005	(397880)
102	08/14/2003	(150122)
103	02/09/2006	(435249)
104	01/27/2003	(21017)
105	09/04/2003	(247717)
106	06/26/2001	(159601)
107	10/16/2002	(12820)
108	09/14/2005	(431669)

109	11/04/2004	(338243)
110	10/26/2005	(432986)
111	03/02/2006	(431805)
112	09/01/2004	(267453)
113	12/09/2002	(14830)
114	07/22/2005	(397881)
115	08/14/2002	(7906)
116	08/11/2005	(377164)
117	08/25/2003	(151529)
118	01/28/2002	(IE0018454001001)
119	12/28/2004	(251988)
120	08/31/2004	(273127)
121	05/19/2003	(159599)
122	02/06/2004	(251940)
123	02/03/2004	(257672)
124	05/23/2005	(345033)
125	05/20/2005	(392573)
126	08/04/2005	(398933)
127	01/27/2006	(436181)
128	03/20/2003	(23813)
129	05/20/2002	(159598)
130	06/02/2005	(376059)
131	12/16/2004	(286819)
132	12/13/2004	(339850)
133	06/23/2003	(35416)
134	07/09/2002	(2159)
135	03/06/2003	(26396)
136	05/29/2001	(159597)
137	12/17/2004	(338429)
138	01/06/2005	(339121)
139	01/31/2005	(347857)
140	05/17/2005	(376280)
141	04/28/2003	(159595)
142	12/28/2004	(256034)
143	07/28/2004	(276490)
144	08/31/2004	(273881)
145	08/20/2002	(7588)
146	07/31/2003	(33803)
147	07/19/2002	(4827)
148	04/30/2002	(159594)
149	07/17/2002	(4563)
150	07/11/2005	(393361)
151	02/27/2006	(436730)
152	05/27/2003	(29063)
153	08/30/2003	(149187)
154	05/26/2004	(352355)
155	04/24/2001	(159593)
156	05/28/2003	(31177)
157	02/21/2005	(337411)
158	06/28/2004	(352356)
159	08/22/2005	(396197)
160	01/16/2002	(120354)
161	08/29/2005	(398935)

162	01/17/2006	(376062)
163	05/24/2005	(380324)
164	07/26/2004	(352357)
165	05/08/2001	(159592)
166	07/19/2002	(5014)
167	05/27/2005	(379484)
168	08/27/2004	(267540)
169	06/15/2005	(380845)
170	11/26/2003	(250021)
171	10/26/2005	(432935)
172	01/07/2005	(339138)
173	08/24/2004	(352358)
174	07/13/2005	(397022)
175	11/05/2004	(334318)
176	09/23/2004	(352359)
177	02/25/2005	(345303)
178	08/31/2002	(10381)
179	08/15/2005	(398936)
180	10/22/2004	(352360)
181	11/01/2004	(285137)
182	02/21/2005	(345433)
183	08/15/2005	(393373)
184	08/16/2002	(7720)
185	08/31/2004	(272729)
186	03/21/2003	(159590)
187	08/17/2004	(284165)
188	08/15/2002	(7525)
189	11/24/2004	(352361)
190	08/05/2005	(398937)
191	08/25/2005	(397853)
192	01/09/2004	(254701)
193	02/03/2003	(285652)
194	08/31/2002	(8599)
195	08/27/2004	(266751)
196	08/07/2002	(7201)
197	03/20/2002	(159589)
198	06/14/2005	(375259)
199	08/30/2005	(398938)
200	07/26/2003	(61449)
201	02/26/2004	(296001)
202	09/05/2002	(10360)
203	12/19/2002	(18859)
204	03/10/2005	(346208)
205	03/15/2004	(262011)
206	03/26/2001	(159588)
207	06/30/2003	(35785)
208	05/14/2004	(263118)
209	02/01/2005	(347843)
210	10/01/2003	(250440)
211	11/05/2004	(334295)
212	02/27/2006	(453320)
213	05/08/2001	(159587)
214	03/22/2004	(296004)

215	10/31/2003	(253956)
216	02/28/2003	(159586)
217	06/24/2005	(396413)
218	08/31/2004	(272789)
219	04/19/2004	(296006)
220	03/10/2004	(264415)
221	05/28/2003	(31159)
222	02/20/2002	(159585)
223	09/07/2004	(291280)
224	05/06/2005	(376209)
225	08/29/2004	(265955)
226	02/28/2005	(381956)
227	08/05/2005	(396199)
228	11/22/2004	(335797)
229	08/27/2004	(279078)
230	10/30/2002	(10265)
231	03/28/2005	(381957)
232	05/24/2004	(31438)
233	10/26/2005	(431242)
234	07/28/2004	(282417)
235	12/16/2004	(114225)
236	12/10/2004	(114224)
237	08/19/2005	(404732)
238	05/19/2003	(28851)
239	12/23/2004	(381958)
240	10/26/2005	(432043)
241	04/23/2004	(265028)
242	08/31/2004	(272814)
243	01/21/2005	(381959)
244	10/31/2004	(276789)
245	03/15/2004	(261999)
246	01/31/2005	(347762)
247	05/12/2004	(257994)
248	09/28/2005	(406914)
249	07/23/2003	(296010)
250	12/13/2004	(336762)
251	09/01/2004	(277902)
252	09/30/2002	(7575)
253	05/10/2005	(346362)
254	12/17/2002	(15107)
255	04/14/2003	(27517)
256	01/14/2005	(338682)
257	11/30/2005	(373986)
258	10/31/2004	(289698)
259	07/21/2005	(393364)
260	08/15/2003	(140682)
261	11/30/2003	(126059)
262	11/01/2004	(284370)
263	08/26/2003	(296012)
264	08/27/2002	(9435)
265	08/15/2002	(7533)
266	08/19/2003	(150391)
267	01/31/2003	(159627)

268	03/18/2005	(346346)
269	08/16/2004	(281509)
270	12/21/2004	(334606)
271	03/21/2005	(346710)
272	04/23/2004	(258324)
273	10/01/2003	(296014)
274	05/31/2005	(346355)
275	06/26/2003	(60783)
276	01/05/2005	(285365)
277	02/05/2004	(260440)
278	01/29/2002	(159626)
279	05/26/2004	(258253)
280	10/16/2002	(12725)
281	06/22/2005	(350704)
282	09/07/2004	(333240)
283	08/31/2004	(274129)
284	10/01/2003	(250457)
285	01/27/2003	(21168)
286	04/29/2004	(255279)
287	10/23/2003	(296016)
288	11/01/2004	(285135)
289	06/24/2005	(396517)
290	09/28/2005	(402693)
291	04/30/2004	(254073)
292	04/13/2004	(265611)
293	07/28/2004	(282469)
294	10/05/2005	(374026)
295	08/29/2003	(152748)
296	03/30/2004	(264622)
297	11/15/2001	(97516)
298	08/05/2005	(393374)
299	02/23/2005	(346345)
300	11/24/2003	(296017)
301	03/04/2003	(26394)
302	06/01/2004	(254581)
303	12/23/2002	(159623)
304	04/01/2005	(345046)
305	08/17/2004	(273076)
306	05/04/2005	(347119)
307	09/01/2005	(403238)
308	08/09/2002	(7520)
309	08/07/2003	(61967)
310	07/06/2001	(97515)
311	05/17/2005	(376237)
312	01/07/2005	(339177)
313	12/24/2003	(296018)
314	11/01/2004	(286768)
315	12/27/2001	(159622)
316	11/30/2003	(249732)
317	12/22/2004	(289567)
318	02/07/2006	(436297)
319	03/22/2005	(346347)
320	07/20/2004	(278387)

321 05/23/2005 (376200)
322 07/06/2001 (97514)
323 08/12/2005 (285295)
324 07/06/2001 (97513)
325 01/21/2004 (296019)
326 08/17/2004 (284292)
327 03/15/2004 (261987)
328 11/12/2003 (254614)
329 12/30/2005 (433116)
330 02/11/2004 (260085)
331 01/09/2005 (339130)
332 08/07/2002 (7186)
333 02/12/2003 (22520)
334 08/16/2002 (8175)
335 05/04/2005 (338714)
336 01/31/2005 (347883)
337 08/16/2002 (7857)
338 07/06/2004 (258308)
339 08/19/2002 (6722)
340 11/27/2002 (159619)
341 02/11/2004 (260441)
342 06/14/2005 (350783)
343 11/30/2005 (435278)
344 12/16/2004 (289573)
345 06/29/2005 (347598)
346 11/19/2001 (159618)
347 04/08/2005 (347573)
348 09/12/2005 (406575)
349 02/21/2005 (345507)
350 01/09/2004 (253974)
351 12/13/2004 (334315)
352 08/15/2002 (7408)
353 05/17/2004 (253533)
354 06/30/2004 (267508)
355 06/30/2004 (267938)
356 10/26/2005 (432097)
357 01/09/2004 (254710)
358 12/06/2004 (284914)
359 08/27/2002 (9436)
360 08/31/2002 (4886)
361 08/19/2005 (393378)
362 07/19/2002 (5209)
363 01/17/2005 (249734)
364 08/29/2003 (151240)
365 05/27/2005 (374664)
366 12/20/2004 (339116)
367 02/21/2005 (344930)

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

Date: 03/05/2003 (26396)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 06/01/2004 (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: 08/31/2002 (159612)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/22/2005 (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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Exceedance of the concentration limit for chlorine; Permit 4021, SC 7

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 IA
Description: Exceeded VOC permit limit during an emissions event.

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(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(c)[G]
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]
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)[G]

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: 08/31/2005 (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 IA

PERMIT IA

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)[G]

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

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

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 IA

Description: Dow had an avoidable emissions event during Incident 51417.

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: 06/30/2001 (159605)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 08/20/2002 (7575)

Self Report? NO Classification: Minor

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

30 TAC Chapter 115, SubChapter D 115.354(1)(B)

30 TAC Chapter 116, SubChapter B 116.115(c)[G]
40 CFR Part 60, Subpart VV 60.482-7[G]

Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Self Report? NO Classification: Moderate

Citation: TEXAS HEALTH AND SAFETY CODE 382.085

Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

Date: 05/24/2003 (29063)

Self Report? NO Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]

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: 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)[G]

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

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: 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 IA

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

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 IA

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 IA

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 IA

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 IA

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 IA

Description: Failed to meet maximum allowable emission rates.

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 IA

Description: Incident 40337 was an avoidable emissions event.

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 IA

Description: Exceeded VOC permit limit during an avoidable 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 emissons event.

Date: 03/31/2001 (159593)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 07/25/2003 (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: 12/02/2003 (250021)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT IA

Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal oxidizer.

Date: 01/07/2002 (120354)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

Description: PERMIT SPECIAL CONDITI

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Failure to maintain partial pressure records.

Date: 05/30/2003 (60877)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)[G]

Description: Notification updates under TAC 335.6 are required.

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)[G]

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

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 IA

Description: Failure to maintain a plug on an open ended line.

Date: 05/24/2005 (380324)

Self Report? NO Classification: Minor

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

Rqmt Prov: OP IA

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 IA

PERMIT IA

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: 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: 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: 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 IA

PA IA

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 IA

PA IA

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

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: 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: 08/26/2005 (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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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

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 IA

Description: Dow exceeded VOC permit limit during 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 IA

Description: Incident #43280 was avoidable.

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)[G]

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

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: 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)[G]

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

Date: 03/05/2003 (26394)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have proper grade of licensed operator.

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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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 IA
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: OP IA
PERMIT IA
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: OP IA

PERMIT IA

Description: Failure to re-monitor fugitive components within 15 days.

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)[G]

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

Date: 12/31/2002 (159627)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 12/31/2001 (159626)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 08/15/2005 (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 IA

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

PERMIT IA

Description: Failure to plug open ended valves.

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 IA

PERMIT IA

Description: THROX unit exceeded CO MAER.

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 IA

PERMIT IA

Description: Exceeded vinyl chloride average feedrate limit.

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 IA

PERMIT IA

Description: Exceeded firebox temperatures for THROX & TOX

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 IA

PERMIT IA

Description: Flowmeters on vent stream to TOX not operational.

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 IA

PERMIT IA

Description: Flare A32CSF1 exceeded hourly VOC MAER

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)(4)

Rqmt Prov: OP IA

PERMIT IA

Description: Failure to monitor valves and pressure sensing devices

Self Report? NO Classification: Moderate

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 IA

Description: Failure to monitor connectors

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)[G]

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

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 IA

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: 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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Failure to equip open-ended valve with a plug.

Date: 01/14/2005 (338682)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

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 IA

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: 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 IA

Description: Incident 7827 was an avoidable emissions event.

Date: 11/30/2002 (159623).

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 09/30/2003 (296016)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 07/09/2001 (97515)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

Description: PERMIT SPECIAL CONDITI

Date: 11/30/2001 (159622)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 07/09/2001 (97514)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

Description: NESHAP STANDARDS

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: 05/04/2005 (338714)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

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 IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.05181(a)[G]

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

Rqmt Prov: OP IA

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

Date: 10/31/2002 (159619)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 11/05/2004 (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: OP IA

PA IA

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 IA

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 IA

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: OP IA

PA IA

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

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 emissons during an emissions event.

Date: 02/06/2004 (251940)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT IA

Description: Avoidable emissions event with emissions of benzene.

Date: 12/31/2002 (15110)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)

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

Description: Failure to control emissions.

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: 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 IA

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

F. Environmental audits.

Notice of Intent Date: 02/18/2004 (265119)
No DOV Associated

Notice of Intent Date: 04/14/2004 (274298)
No DOV Associated

Notice of Intent Date: 12/11/2001 (32894)
No DOV Associated

Notice of Intent Date: 03/19/2004 (336700)
No DOV Associated

Notice of Intent Date: 12/17/2004 (347242)
No DOV Associated

Notice of Intent Date: 06/14/2004 (347895)
No DOV Associated

Notice of Intent Date: 03/30/2005 (378947)
No DOV Associated

Notice of Intent Date: 04/20/2005 (380855)
No DOV Associated

Notice of Intent Date: 08/16/2005 (434104)
No DOV Associated

Notice of Intent Date: 09/16/2005 (436340)
No DOV Associated

Notice of Intent Date: 01/06/2006 (452904)
No DOV Associated

Notice of Intent Date: 02/06/2006 (458261)
No DOV Associated

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

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) *PCW Revision May 19, 2005*

DATES						
Assigned	24-Apr-2006					
PCW	27-Aug-2008	Screening	26-Apr-2006	EPA Due	12-Jan-2007	

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	12064	No. of Violations	7
Docket No.	2004-1344-MLM-E	Order Type	Findings
Media Program(s)	Air Quality	Enf. Coordinator	Suzanne Walrath
Multi-Media		EC's Team	Team 4
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* $24,300

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **352%** Enhancement *Subtotals 2, 3, & 7* $85,536

Notes: The respondent has been issued 38 NOVs with same or similar violations, 30 NOVs without same or similar violations (15 of which were self-reported effluent violations), two 1660 Agreed Orders, and three Findings Orders. The respondent also submitted 13 letters notifying of an audit.

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

Notes: The respondent does not meet the culpability criteria.

Good Faith Effort to Comply **25%** Reduction *Subtotal 5* -$6,075

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

Notes: The respondent achieved complete compliance on 2/6/06 when the company mailed in its complete deviation report. The other compliance efforts were completed in 2004 and 2005.

Economic Benefit **0%** Enhancement* *Subtotal 6* $0

**Capped at the Total EB $ Amount*

Total EB Amounts	$668
Approx. Cost of Compliance	$16,730

SUM OF SUBTOTALS 1-7 Final Subtotal $103,761

OTHER FACTORS AS JUSTICE MAY REQUIRE djustment $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount $103,761

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty $100,386

DEFERRAL 0% Reduction djustment $0

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

Notes: No deferral as this is a findings order.

PAYABLE PENALTY $100,386

EXHIBIT

tabbies

PCW 11

Screening Date 26-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**
Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*
Case ID No. 12064 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Enf. Coordinator Suzanne Walrath

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)*	38	190%
	Other written NOVs	30	60%
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*	13	-13%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%

		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	0	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	0	0%
	Participation in a voluntary pollution reduction program	0	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	0	0%

Adjustment Percentage (Subtotal 2) **352%**

>> **Repeat Violator (Subtotal 3)**

No <

Adjustment Percentage (Subtotal 3) **0%**

>> **Compliance History *Person* Classification (Subtotal 7)**

Average Performer <

Adjustment Percentage (Subtotal 7) **0%**

>> **Compliance History Summary**

Compliance History Notes

The respondent has been issued 38 NOVs with same or similar violations, 30 NOVs without same or similar violations (15 of which were self-reported effluent violations), two 1660 Agreed Orders, and three Findings Orders. The respondent also submitted 13 letters notifying of an audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) **352%**

Screening Date 26-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 1

Primary Rule Cite(s)	30 Tex. Admin. Code §§ 115.126(1)(B), 116.115(c), 122.143(4), General Operating Permit ("GOP") No. O-02212, Special Condition Nos. 1E and 16, and Air Permit No. 22072, Special Condition No. 4
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to meet the flare requirements for 3 flares (EPN Nos. BSRF601, BSRFMW1T, and BSRFMNF). Specifically, Dow failed to monitor the flare pilots flames in order to maintain the continuous presence of a flame using a thermocouple or other equipment device which detects the presence of a flame.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 3

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $3,000

Three single events are recommended (one event for each flare), as documented by the investigation conducted on 2/7/06.

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

Estimated EB Amount $451

Violation Final Penalty Total $12,810

This violation Final Assessed Penalty (adjusted for limits) $12,810

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$6,000	08-Jul-2004	06-May-2005	0.8	$17	$331	$348
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)	$2,500	08-Jul-2004	06-May-2005	0.8	$103	n/a	$103
Notes for DELAYED costs	These costs represent the amount for the labor and equipment for installation of three flares and thermocouples, beginning on the date the first deviation began, and ending on the date the flares were replaced and the thermocouples were installed.						
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: $8,500

TOTAL $451

Screening Date 26-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 2

Primary Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c), 122.143(4), GOP No. O-02212, Special Condition Nos. 1E and 16, and Air Permit No. 22072, Special Condition Nos. 4 and 5
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to maintain the continuous presence of a flame on five occasions for three flares (EPN Nos. BSRFMNF, BSRF601, and BSRFMW1T).

Base Penalty $10,000

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

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 5

mark only one / use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $12,500

Five single events (one for each event) as documented by the investigation conducted on 2/7/06.

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

Estimated EB Amount $87 **Violation Final Penalty Total** $53,375

This violation Final Assessed Penalty (adjusted for limits) $50,000

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$3,000	08-Jul-2004	05-Feb-2005	0.6	$87	n/a	$87
Notes for DELAYED costs	These costs represent the amount for plant personnel to relight flare flames, and for the replacement of a pilot, beginning on the first reported date of flame outage, and ending on the last date that the flare flame was relit.						
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 $3,000

TOTAL $87

Screening Date 26-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 3

Primary Rule Cite(s) 30 Tex. Admin. Code §§ 106.262(3), 122.143(4), and GOP No. O-02212, Special Condition No. 17

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit Permit by Rule ("PBR") notification (Form PI-7) within ten days following modifications to the brine process for the aromatic storage wells (EPN Nos. BSRPSR2, and BSRPR2L) in to Lake Warder and SR-2 (benzene brine ponds).

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment -$9,900

Base Penalty Subtotal $100

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended for the PI-7 that was not submitted timely as documented by the investigation conducted on 2/7/06.

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

Estimated EB Amount $51

Violation Final Penalty Total $427

This violation Final Assessed Penalty (adjusted for limits) $427

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs	$1,000	10-May-2004	16-May-2005	1.0	$51	n/a	$51
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	This cost represents the amount to obtain a PBR modification, beginning on the date it was required to have been submitted, and ending on the date the it was obtained.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $1,000

TOTAL $51

Screening Date 26-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 4

Primary Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), GOP No. O-02212, Special Condition No. 16, and Air Permit No. 22072, Special Condition No. 8(F)
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to monitor 504 valves and 1,716 connectors in the fugitive emissions area (EPN No. BSRFUBRCK) during the third and fourth quarters of 2004, and the second quarter of 2005. The estimated amount of volatile organic compound ("VOCs") fugitive emissions during this time period of 273 days is 14.71 tons from the valves, and 2.82 tons from the connectors, for a combined total of 17.53 tons of VOCs. The permitted limit of VOCs from this EPN is 2.04 tons per year.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events 3

mark only one use a small x	*daily*	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty $7,500

Three quarterly events are recommended for the 3 quarters of not monitoring the components, as documented by the investigation conducted on 2/7/06.

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

Estimated EB Amount $66

Violation Final Penalty Total $32,025

This violation Final Assessed Penalty (adjusted for limits) $32,025

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$1,110	01-Apr-2004	30-Sep-2004	0.5	$2	$37	$39
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)	$2,220	01-Apr-2005	30-Jun-2005	0.2	$27	n/a	$27

Notes for DELAYED costs: These costs represent the amount for a contractor to perform fugitive monitoring at .50 per component for 2200 components for 3 quarters, beginning on the first day of the 2nd quarter of 2004, and on the 2nd quarter of 2005, and ending on the date that those periods ended. Quarterly monitoring resumed the next day after both of those time periods.

Avoided Costs (ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs))							
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance: $3,330

TOTAL $66

Screening Date 26-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 5

Primary Rule Cite(s) 30 Tex. Admin. Code § 122.145(2)(A)

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to report the deviation of failure to conduct fugitive emissions monitoring on 504 valves and 1,716 connectors in the fugitive area (EPN No. BSRFUBRCK) during the second quarter of 2005 in the deviation report dated 8/5/05.

Base Penalty $10,000

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

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment -$9,900

Base Penalty Subtotal $100

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

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

Estimated EB Amount $6

Violation Final Penalty Total $427

This violation Final Assessed Penalty (adjusted for limits) $427

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$250	05-Aug-2005	06-Feb-2006	0.5	$6	n/a	$6
Notes for DELAYED costs	This cost represents the amount for submitting a complete deviation report, beginning on the date the deviation reports were submitted with the omitted deviation, and ending on the date the amended deviation report was submitted.						
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 $250

TOTAL $6

Screening Date 26-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 6

Primary Rule Cite(s)	30 Tex. Admin. Code §§ 117.208(d)(7) and 122.143(4), and GOP No. O-02212, Special Condition No. 1D
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to check for proper operation of the engine (EPN No. BSRGE601) by recorded measurements of nitrogen oxide ("NOx") and carbon monoxide ("CO") emissions after engine maintenance was conducted on 2/26/05.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

OR

Percent 10%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

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

Adjustment -$9,000

Base Penalty Subtotal $1,000

Violation Events

Number of Violation Events 1

mark only one use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One single event is recommended for the engine check that was not performed, as documented by the investigation conducted on 2/7/06.

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

Estimated EB Amount $3

Violation Final Penalty Total $4,270

This violation Final Assessed Penalty (adjusted for limits) $4,270

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$500	26-Feb-2005	15-Apr-2005	0.1	$3	n/a	$3
Notes for DELAYED costs	This cost represents the amount to conduct engine checks for NOx and CO on EPN No. BSRGE601 after maintenance, beginning on the date the maintenance occurred and ending on the date the engine check was conducted.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $500

TOTAL $3

Screening Date 26-Apr-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Suzanne Walrath

Violation Number 7

Primary Rule Cite(s)	30 Tex. Admin. Code §§ 117.216(a)(5) and 122.143(4), and GOP No. O-02212, Special Condition No. 1D
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to include the specific rule citations for units with a claimed exemption from the emission specifications of 30 Tex. Admin. Code § 117.206 in the final control report submitted 3/31/05.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

OR **Percent**

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment ****

Base Penalty Subtotal $100

Violation Events

Number of Violation Events 1

mark only one / use a small x	
daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended for the report that was not submitted correctly, as documented by the investigation conducted on 2/7/06.

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

Estimated EB Amount $3 **Violation Final Penalty Total** $427

This violation Final Assessed Penalty (adjusted for limits) $427

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 12064
Reg. Ent. Reference No. RN100225945
Media [Statute] Air Quality
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$150	31-Mar-2005	29-Aug-2005	0.4	$3	n/a	$3
Notes for DELAYED costs	This cost represents the amount to correctly submit the final control report, beginning on the date the report was submitted with the missing information, and ending on the date the correct report was submitted.						
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 $150

TOTAL $3

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: 5.23
ID Number(s):				

AIR OPERATING PERMITS	ACCOUNT NUMBER	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	N041
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
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	PERMIT	50161
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
UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
AIR NEW SOURCE PERMITS	REGISTRATION	71636
AIR NEW SOURCE PERMITS	PERMIT	2602
AIR NEW SOURCE PERMITS	REGISTRATION	71888
AIR NEW SOURCE PERMITS	REGISTRATION	72132
AIR NEW SOURCE PERMITS	PERMIT	5340
AIR NEW SOURCE PERMITS	PERMIT	5746
AIR NEW SOURCE PERMITS	PERMIT	6069A
AIR NEW SOURCE PERMITS	PERMIT	6161
AIR NEW SOURCE PERMITS	PERMIT	6383
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AIR NEW SOURCE PERMITS	PERMIT	7093
AIR NEW SOURCE PERMITS	PERMIT	7094
AIR NEW SOURCE PERMITS	PERMIT	7385
AIR NEW SOURCE PERMITS	PERMIT	7447
AIR NEW SOURCE PERMITS	PERMIT	7942

EXHIBIT
tabbies
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AIR NEW SOURCE PERMITS	PERMIT	9045
AIR NEW SOURCE PERMITS	PERMIT	9773
AIR NEW SOURCE PERMITS	PERMIT	9837
AIR NEW SOURCE PERMITS	PERMIT	9838
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AIR NEW SOURCE PERMITS	PERMIT	4022
AIR NEW SOURCE PERMITS	PERMIT	12340
AIR NEW SOURCE PERMITS	PERMIT	6911
AIR NEW SOURCE PERMITS	PERMIT	18145
AIR NEW SOURCE PERMITS	PERMIT	19202
AIR NEW SOURCE PERMITS	PERMIT	19243
AIR NEW SOURCE PERMITS	PERMIT	19715
AIR NEW SOURCE PERMITS	PERMIT	19720
AIR NEW SOURCE PERMITS	PERMIT	19792
AIR NEW SOURCE PERMITS	PERMIT	20266
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AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0022M
AIR NEW SOURCE PERMITS	PERMIT	119
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AIR NEW SOURCE PERMITS	PERMIT	770
AIR NEW SOURCE PERMITS	PERMIT	1258
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AIR NEW SOURCE PERMITS	PERMIT	1558
AIR NEW SOURCE PERMITS	PERMIT	1559
AIR NEW SOURCE PERMITS	PERMIT	1655
AIR NEW SOURCE PERMITS	PERMIT	1658
AIR NEW SOURCE PERMITS	PERMIT	1715
AIR NEW SOURCE PERMITS	PERMIT	2008A
AIR NEW SOURCE PERMITS	PERMIT	2367
AIR NEW SOURCE PERMITS	PERMIT	2606
AIR NEW SOURCE PERMITS	PERMIT	2728
AIR NEW SOURCE PERMITS	PERMIT	2772
AIR NEW SOURCE PERMITS	PERMIT	3302
AIR NEW SOURCE PERMITS	PERMIT	3347
AIR NEW SOURCE PERMITS	PERMIT	3914
AIR NEW SOURCE PERMITS	PERMIT	52152
AIR NEW SOURCE PERMITS	PERMIT	52724
AIR NEW SOURCE PERMITS	PERMIT	22091

AIR NEW SOURCE PERMITS	PERMIT	52200
AIR NEW SOURCE PERMITS	PERMIT	52999
AIR NEW SOURCE PERMITS	PERMIT	52998
AIR NEW SOURCE PERMITS	PERMIT	53895
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AIR NEW SOURCE PERMITS	REGISTRATION	55032
AIR NEW SOURCE PERMITS	REGISTRATION	55411
AIR NEW SOURCE PERMITS	REGISTRATION	55537
AIR NEW SOURCE PERMITS	REGISTRATION	75817
AIR NEW SOURCE PERMITS	REGISTRATION	75908
AIR NEW SOURCE PERMITS	REGISTRATION	76012
AIR NEW SOURCE PERMITS	PERMIT	75751
AIR NEW SOURCE PERMITS	REGISTRATION	75579
AIR NEW SOURCE PERMITS	REGISTRATION	75526
AIR NEW SOURCE PERMITS	REGISTRATION	76295
AIR NEW SOURCE PERMITS	REGISTRATION	76039
AIR NEW SOURCE PERMITS	REGISTRATION	75531
AIR NEW SOURCE PERMITS	REGISTRATION	75513
AIR NEW SOURCE PERMITS	REGISTRATION	75512
AIR NEW SOURCE PERMITS	REGISTRATION	76138
AIR NEW SOURCE PERMITS	REGISTRATION	56833
AIR NEW SOURCE PERMITS	REGISTRATION	56851
AIR NEW SOURCE PERMITS	REGISTRATION	70194
AIR NEW SOURCE PERMITS	REGISTRATION	70195
AIR NEW SOURCE PERMITS	PERMIT	48892
AIR NEW SOURCE PERMITS	REGISTRATION	70458
AIR NEW SOURCE PERMITS	REGISTRATION	70592
AIR NEW SOURCE PERMITS	REGISTRATION	70760
AIR NEW SOURCE PERMITS	REGISTRATION	70776
AIR NEW SOURCE PERMITS	PERMIT	70940
AIR NEW SOURCE PERMITS	REGISTRATION	70945
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AIR NEW SOURCE PERMITS	PERMIT	71062
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AIR NEW SOURCE PERMITS	REGISTRATION	71087
AIR NEW SOURCE PERMITS	REGISTRATION	71088
AIR NEW SOURCE PERMITS	REGISTRATION	71089
AIR NEW SOURCE PERMITS	REGISTRATION	71090
AIR NEW SOURCE PERMITS	REGISTRATION	71091
AIR NEW SOURCE PERMITS	PERMIT	71209
AIR NEW SOURCE PERMITS	PERMIT	N59
AIR NEW SOURCE PERMITS	PERMIT	PSDTX994
AIR NEW SOURCE PERMITS	PERMIT	8105
AIR NEW SOURCE PERMITS	REGISTRATION	105095
AIR NEW SOURCE PERMITS	REGISTRATION	71584
AIR NEW SOURCE PERMITS	REGISTRATION	71781
AIR NEW SOURCE PERMITS	PERMIT	52180
AIR NEW SOURCE PERMITS	PERMIT	52153
AIR NEW SOURCE PERMITS	PERMIT	52179
AIR NEW SOURCE PERMITS	PERMIT	53903
AIR NEW SOURCE PERMITS	PERMIT	52201
AIR NEW SOURCE PERMITS	PERMIT	53954
AIR NEW SOURCE PERMITS	PERMIT	50488
AIR NEW SOURCE PERMITS	PERMIT	52884
AIR NEW SOURCE PERMITS	PERMIT	53897
AIR NEW SOURCE PERMITS	PERMIT	54042
AIR NEW SOURCE PERMITS	PERMIT	53905
AIR NEW SOURCE PERMITS	PERMIT	71936
AIR NEW SOURCE PERMITS	PERMIT	71375
AIR NEW SOURCE PERMITS	PERMIT	50576
AIR NEW SOURCE PERMITS	PERMIT	50646
AIR NEW SOURCE PERMITS	PERMIT	P986
AIR NEW SOURCE PERMITS	PERMIT	53811
AIR NEW SOURCE PERMITS	PERMIT	53736
AIR NEW SOURCE PERMITS	PERMIT	53814
AIR NEW SOURCE PERMITS	PERMIT	54140
AIR NEW SOURCE PERMITS	REGISTRATION	72663
AIR NEW SOURCE PERMITS	REGISTRATION	72671
AIR NEW SOURCE PERMITS	REGISTRATION	72794

AIR NEW SOURCE PERMITS	REGISTRATION	72798
AIR NEW SOURCE PERMITS	REGISTRATION	72854
AIR NEW SOURCE PERMITS	REGISTRATION	72884
AIR NEW SOURCE PERMITS	PERMIT	3434
AIR NEW SOURCE PERMITS	PERMIT	2432
AIR NEW SOURCE PERMITS	REGISTRATION	73101
AIR NEW SOURCE PERMITS	REGISTRATION	73781
AIR NEW SOURCE PERMITS	REGISTRATION	73953
AIR NEW SOURCE PERMITS	REGISTRATION	74059
AIR NEW SOURCE PERMITS	PERMIT	74209
AIR NEW SOURCE PERMITS	PERMIT	71246
AIR NEW SOURCE PERMITS	PERMIT	73732
AIR NEW SOURCE PERMITS	PERMIT	73750
AIR NEW SOURCE PERMITS	REGISTRATION	74350
AIR NEW SOURCE PERMITS	REGISTRATION	74455
AIR NEW SOURCE PERMITS	REGISTRATION	74543
AIR NEW SOURCE PERMITS	REGISTRATION	74597
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AIR NEW SOURCE PERMITS	REGISTRATION	74748
AIR NEW SOURCE PERMITS	REGISTRATION	74853
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AIR NEW SOURCE PERMITS	PERMIT	75090
AIR NEW SOURCE PERMITS	REGISTRATION	75239
AIR NEW SOURCE PERMITS	REGISTRATION	75301
AIR NEW SOURCE PERMITS	PERMIT	76453
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AIR NEW SOURCE PERMITS	REGISTRATION	76504
AIR NEW SOURCE PERMITS	REGISTRATION	76536
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AIR NEW SOURCE PERMITS	EPA ID	PSDTX993
AIR NEW SOURCE PERMITS	EPA ID	PSDTX994
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AIR NEW SOURCE PERMITS	REGISTRATION	77188
AIR NEW SOURCE PERMITS	REGISTRATION	77189
AIR NEW SOURCE PERMITS	REGISTRATION	77190
AIR NEW SOURCE PERMITS	REGISTRATION	77211
AIR NEW SOURCE PERMITS	REGISTRATION	77287
AIR NEW SOURCE PERMITS	REGISTRATION	77339
AIR NEW SOURCE PERMITS	REGISTRATION	77405
AIR NEW SOURCE PERMITS	REGISTRATION	77426
AIR NEW SOURCE PERMITS	REGISTRATION	77522
AIR NEW SOURCE PERMITS	REGISTRATION	77521
AIR NEW SOURCE PERMITS	REGISTRATION	77645
AIR NEW SOURCE PERMITS	REGISTRATION	77647
AIR NEW SOURCE PERMITS	REGISTRATION	77669
AIR NEW SOURCE PERMITS	REGISTRATION	77765
AIR NEW SOURCE PERMITS	REGISTRATION	77826
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AIR NEW SOURCE PERMITS	REGISTRATION	78008
AIR NEW SOURCE PERMITS	AFS NUM	0041
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AIR NEW SOURCE PERMITS	REGISTRATION	78286
AIR NEW SOURCE PERMITS	REGISTRATION	78331
AIR NEW SOURCE PERMITS	REGISTRATION	78428
AIR NEW SOURCE PERMITS	REGISTRATION	78439
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AIR NEW SOURCE PERMITS	PERMIT	4020
AIR NEW SOURCE PERMITS	PERMIT	4021
AIR NEW SOURCE PERMITS	PERMIT	4031
AIR NEW SOURCE PERMITS	PERMIT	4085
AIR NEW SOURCE PERMITS	PERMIT	4310A
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AIR NEW SOURCE PERMITS	PERMIT	5520
AIR NEW SOURCE PERMITS	PERMIT	5661
AIR NEW SOURCE PERMITS	PERMIT	6743
AIR NEW SOURCE PERMITS	PERMIT	6803
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AIR NEW SOURCE PERMITS	PERMIT	7341
AIR NEW SOURCE PERMITS	PERMIT	7386
AIR NEW SOURCE PERMITS	PERMIT	7387
AIR NEW SOURCE PERMITS	PERMIT	7423
AIR NEW SOURCE PERMITS	PERMIT	7531
AIR NEW SOURCE PERMITS	PERMIT	7593
AIR NEW SOURCE PERMITS	PERMIT	8009
AIR NEW SOURCE PERMITS	PERMIT	8047
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AIR NEW SOURCE PERMITS	PERMIT	9046
AIR NEW SOURCE PERMITS	PERMIT	9047
AIR NEW SOURCE PERMITS	PERMIT	9822
AIR NEW SOURCE PERMITS	PERMIT	10423
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AIR NEW SOURCE PERMITS	PERMIT	10790
AIR NEW SOURCE PERMITS	PERMIT	10791
AIR NEW SOURCE PERMITS	PERMIT	10959
AIR NEW SOURCE PERMITS	PERMIT	11076
AIR NEW SOURCE PERMITS	PERMIT	11566
AIR NEW SOURCE PERMITS	PERMIT	11567
AIR NEW SOURCE PERMITS	PERMIT	11644
AIR NEW SOURCE PERMITS	PERMIT	12128
AIR NEW SOURCE PERMITS	PERMIT	12130
AIR NEW SOURCE PERMITS	PERMIT	12145
AIR NEW SOURCE PERMITS	PERMIT	12166
AIR NEW SOURCE PERMITS	PERMIT	12432
AIR NEW SOURCE PERMITS	PERMIT	12445
AIR NEW SOURCE PERMITS	PERMIT	12484
AIR NEW SOURCE PERMITS	PERMIT	12520
AIR NEW SOURCE PERMITS	PERMIT	13194
AIR NEW SOURCE PERMITS	PERMIT	13873
AIR NEW SOURCE PERMITS	PERMIT	15811
AIR NEW SOURCE PERMITS	PERMIT	16249
AIR NEW SOURCE PERMITS	PERMIT	16473
AIR NEW SOURCE PERMITS	PERMIT	7009
AIR NEW SOURCE PERMITS	PERMIT	13920
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AIR NEW SOURCE PERMITS	PERMIT	17027
AIR NEW SOURCE PERMITS	PERMIT	17028
AIR NEW SOURCE PERMITS	PERMIT	17107
AIR NEW SOURCE PERMITS	PERMIT	17374
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AIR NEW SOURCE PERMITS	PERMIT	18020
AIR NEW SOURCE PERMITS	PERMIT	18258
AIR NEW SOURCE PERMITS	PERMIT	18561
AIR NEW SOURCE PERMITS	PERMIT	18624
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AIR NEW SOURCE PERMITS	PERMIT	19026
AIR NEW SOURCE PERMITS	PERMIT	19050
AIR NEW SOURCE PERMITS	PERMIT	19519
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	22083
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
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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	27041
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	29753
AIR NEW SOURCE PERMITS	PERMIT	30018
AIR NEW SOURCE PERMITS	PERMIT	30154
AIR NEW SOURCE PERMITS	PERMIT	29782
AIR NEW SOURCE PERMITS	PERMIT	30622
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AIR NEW SOURCE PERMITS	PERMIT	30846
AIR NEW SOURCE PERMITS	PERMIT	31753
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AIR NEW SOURCE PERMITS	PERMIT	32546
AIR NEW SOURCE PERMITS	PERMIT	33212
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AIR NEW SOURCE PERMITS	PERMIT	33608
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AIR NEW SOURCE PERMITS	PERMIT	35012
AIR NEW SOURCE PERMITS	PERMIT	35204
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AIR NEW SOURCE PERMITS	PERMIT	35364
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AIR NEW SOURCE PERMITS	PERMIT	36002
AIR NEW SOURCE PERMITS	PERMIT	36397
AIR NEW SOURCE PERMITS	PERMIT	25205
AIR NEW SOURCE PERMITS	PERMIT	36554
AIR NEW SOURCE PERMITS	PERMIT	36523
AIR NEW SOURCE PERMITS	PERMIT	36569
AIR NEW SOURCE PERMITS	PERMIT	36634
AIR NEW SOURCE PERMITS	PERMIT	37000
AIR NEW SOURCE PERMITS	PERMIT	37290
AIR NEW SOURCE PERMITS	PERMIT	37122
AIR NEW SOURCE PERMITS	PERMIT	37569
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AIR NEW SOURCE PERMITS	PERMIT	41273
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AIR NEW SOURCE PERMITS	PERMIT	41108
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AIR NEW SOURCE PERMITS	PERMIT	41179
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AIR NEW SOURCE PERMITS	PERMIT	45449
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AIR NEW SOURCE PERMITS	PERMIT	46174
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AIR NEW SOURCE PERMITS	PERMIT	46306
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AIR NEW SOURCE PERMITS	PERMIT	49253
AIR NEW SOURCE PERMITS	PERMIT	47314
AIR NEW SOURCE PERMITS	PERMIT	49685
AIR NEW SOURCE PERMITS	PERMIT	37957
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AIR NEW SOURCE PERMITS	PERMIT	313
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AIR NEW SOURCE PERMITS	PERMIT	654
AIR NEW SOURCE PERMITS	PERMIT	1407
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AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	2804
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AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	941
AIR NEW SOURCE PERMITS	PERMIT	2417

AIR NEW SOURCE PERMITS	PERMIT	3434
AIR NEW SOURCE PERMITS	PERMIT	3941
AIR NEW SOURCE PERMITS	PERMIT	3947
AIR NEW SOURCE PERMITS	PERMIT	10770
AIR NEW SOURCE PERMITS	PERMIT	11275
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AIR NEW SOURCE PERMITS	PERMIT	12755
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AIR NEW SOURCE PERMITS	PERMIT	15988
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AIR NEW SOURCE PERMITS	PERMIT	19041
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0023K
AIR NEW SOURCE PERMITS	REGISTRATION	78471
AIR NEW SOURCE PERMITS	REGISTRATION	78482
AIR NEW SOURCE PERMITS	REGISTRATION	78570
AIR NEW SOURCE PERMITS	REGISTRATION	78626
AIR NEW SOURCE PERMITS	REGISTRATION	78680
AIR NEW SOURCE PERMITS	REGISTRATION	78668
WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	PERMIT	50161
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD, STE B1226, FREEPORT (HWY 288) Rating Date: 9/1/2005 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: April 24, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 24, 2001 to April 24, 2006

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

Name: Suzanne Walrath Phone: 512/239-2134

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: 02/17/2003 ADMINORDER 2002-0689-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)

Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Effective Date: 01/07/2002 ADMINORDER 2000-1459-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)

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

Description: Failure to submit complete notifications for 29 upsets.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Dow has allowed unauthorized emissions into the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC No. 2 PERMIT

Description: Failure to properly control emissions from Benzene Tank AD-20X.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to properly control emissions from Reactor R-5.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2A PERMIT

Description: Failure to properly control emissions from Distillation Tower T-30.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.

Classification: Moderate

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

Rqmt Prov: SP No. 13E PERMIT

Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.

Classification: Moderate

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

Rqmt Prov: SP No. 1 PERMIT

Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.

Classification: Moderate

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

Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.

Classification: Moderate

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

Rqmt Prov: SP NO. 8C PERMIT

Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.

Classification: Minor

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

Rqmt Prov: SP No. 8F PERMIT

Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.

Classification: Moderate

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

Rqmt Prov: GP No. 9A PERMIT
SP No. 8B PERMIT
SP No. 8E PERMIT

Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.

Classification: Moderate

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

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

Rqmt Prov: GP No. 9C PERMIT

Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.

Classification: Moderate

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

Rqmt Prov: GP No. 9C PERMIT

Description: Failed to conduct monthly VOC monitoring of the cooling tower.

Classification: Moderate

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

Rqmt Prov: GC No. 7E PERMIT

Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.

Classification: Moderate

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

Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not Specified PERMIT

Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.

Classification: Minor

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

Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.

Classification: Minor

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

Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Effective Date: 03/22/2002 ADMINORDER 2001-0854-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 12(A) PERMIT

Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]

Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

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)[G]
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: 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)[G]
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.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1 08/13/2002 (8036)
2 02/28/2003 (26378)
3 07/03/2002 (4135)
4 10/24/2002 (159615)
5 10/24/2001 (159614)
6 08/21/2003 (151151)
7 07/19/2002 (4762)
8 06/24/2003 (60303)
9 09/26/2002 (12350)
10 10/15/2002 (12337)
11 08/15/2002 (6894)
12 02/03/2003 (286198)
13 08/31/2004 (272564)
14 02/05/2004 (258950)
15 01/07/2005 (338837)
16 07/07/2004 (258307)
17 09/26/2002 (11829)

18	08/24/2005	(403273)
19	06/28/2005	(376054)
20	10/31/2004	(276897)
21	03/07/2005	(372291)
22	12/22/2004	(289575)
23	01/21/2005	(337408)
24	09/25/2002	(159612)
25	03/18/2005	(346350)
26	07/30/2003	(133869)
27	10/29/2002	(14541)
28	12/15/2003	(254080)
29	02/03/2006	(436165)
30	09/24/2001	(159611)
31	07/22/2005	(397876)
32	11/27/2001	(IE0001062003001)
33	06/17/2005	(376522)
34	10/26/2005	(432895)
35	08/25/2005	(404533)
36	05/30/2003	(60877)
37	09/17/2003	(248098)
38	06/16/2004	(247738)
39	08/26/2002	(159609)
40	12/17/2004	(286731)
41	05/17/2005	(376212)
42	04/12/2004	(264619)
43	02/11/2004	(260442)
44	07/12/2005	(393369)
45	06/30/2004	(266880)
46	06/02/2004	(272991)
47	07/28/2005	(380321)
48	12/16/2004	(285097)
49	08/27/2001	(159608)
50	03/07/2003	(21400)
51	04/30/2004	(255002)
52	08/31/2004	(273678)
53	08/23/2002	(4928)
54	03/02/2005	(372448)
55	09/04/2002	(9088)
56	02/23/2004	(260927)
57	05/23/2005	(262475)
58	07/31/2002	(5786)
59	08/04/2003	(36623)
60	03/17/2006	(340573)
61	07/29/2002	(159606)
62	12/20/2004	(339119)
63	08/07/2002	(7213)
64	07/08/2005	(376056)
65	03/07/2005	(372281)
66	03/23/2005	(347781)
67	07/01/2005	(378760)
68	01/10/2006	(436188)
69	08/19/2002	(4885)

70	08/30/2003	(152221)
71	01/03/2003	(15110)
72	10/11/2002	(11055)
73	08/25/2002	(8609)
74	09/30/2005	(402695)
75	01/07/2005	(339147)
76	07/02/2003	(35418)
77	11/18/2002	(12073)
78	03/22/2004	(263436)
79	07/22/2005	(397878)
80	07/31/2002	(6169)
81	07/23/2001	(159605)
82	08/08/2005	(396518)
83	12/31/2004	(338842)
84	08/18/2004	(277856)
85	02/24/2005	(339179)
86	02/21/2005	(337409)
87	12/17/2004	(339587)
88	11/15/2005	(435315)
89	01/27/2005	(347186)
90	03/29/2004	(264628)
91	02/23/2005	(346354)
92	05/14/2004	(248280)
93	06/03/2004	(258305)
94	03/10/2004	(261603)
95	08/08/2003	(159603)
96	06/02/2005	(376058)
97	06/25/2002	(159602)
98	02/21/2005	(344830)
99	08/22/2003	(150711)
100	08/31/2004	(273416)
101	07/22/2005	(397880)
102	08/14/2003	(150122)
103	02/09/2006	(435249)
104	01/27/2003	(21017)
105	09/04/2003	(247717)
106	06/26/2001	(159601)
107	10/16/2002	(12820)
108	03/24/2006	(374721)
109	09/14/2005	(431669)
110	11/04/2004	(338243)
111	10/26/2005	(432986)
112	03/02/2006	(431805)
113	09/01/2004	(267453)
114	12/09/2002	(14830)
115	07/22/2005	(397881)
116	08/14/2002	(7906)
117	08/11/2005	(377164)
118	08/25/2003	(151529)
119	01/28/2002	(IE0018454001001)
120	12/28/2004	(251988)
121	08/31/2004	(273127)

122	05/19/2003	(159599)
123	02/06/2004	(251940)
124	02/03/2004	(257672)
125	05/23/2005	(345033)
126	03/23/2006	(436917)
127	04/17/2006	(459765)
128	05/20/2005	(392573)
129	08/04/2005	(398933)
130	01/27/2006	(436181)
131	03/20/2003	(23813)
132	05/20/2002	(159598)
133	06/02/2005	(376059)
134	12/16/2004	(286819)
135	12/13/2004	(339850)
136	06/23/2003	(35416)
137	07/09/2002	(2159)
138	03/06/2003	(26396)
139	05/29/2001	(159597)
140	12/17/2004	(338429)
141	01/06/2005	(339121)
142	01/31/2005	(347857)
143	05/17/2005	(376280)
144	04/28/2003	(159595)
145	12/28/2004	(256034)
146	07/28/2004	(276490)
147	08/31/2004	(273881)
148	08/20/2002	(7588)
149	07/31/2003	(33803)
150	07/19/2002	(4827)
151	04/30/2002	(159594)
152	07/17/2002	(4563)
153	07/11/2005	(393361)
154	02/27/2006	(436730)
155	05/27/2003	(29063)
156	08/30/2003	(149187)
157	05/26/2004	(352355)
158	05/28/2003	(31177)
159	02/21/2005	(337411)
160	06/28/2004	(352356)
161	08/22/2005	(396197)
162	01/16/2002	(120354)
163	08/29/2005	(398935)
164	01/17/2006	(376062)
165	05/24/2005	(380324)
166	03/31/2006	(436922)
167	07/26/2004	(352357)
168	05/08/2001	(159592)
169	07/19/2002	(5014)
170	05/27/2005	(379484)
171	08/27/2004	(267540)
172	06/15/2005	(380845)
173	11/26/2003	(250021)

174	10/26/2005	(432935)
175	01/07/2005	(339138)
176	08/24/2004	(352358)
177	07/13/2005	(397022)
178	11/05/2004	(334318)
179	09/23/2004	(352359)
180	02/25/2005	(345303)
181	08/31/2002	(10381)
182	08/15/2005	(398936)
183	10/22/2004	(352360)
184	11/01/2004	(285137)
185	02/21/2005	(345433)
186	08/15/2005	(393373)
187	08/16/2002	(7720)
188	08/31/2004	(272729)
189	03/21/2003	(159590)
190	08/17/2004	(284165)
191	08/15/2002	(7525)
192	11/24/2004	(352361)
193	08/05/2005	(398937)
194	08/25/2005	(397853)
195	01/09/2004	(254701)
196	02/03/2003	(285652)
197	04/19/2006	(459137)
198	08/31/2002	(8599)
199	08/27/2004	(266751)
200	08/07/2002	(7201)
201	03/20/2002	(159589)
202	06/14/2005	(375259)
203	08/30/2005	(398938)
204	07/26/2003	(61449)
205	04/17/2006	(454234)
206	02/26/2004	(296001)
207	09/05/2002	(10360)
208	12/19/2002	(18859)
209	03/10/2005	(346208)
210	03/15/2004	(262011)
211	06/30/2003	(35785)
212	05/14/2004	(263118)
213	02/01/2005	(347843)
214	10/01/2003	(250440)
215	11/05/2004	(334295)
216	02/27/2006	(453320)
217	05/08/2001	(159587)
218	03/22/2004	(296004)
219	10/31/2003	(253956)
220	02/28/2003	(159586)
221	06/24/2005	(396413)
222	08/31/2004	(272789)
223	04/19/2004	(296006)
224	03/10/2004	(264415)
225	05/28/2003	(31159)

226	02/20/2002	(159585)
227	09/07/2004	(291280)
228	05/06/2005	(376209)
229	08/29/2004	(265955)
230	02/28/2005	(381956)
231	08/05/2005	(396199)
232	11/22/2004	(335797)
233	08/27/2004	(279078)
234	10/30/2002	(10265)
235	03/28/2005	(381957)
236	05/24/2004	(31438)
237	10/26/2005	(431242)
238	07/28/2004	(282417)
239	12/16/2004	(114225)
240	12/10/2004	(114224)
241	08/19/2005	(404732)
242	05/19/2003	(28851)
243	12/23/2004	(381958)
244	10/26/2005	(432043)
245	04/23/2004	(265028)
246	08/31/2004	(272814)
247	01/21/2005	(381959)
248	10/31/2004	(276789)
249	03/15/2004	(261999)
250	01/31/2005	(347762)
251	05/12/2004	(257994)
252	09/28/2005	(406914)
253	07/23/2003	(296010)
254	12/13/2004	(336762)
255	09/01/2004	(277902)
256	09/30/2002	(7575)
257	05/10/2005	(346362)
258	12/17/2002	(15107)
259	04/14/2003	(27517)
260	01/14/2005	(338682)
261	11/30/2005	(373986)
262	10/31/2004	(289698)
263	07/21/2005	(393364)
264	08/15/2003	(140682)
265	11/30/2003	(126059)
266	11/01/2004	(284370)
267	08/26/2003	(296012)
268	08/27/2002	(9435)
269	08/15/2002	(7533)
270	08/19/2003	(150391)
271	01/31/2003	(159627)
272	03/18/2005	(346346)
273	08/16/2004	(281509)
274	12/21/2004	(334606)
275	03/21/2005	(346710)
276	04/23/2004	(258324)
277	10/01/2003	(296014)

278	05/31/2005	(346355)
279	06/26/2003	(60783)
280	01/05/2005	(285365)
281	02/05/2004	(260440)
282	01/29/2002	(159626)
283	05/26/2004	(258253)
284	10/16/2002	(12725)
285	06/22/2005	(350704)
286	09/07/2004	(333240)
287	04/17/2006	(436288)
288	08/31/2004	(274129)
289	10/01/2003	(250457)
290	04/11/2006	(454294)
291	01/27/2003	(21168)
292	04/29/2004	(255279)
293	10/23/2003	(296016)
294	11/01/2004	(285135)
295	06/24/2005	(396517)
296	09/28/2005	(402693)
297	04/30/2004	(254073)
298	04/13/2004	(265611)
299	07/28/2004	(282469)
300	10/05/2005	(374026)
301	08/29/2003	(152748)
302	03/30/2004	(264622)
303	11/15/2001	(97516)
304	08/05/2005	(393374)
305	02/23/2005	(346345)
306	04/17/2006	(433179)
307	11/24/2003	(296017)
308	03/04/2003	(26394)
309	03/23/2006	(433180)
310	06/01/2004	(254581)
311	03/28/2006	(436841)
312	12/23/2002	(159623)
313	04/01/2005	(345046)
314	08/17/2004	(273076)
315	05/04/2005	(347119)
316	09/01/2005	(403238)
317	08/09/2002	(7520)
318	08/07/2003	(61967)
319	07/06/2001	(97515)
320	05/17/2005	(376237)
321	01/07/2005	(339177)
322	12/24/2003	(296018)
323	11/01/2004	(286768)
324	12/27/2001	(159622)
325	11/30/2003	(249732)
326	12/22/2004	(289567)
327	02/07/2006	(436297)
328	03/22/2005	(346347)
329	07/20/2004	(278387)

330 05/23/2005 (376200)
331 07/06/2001 (97514)
332 08/12/2005 (285295)
333 07/06/2001 (97513)
334 01/21/2004 (296019)
335 08/17/2004 (284292)
336 03/15/2004 (261987)
337 11/12/2003 (254614)
338 12/30/2005 (433116)
339 02/11/2004 (260085)
340 03/31/2006 (454296)
341 01/09/2005 (339130)
342 08/07/2002 (7186)
343 02/12/2003 (22520)
344 08/16/2002 (8175)
345 05/04/2005 (338714)
346 01/31/2005 (347883)
347 08/16/2002 (7857)
348 07/06/2004 (258308)
349 08/19/2002 (6722)
350 11/27/2002 (159619)
351 02/11/2004 (260441)
352 06/14/2005 (350783)
353 11/30/2005 (435278)
354 12/16/2004 (289573)
355 06/29/2005 (347598)
356 11/19/2001 (159618)
357 04/08/2005 (347573)
358 09/12/2005 (406575)
359 02/21/2005 (345507)
360 01/09/2004 (253974)
361 12/13/2004 (334315)
362 08/15/2002 (7408)
363 05/17/2004 (253533)
364 06/30/2004 (267508)
365 06/30/2004 (267938)
366 10/26/2005 (432097)
367 01/09/2004 (254710)
368 12/06/2004 (284914)
369 08/27/2002 (9436)
370 08/31/2002 (4886)
371 08/19/2005 (393378)
372 07/19/2002 (5209)
373 01/17/2005 (249734)
374 08/29/2003 (151240)
375 05/27/2005 (374664)
376 12/20/2004 (339116)
377 02/21/2005 (344930)

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

Date: 03/05/2003 (26396)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]

Description: Failure to have at least a B-surface water operator.

Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 04/18/2006 (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 IA
Description: Failure to notify and report in a timely manner following a reportable emissions event (Incident No. 64153).

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: 08/31/2002 (159612)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 08/22/2005 (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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Exceedance of the concentration limit for chlorine; Permit 4021, SC 7

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 IA
Description: Exceeded VOC permit limit during an emissions event.

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(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(c)[G]

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]

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)[G]

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: 08/31/2005 (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 IA

PERMIT IA

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)[G]

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

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

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 IA

Description: Dow had an avoidable emissions event during Incident 51417.

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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: 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: 06/30/2001 (159605)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 08/20/2002 (7575)

Self Report? NO Classification: Minor

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

30 TAC Chapter 115, SubChapter D 115.354(1)(B)

30 TAC Chapter 116, SubChapter B 116.115(c)[G]

40 CFR Part 60, Subpart VV 60.482-7[G]

Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Self Report? NO Classification: Moderate

Citation: TEXAS HEALTH AND SAFETY CODE 382.085

Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

Date: 05/24/2003 (29063)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]
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: 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)[G]
Description: Failure to meet the limit for one or more permit parameter

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

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 IA
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 IA
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 IA
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 IA

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 IA

Description: Failed to meet maximum allowable emission rates.

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 IA

Description: Incident 40337 was an avoidable emissions event.

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 IA

Description: Exceeded VOC permit limit during an avoidable 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 emissons event.

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: 12/02/2003 (250021)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT IA

Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal oxidizer.

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 IA

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: 01/07/2002 (120354)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

Description: PERMIT SPECIAL CONDITI

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Failure to maintain partial pressure records.

Date: 05/30/2003 (60877)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)[G]

Description: Notification updates under TAC 335.6 are required.

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)[G]

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

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 IA

Description: Failure to maintain a plug on an open ended line.

Date: 05/24/2005 (380324)

Self Report? NO Classification: Minor

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

Rqmt Prov: OP IA

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 IA

PERMIT IA

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: 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: 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: 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 IA

PA IA

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 IA

PA IA

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

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: 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: 08/26/2005 (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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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:

OP IA

PERMIT IA

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

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 IA

Description: Dow exceeded VOC permit limit during 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 IA

Description: Incident #43280 was avoidable.

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)[G]

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

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: 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)[G]

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

Date: 03/05/2003 (26394)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]

Description: Failure to have proper grade of licensed operator.

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: OP IA

PERMIT IA

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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
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 IA
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to re-monitor fugitive components within 15 days.

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)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2002 (159627)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2001 (159626)
Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 08/15/2005 (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 IA

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

PERMIT IA

Description: Failure to plug open ended valves.

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 IA

PERMIT IA

Description: THROX unit exceeded CO MAER.

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 IA

PERMIT IA

Description: Exceeded vinyl chloride average feedrate limit.

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 IA

PERMIT IA

Description: Exceeded firebox temperatures for THROX & TOX

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 IA

PERMIT IA

Description: Flowmeters on vent stream to TOX not operational.

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 IA

PERMIT IA

Description: Flare A32CSF1 exceeded hourly VOC MAER

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)(4)

Rqmt Prov: OP IA

PERMIT IA

Description: Failure to monitor valves and pressure sensing devices

Self Report? NO Classification: Moderate

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 IA

Description: Failure to monitor connectors

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)[G]

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

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 IA

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: 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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Failure to equip open-ended valve with a plug.

Date: 01/14/2005 (338682)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

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 IA

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: 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 IA
Description: Incident 7827 was an avoidable emissions event.

Date: 11/30/2002 (159623)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

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

Date: 07/09/2001 (97515)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI

Date: 11/30/2001 (159622)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 07/09/2001 (97514)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
Description: NESHAP STANDARDS

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: 05/04/2005 (338714)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP IA
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 IA
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 IA
PERMIT IA
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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.05181(a)[G]

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

Rqmt Prov: OP IA

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

Date: 10/31/2002 (159619)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 11/05/2004 (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: OP IA

PA IA

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 IA

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 IA

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: OP IA

PA IA

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

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 emissons during an emissions event.

Date: 02/06/2004 (251940)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT IA

Description: Avoidable emissions event with emissions of benzene.

Date: 12/31/2002 (15110)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(9)

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

Description: Failure to control emissions.

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: 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 IA

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 IA

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 IA

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 IA

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 IA

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

F. Environmental audits.

Notice of Intent Date: 02/18/2004 (265119)
No DOV Associated

Notice of Intent Date: 04/14/2004 (274298)
No DOV Associated

Notice of Intent Date: 12/11/2001 (32894)
No DOV Associated

Notice of Intent Date: 03/19/2004 (336700)
No DOV Associated

Notice of Intent Date: 12/17/2004 (347242)
No DOV Associated

Notice of Intent Date: 06/14/2004 (347895)
No DOV Associated

Notice of Intent Date: 03/30/2005 (378947)
No DOV Associated

Notice of Intent Date: 04/20/2005 (380855)
No DOV Associated

Notice of Intent Date: 08/16/2005 (434104)
No DOV Associated

Notice of Intent Date: 09/16/2005 (436340)
No DOV Associated

Notice of Intent Date: 01/06/2006 (452904)
No DOV Associated

Notice of Intent Date: 02/06/2006 (458261)
No DOV Associated

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) *PCW Revision April 25, 2006*

TCEQ

DATES Assigned 14-Aug-2006
PCW 05-Dec-2007 Screening 23-Aug-2006 EPA Due 06-May-2007

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.: 12064
Docket No.: 2004-1344-MLM-E
Media Program(s): Air Quality
Multi-Media:
Admin. Penalty $ Limit Minimum: $0 Maximum: $10,000

No. of Violations: 4
Order Type: Findings
Enf. Coordinator: Trina Grieco
EC's Team: Enforcement Team 6

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* $80,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 372% Enhancement *Subtotals 2, 3, & 7* $297,600

Notes: Penalty enhancement due to 38 NOVs issued for the same or similar violations, 36 NOVs issued for non-similar violations, which includes 14 self-reported effluent violations, 3 agreed orders issued with denial of liability, and 3 agreed orders issued without denial of liability. Penalty reduction due to the submittal of 25 notice of audit letters.

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

Notes: The Respondent does not meet culpability criteria.

Good Faith Effort to Comply 0% Reduction *Subtotal 5* $0

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

Notes: The Respondent does not meet good faith criteria.

Economic Benefit 0% Enhancement* *Subtotal 6* $0
**Capped at the Total EB $ Amount*

Total EB Amounts: $556
Approx. Cost of Compliance: $5,000

SUM OF SUBTOTALS 1-7 Final Subtotal $377,600

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment $0

Reduces or enhances the Final Subtotal by the indicated percentage. *(Enter number only; e.g. -30 for -30%.)*

Notes:

Final Penalty Amount $377,600

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty $103,600

DEFERRAL 0% Reduction Adjustment $0

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

Notes: No deferral is offered since this is a Findings Order.

PAYABLE PENALTY $103,600

EXHIBIT
tabbies
PCW 12

Screening Date 23-Aug-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 12064

PCW Revision April 25, 2006

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action *(number of NOVs meeting criteria)*	38	190%
	Other written NOVs	36	72%
Orders	Any agreed final enforcement orders containing a denial of liability *(number of orders meeting criteria)*	3	60%
	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*	25	-25%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 372%

>> 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 38 NOVs issued for the same or similar violations, 36 NOVs issued for non-similar violations, which includes 14 self-reported effluent violations, 3 agreed orders issued with denial of liability, and 3 agreed orders issued without denial of liability. Penalty reduction due to the submittal of 25 notice of audit letters.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 372%

Screening Date 23-Aug-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision April 25, 2006*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 1

Primary Rule Cite(s)	30 Tex. Admin. Code § 116.115(b)(2)(F) and (c), New Source Review ("NSR") Air Permit No. 46431, General Condition 8 and Special Condition 5 and 40 Code of Federal Regulations § 63.9000(a)
Secondary Rule Cite(s)	30 Tex. Admin. Code § 101.20(2) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to comply with hydrogen chloride ("HCl") emissions limits of 0.40 pounds per hour ("lbs/hr") and 12.0 parts per million ("ppm") and Chlorine ("Cl2") emissions limits of 0.03 lbs/hr and failed to comply with the minimum destruction efficiency of 99.99% for volatile organic compounds (VOCs). Specifically, results of stack testing conducted on July 28, 2005 at emission point number ("EPN") A36S531 in the SK-531 Thermal Treatment Unit (TTU/BU-520) and Tail Scrubber showed emissions of 0.56 lbs/hr and 19.7 ppm of HCl and 0.49 lbs/hr of Cl2 and a VOC destruction efficiency of 98.95%.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual			X
Potential			

OR

Percent 25%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to an insignificant amount of pollutants which did not exceed levels that are protective of human health or the environment.

Adjustment -$7,500

Base Penalty Subtotal $2,500

Violation Events

Number of Violation Events: 2 — 119 Number of violation days

mark only one use a small x:

daily	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty $5,000

Two quarterly events are recommended from the noncompliant stack test date of July 28, 2005 to the compliance date of November 23, 2005.

Economic Benefit (EB) for this violation

Estimated EB Amount: $45

Statutory Limit Test

Violation Final Penalty Total $23,600

This violation Final Assessed Penalty (adjusted for limits) $23,600

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 1

	Percent Interest	Years of Depreciation
	5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$2,000	28-Jul-2005	23-Nov-2005	0.3	$2	$43	$45
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost to implement measures to ensure compliance with emissions limits and destruction efficiency requirements. Date required based on the failed stack test date. Final date based on the compliance date.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance: $2,000

TOTAL: $45

Screening Date 23-Aug-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision April 25, 2006*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number 2

Primary Rule Cite(s)	30 Tex. Admin. Code §§ 111.111(a)(4)(A)(I) and 116.715(a), Flexible Air Permit No. 20432, Special Condition III-1 and Special Condition - Flexible Permit General Requirements 4 (now Special Condition III-17) and 40 Code of Federal Regulations § 60.18(c)(2)
Secondary Rule Cite(s)	30 Tex. Admin. Code § 101.20(1) and Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to prevent unauthorized emissions, failed to prevent visible emissions from a process gas flare for more than five minutes in any two-hour period, and failed to operate a process gas flare with a pilot flame present at all times. Specifically, unauthorized emissions of 200,551.26 lbs of VOCs, 94,184.1 lbs of CO, and 100% opacity were released through the Elevated Flare F-1, EPN OC6L8RX1, in the Light Hydrocarbon - 8 Block OC-601 Unit (Incident Nos. 42477 and 42478) during an emissions event that occurred on July 9, 2004 and lasted 111 hours and 17 minutes, including 7 minutes during which there was no pilot flame. Since the emissions event was avoidable and determined to be excessive, The Dow Chemical Company failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

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

OR

Release	Harm: Major	Moderate	Minor
Actual	X		
Potential			

Percent 100%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to significant amounts of pollutants which exceeded levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $0

Base Penalty Subtotal $10,000

Violation Events

Number of Violation Events 5 5 **Number of violation days**

mark only one use a small x	
daily	X
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $50,000

Five daily events are recommended for the five days during which the release occurred.

Economic Benefit (EB) for this violation

Estimated EB Amount $191

Statutory Limit Test

Violation Final Penalty Total $236,000

This violation Final Assessed Penalty (adjusted for limits) $50,000

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 2

Percent Interest: 5.0
Years of Depreciation: 15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$1,000	09-Jul-2004	01-Apr-2007	2.7	$9	$182	$191
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to implement a maintenance program that includes regular inspections of electrical wires and additional oversight of the flare to ensure the amount of steam sent to the flare is appropriate in relation to the flow to the flare. Date required is based on the date of the beginning of the release. Final date is based on the projected compliance date.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance: $1,000

TOTAL: $191

Screening Date 23-Aug-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision April 25, 2006*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number: 3

Primary Rule Cite(s)	30 Tex. Admin. Code §§ 111.111(a)(8)(A) and 116.115(c), NSR Air Permit No. 834, Special Condition 1
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to prevent unauthorized emissions and failed to prevent visible emissions with an opacity greater than 30% for any 6-minute period. Specifically, unauthorized emissions of 66,711.24 lbs of VOCs, 12,260.37 lbs of CO, 307.06 lbs of nitrogen oxide, 5,834.24 lbs of nitric oxide, and 100% opacity were released from a hole in the ground (from drilling operations) located underneath a drilling rig in the Stratton Ridge Unit (Incident Nos. 42709 and 42710) during an emissions event that occurred on July 13, 2004 and lasted 25 hours and 45 minutes. These emissions are not authorized by the permit. Since the emissions event was avoidable and determined to be excessive, The Dow Chemical Company failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty: $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	X		
Potential			

Percent: 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent:

Matrix Notes: Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to significant amounts of pollutants which exceeded levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment: $0

Base Penalty Subtotal: $10,000

Violation Events

Number of Violation Events: 2

2 Number of violation days

mark only one use a small x

daily	X
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty: $20,000

Two daily events are recommended for the two days during which the release occurred.

Economic Benefit (EB) for this violation

Estimated EB Amount: $285

Statutory Limit Test

Violation Final Penalty Total: $94,400

This violation Final Assessed Penalty (adjusted for limits): $20,000

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 3

	Percent Interest	Years of Depreciation
	5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$1,500	13-Jul-2004	01-Apr-2007	2.7	$14	$272	$285
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost of oversight during drilling operations to monitor for ignition sources. Date required based on the date of the release. Final date is based on the projected compliance date.						
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: $285

Screening Date 23-Aug-2006 **Docket No.** 2004-1344-MLM-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 12064 *PCW Revision April 25, 2006*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air Quality

Enf. Coordinator Trina Grieco

Violation Number	4
Primary Rule Cite(s)	30 Tex. Admin. Code § 116.115(c), NSR Air Permit No. 834, Special Condition 1
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b)
Violation Description	Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 3,401 lbs of the HRVOC ethylene were released from an inconel rupture disc in the Polyethylene #4 Unit (Incident 73950) during an emissions event that occurred on April 4, 2006 and lasted 6 minutes. These emissions are not authorized by the permit. Since the emissions event was avoidable, The Dow Chemical Company failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

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

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

OR

Percent 50%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent

Matrix Notes: Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to significant amounts of pollutants (1.70 tons of HRVOCs), which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment -$5,000

Base Penalty Subtotal $5,000

Violation Events

Number of Violation Events: 1 — 1 Number of violation days

mark only one use a small x:

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $5,000

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount: $35

Statutory Limit Test

Violation Final Penalty Total: $23,600

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

Economic Benefit Worksheet

Respondent: The Dow Chemical Company
Case ID No.: 12064
Reg. Ent. Reference No.: RN100225945
Media [Statute]: Air Quality
Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)	$500	04-Apr-2006	01-Apr-2007	1.0	$2	$33	$35
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost to ensure rupture discs are protected from normal atmospheric conditions. Date required based on the date of the release. Final date is based on the projected compliance date.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance: $500

TOTAL: $35

Compliance History

Customer/Respondent/Owner-Operator:	CN600356976	The Dow Chemical Company	Classification: AVERAGE	Rating: 5.23
Regulated Entity:	RN100225945	DOW TEXAS OPERATIONS FREEPORT	Classification: AVERAGE	Site Rating: 5.23

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	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
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PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
WASTEWATER	PERMIT	WQ0000007000
WASTEWATER	PERMIT	TPDES0006483
WASTEWATER	PERMIT	TX0006483
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WASTEWATER	PERMIT	TX0059447000
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
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UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
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EXHIBIT

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AIR NEW SOURCE PERMITS	REGISTRATION	77522
AIR NEW SOURCE PERMITS	REGISTRATION	77521
AIR NEW SOURCE PERMITS	REGISTRATION	77645

AIR NEW SOURCE PERMITS	REGISTRATION	77647
AIR NEW SOURCE PERMITS	REGISTRATION	77669
AIR NEW SOURCE PERMITS	REGISTRATION	77765
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AIR NEW SOURCE PERMITS	REGISTRATION	78257
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AIR NEW SOURCE PERMITS	REGISTRATION	78331
AIR NEW SOURCE PERMITS	REGISTRATION	78428
AIR NEW SOURCE PERMITS	REGISTRATION	78439
AIR NEW SOURCE PERMITS	PERMIT	3301
AIR NEW SOURCE PERMITS	PERMIT	3320
AIR NEW SOURCE PERMITS	PERMIT	4020
AIR NEW SOURCE PERMITS	PERMIT	4021
AIR NEW SOURCE PERMITS	PERMIT	4031
AIR NEW SOURCE PERMITS	PERMIT	4085
AIR NEW SOURCE PERMITS	PERMIT	4310A
AIR NEW SOURCE PERMITS	PERMIT	5339
AIR NEW SOURCE PERMITS	PERMIT	5520
AIR NEW SOURCE PERMITS	PERMIT	5661
AIR NEW SOURCE PERMITS	PERMIT	6743
AIR NEW SOURCE PERMITS	PERMIT	6803
AIR NEW SOURCE PERMITS	PERMIT	7131
AIR NEW SOURCE PERMITS	PERMIT	7341
AIR NEW SOURCE PERMITS	PERMIT	7386
AIR NEW SOURCE PERMITS	PERMIT	7387
AIR NEW SOURCE PERMITS	PERMIT	7423
AIR NEW SOURCE PERMITS	PERMIT	7531
AIR NEW SOURCE PERMITS	PERMIT	7593
AIR NEW SOURCE PERMITS	PERMIT	8009
AIR NEW SOURCE PERMITS	PERMIT	8047
AIR NEW SOURCE PERMITS	PERMIT	8567
AIR NEW SOURCE PERMITS	PERMIT	9044
AIR NEW SOURCE PERMITS	PERMIT	9046
AIR NEW SOURCE PERMITS	PERMIT	9047
AIR NEW SOURCE PERMITS	PERMIT	9822
AIR NEW SOURCE PERMITS	PERMIT	10423
AIR NEW SOURCE PERMITS	PERMIT	10690
AIR NEW SOURCE PERMITS	PERMIT	10790
AIR NEW SOURCE PERMITS	PERMIT	10791
AIR NEW SOURCE PERMITS	PERMIT	10959
AIR NEW SOURCE PERMITS	PERMIT	11076
AIR NEW SOURCE PERMITS	PERMIT	11566
AIR NEW SOURCE PERMITS	PERMIT	11567
AIR NEW SOURCE PERMITS	PERMIT	11644
AIR NEW SOURCE PERMITS	PERMIT	12128
AIR NEW SOURCE PERMITS	PERMIT	12130
AIR NEW SOURCE PERMITS	PERMIT	12145
AIR NEW SOURCE PERMITS	PERMIT	12166
AIR NEW SOURCE PERMITS	PERMIT	12432
AIR NEW SOURCE PERMITS	PERMIT	12445
AIR NEW SOURCE PERMITS	PERMIT	12484
AIR NEW SOURCE PERMITS	PERMIT	12520
AIR NEW SOURCE PERMITS	PERMIT	13194
AIR NEW SOURCE PERMITS	PERMIT	13873
AIR NEW SOURCE PERMITS	PERMIT	15811
AIR NEW SOURCE PERMITS	PERMIT	16249
AIR NEW SOURCE PERMITS	PERMIT	16473

AIR NEW SOURCE PERMITS	PERMIT	7009
AIR NEW SOURCE PERMITS	PERMIT	13920
AIR NEW SOURCE PERMITS	PERMIT	14329
AIR NEW SOURCE PERMITS	PERMIT	17027
AIR NEW SOURCE PERMITS	PERMIT	17028
AIR NEW SOURCE PERMITS	PERMIT	17107
AIR NEW SOURCE PERMITS	PERMIT	17374
AIR NEW SOURCE PERMITS	PERMIT	20996
AIR NEW SOURCE PERMITS	PERMIT	20997
AIR NEW SOURCE PERMITS	PERMIT	18020
AIR NEW SOURCE PERMITS	PERMIT	18258
AIR NEW SOURCE PERMITS	PERMIT	18561
AIR NEW SOURCE PERMITS	PERMIT	18624
AIR NEW SOURCE PERMITS	PERMIT	18950
AIR NEW SOURCE PERMITS	PERMIT	19026
AIR NEW SOURCE PERMITS	PERMIT	19050
AIR NEW SOURCE PERMITS	PERMIT	19519
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	22083
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	27041
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	29753
AIR NEW SOURCE PERMITS	PERMIT	30018
AIR NEW SOURCE PERMITS	PERMIT	30154
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	33608
AIR NEW SOURCE PERMITS	PERMIT	33885
AIR NEW SOURCE PERMITS	PERMIT	34111
AIR NEW SOURCE PERMITS	PERMIT	34116
AIR NEW SOURCE PERMITS	PERMIT	34368
AIR NEW SOURCE PERMITS	PERMIT	34545
AIR NEW SOURCE PERMITS	PERMIT	34541
AIR NEW SOURCE PERMITS	PERMIT	35022
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
AIR NEW SOURCE PERMITS	PERMIT	25205
AIR NEW SOURCE PERMITS	PERMIT	36554
AIR NEW SOURCE PERMITS	PERMIT	36523
AIR NEW SOURCE PERMITS	PERMIT	36569
AIR NEW SOURCE PERMITS	PERMIT	36634
AIR NEW SOURCE PERMITS	PERMIT	37000
AIR NEW SOURCE PERMITS	PERMIT	37290
AIR NEW SOURCE PERMITS	PERMIT	37122
AIR NEW SOURCE PERMITS	PERMIT	37569
AIR NEW SOURCE PERMITS	PERMIT	37884
AIR NEW SOURCE PERMITS	PERMIT	37667
AIR NEW SOURCE PERMITS	PERMIT	37618
AIR NEW SOURCE PERMITS	PERMIT	38157
AIR NEW SOURCE PERMITS	PERMIT	38156
AIR NEW SOURCE PERMITS	PERMIT	38861
AIR NEW SOURCE PERMITS	PERMIT	38759
AIR NEW SOURCE PERMITS	PERMIT	39609
AIR NEW SOURCE PERMITS	PERMIT	39450
AIR NEW SOURCE PERMITS	PERMIT	40046
AIR NEW SOURCE PERMITS	PERMIT	40479
AIR NEW SOURCE PERMITS	PERMIT	40430
AIR NEW SOURCE PERMITS	PERMIT	40854
AIR NEW SOURCE PERMITS	PERMIT	41163
AIR NEW SOURCE PERMITS	PERMIT	41108
AIR NEW SOURCE PERMITS	PERMIT	41498
AIR NEW SOURCE PERMITS	PERMIT	41179
AIR NEW SOURCE PERMITS	PERMIT	41304
AIR NEW SOURCE PERMITS	PERMIT	41302
AIR NEW SOURCE PERMITS	PERMIT	41542
AIR NEW SOURCE PERMITS	PERMIT	41760
AIR NEW SOURCE PERMITS	PERMIT	41555
AIR NEW SOURCE PERMITS	PERMIT	42190
AIR NEW SOURCE PERMITS	PERMIT	42611

AIR NEW SOURCE PERMITS	PERMIT	42327
AIR NEW SOURCE PERMITS	PERMIT	42464
AIR NEW SOURCE PERMITS	PERMIT	42384
AIR NEW SOURCE PERMITS	PERMIT	42923
AIR NEW SOURCE PERMITS	PERMIT	43382
AIR NEW SOURCE PERMITS	PERMIT	43381
AIR NEW SOURCE PERMITS	PERMIT	43417
AIR NEW SOURCE PERMITS	PERMIT	43416
AIR NEW SOURCE PERMITS	PERMIT	43592
AIR NEW SOURCE PERMITS	PERMIT	43698
AIR NEW SOURCE PERMITS	PERMIT	42443
AIR NEW SOURCE PERMITS	PERMIT	43813
AIR NEW SOURCE PERMITS	PERMIT	43859
AIR NEW SOURCE PERMITS	PERMIT	43959
AIR NEW SOURCE PERMITS	PERMIT	43960
AIR NEW SOURCE PERMITS	PERMIT	44002
AIR NEW SOURCE PERMITS	PERMIT	44001
AIR NEW SOURCE PERMITS	PERMIT	44036
AIR NEW SOURCE PERMITS	PERMIT	44056
AIR NEW SOURCE PERMITS	PERMIT	44118
AIR NEW SOURCE PERMITS	PERMIT	44411
AIR NEW SOURCE PERMITS	PERMIT	44464
AIR NEW SOURCE PERMITS	PERMIT	44465
AIR NEW SOURCE PERMITS	PERMIT	44608
AIR NEW SOURCE PERMITS	PERMIT	44622
AIR NEW SOURCE PERMITS	PERMIT	44718
AIR NEW SOURCE PERMITS	PERMIT	44719
AIR NEW SOURCE PERMITS	PERMIT	44833
AIR NEW SOURCE PERMITS	PERMIT	44834
AIR NEW SOURCE PERMITS	PERMIT	45097
AIR NEW SOURCE PERMITS	PERMIT	45152
AIR NEW SOURCE PERMITS	PERMIT	45449
AIR NEW SOURCE PERMITS	PERMIT	46009
AIR NEW SOURCE PERMITS	PERMIT	46051
AIR NEW SOURCE PERMITS	PERMIT	46174
AIR NEW SOURCE PERMITS	PERMIT	46173
AIR NEW SOURCE PERMITS	PERMIT	46306
AIR NEW SOURCE PERMITS	PERMIT	46378
AIR NEW SOURCE PERMITS	PERMIT	46429
AIR NEW SOURCE PERMITS	PERMIT	46428
AIR NEW SOURCE PERMITS	PERMIT	46431
AIR NEW SOURCE PERMITS	PERMIT	46481
AIR NEW SOURCE PERMITS	PERMIT	46568
AIR NEW SOURCE PERMITS	PERMIT	46658
AIR NEW SOURCE PERMITS	PERMIT	46682
AIR NEW SOURCE PERMITS	PERMIT	46767
AIR NEW SOURCE PERMITS	PERMIT	46798
AIR NEW SOURCE PERMITS	PERMIT	46911
AIR NEW SOURCE PERMITS	PERMIT	46987
AIR NEW SOURCE PERMITS	PERMIT	47095
AIR NEW SOURCE PERMITS	PERMIT	47092
AIR NEW SOURCE PERMITS	PERMIT	47203
AIR NEW SOURCE PERMITS	PERMIT	47114
AIR NEW SOURCE PERMITS	PERMIT	47374
AIR NEW SOURCE PERMITS	PERMIT	47347
AIR NEW SOURCE PERMITS	PERMIT	47352
AIR NEW SOURCE PERMITS	PERMIT	47564
AIR NEW SOURCE PERMITS	PERMIT	47970
AIR NEW SOURCE PERMITS	PERMIT	48027
AIR NEW SOURCE PERMITS	PERMIT	48343
AIR NEW SOURCE PERMITS	PERMIT	48337
AIR NEW SOURCE PERMITS	PERMIT	48497
AIR NEW SOURCE PERMITS	PERMIT	48414

AIR NEW SOURCE PERMITS	PERMIT	48567
AIR NEW SOURCE PERMITS	PERMIT	48715
AIR NEW SOURCE PERMITS	PERMIT	48478
AIR NEW SOURCE PERMITS	PERMIT	48479
AIR NEW SOURCE PERMITS	PERMIT	48813
AIR NEW SOURCE PERMITS	PERMIT	49187
AIR NEW SOURCE PERMITS	PERMIT	49235
AIR NEW SOURCE PERMITS	PERMIT	49253
AIR NEW SOURCE PERMITS	PERMIT	47314
AIR NEW SOURCE PERMITS	PERMIT	49685
AIR NEW SOURCE PERMITS	PERMIT	37957
AIR NEW SOURCE PERMITS	PERMIT	9871
AIR NEW SOURCE PERMITS	PERMIT	9938
AIR NEW SOURCE PERMITS	PERMIT	9973
AIR NEW SOURCE PERMITS	PERMIT	834
AIR NEW SOURCE PERMITS	PERMIT	13682
AIR NEW SOURCE PERMITS	PERMIT	313
AIR NEW SOURCE PERMITS	PERMIT	646
AIR NEW SOURCE PERMITS	PERMIT	1407
AIR NEW SOURCE PERMITS	PERMIT	1430
AIR NEW SOURCE PERMITS	PERMIT	1496
AIR NEW SOURCE PERMITS	PERMIT	1496B
AIR NEW SOURCE PERMITS	PERMIT	1496C
AIR NEW SOURCE PERMITS	PERMIT	2008
AIR NEW SOURCE PERMITS	PERMIT	2804
AIR NEW SOURCE PERMITS	PERMIT	49715
AIR NEW SOURCE PERMITS	PERMIT	85494
AIR NEW SOURCE PERMITS	PERMIT	49965
AIR NEW SOURCE PERMITS	PERMIT	50298
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0082R
AIR NEW SOURCE PERMITS	PERMIT	941
AIR NEW SOURCE PERMITS	PERMIT	2417
AIR NEW SOURCE PERMITS	PERMIT	3434
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	REGISTRATION	78471
AIR NEW SOURCE PERMITS	REGISTRATION	78482
AIR NEW SOURCE PERMITS	REGISTRATION	78570
AIR NEW SOURCE PERMITS	REGISTRATION	78626
AIR NEW SOURCE PERMITS	REGISTRATION	78680
AIR NEW SOURCE PERMITS	REGISTRATION	78668
AIR NEW SOURCE PERMITS	REGISTRATION	78897
AIR NEW SOURCE PERMITS	REGISTRATION	78966
AIR NEW SOURCE PERMITS	REGISTRATION	79131
AIR NEW SOURCE PERMITS	REGISTRATION	79130
AIR NEW SOURCE PERMITS	REGISTRATION	79202
AIR NEW SOURCE PERMITS	REGISTRATION	79243
AIR NEW SOURCE PERMITS	REGISTRATION	79348
AIR NEW SOURCE PERMITS	REGISTRATION	79383
AIR NEW SOURCE PERMITS	REGISTRATION	79806
WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000

	INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161
	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541 Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: September 13, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 22, 2001 to August 22, 2006

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.

N/A Effective Date: 02/17/2003 ADMINORDER 2002-0689-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)

Description: Failure to provide a secondary containment for ancillary piping having threaded connections for valves, gauges, and joints.

Effective Date: 01/07/2002 ADMINORDER 2000-1459-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)(A)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(B)

30 TAC Chapter 101, SubChapter A 101.6(a)(2)(C)
30 TAC Chapter 101, SubChapter A 101.6(a)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit complete notifications for 29 upsets.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Dow has allowed unauthorized emissions into the atmosphere.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
40 CFR Part 63, Subpart G 63.119(a)(1)

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

Rqmt SC No. 2 PERMIT

Description: Failure to properly control emissions from Benzene Tank AD-20X.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt SC 2 PERMIT
Description: Failure to properly control emissions from Reactor R-5.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt SC 2A PERMIT
Description: Failure to properly control emissions from Distillation Tower T-30.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to meet the applicable emission spefication of the daily weighted average of all coatings delivered to the coating line of 3.5 lbs VOC/gallon.

Classification: Moderate

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

Rqmt SP No. 13E PERMIT
Description: Failed to submit emissions testing report for BIF Boiler F-2820 within the required deadline of 30 days following completion of testing.

Classification: Moderate

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

Rqmt SP No. 1 PERMIT
Description: Failed to maintain compliance with the permitted maximum allowable VOC emission rates.

Classification: Moderate

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

Description: Failed to maintain compliance with permit representations without first obtaining a permit amendment.

Classification: Moderate

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

Rqmt SP NO. 8C PERMIT
Description: Failed to conduct initial compliance testing of Water Scrubbers SV-7000 within 60 days of initial start-up.

Classification: Minor

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

Rqmt SP No. 8F PERMIT

Description: Failed to submit three copies of the final sampling report to the TNRCC within 30 days after sampling was completed.

Classification: Moderate

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

Rqmt GP No. 9A PERMIT
SP No. 8B PERMIT

SP No. 8E PERMIT
Description: Failed to achieve 99.9% DRE for butylene oxide and 99.6% DRE for all other carbon compound waste streams from the Absorber.

Classification: Moderate

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

Rqmt GP No. 9C PERMIT
Description: Failed to perform sampling and other testing to establish pounds per hour of VOC being emitted from the cooling tower.

Classification: Moderate

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

Rqmt GP No. 9C PERMIT
Description: Failed to conduct monthly VOC monitoring of the cooling tower.

Classification: Moderate

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

Rqmt GC No. 7E PERMIT
Description: Failed to install a plug on an open ended valve on a bleed pump in VOC service.

Classification: Moderate

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

Description: Dow allowed visible emissions from the Epoxy Intermediates Plant (B-2300) for greater than 5 minutes on June 30, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)[G]
30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Not Specified PERMIT
Description: Dow has fialed to properly maintain the elevated flare in the LHC 8 unit of OC-601 and allowed visible emissions.

Classification: Minor

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

Description: Dow has failed to submit a complete fainal report for maintenance activity conducted in the LHC-7 of Plant on September 25, 2000.

Classification: Minor

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

Description: Dow has failed to submit a complete final report for an upset in the LHC 7 of B-7200 occurring on September 13, 2000.

Classification: Moderate

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

Rqmt 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)[G]
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 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 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 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 NSR Permit 48813, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions of 1,893 lbs VOCs.

Effective Date: 03/22/2002 ADMINORDER 2001-0854-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT F 61.65(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt SC 12(A) PERMIT
Description: Failure to prevent a release of 3000 pounds of vinyl chloride monomer to the atmosphere.

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter E 290.51(a)(3)
5B THC Chapter 370, SubChapter B 370.008[G]

Description: Failure to pay outstanding Public Health Service and Toxic Chemical Release fees for Acct #'s 90200543 and 0500287 during FY 01.

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 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 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 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 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)[G]

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

Rqmt 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: 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)[G]
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.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1 08/13/2002 (8036)

N/A

2 02/28/2003 (26378)
3 07/03/2002 (4135)
4 10/24/2002 (159615)
5 10/24/2001 (159614)
6 08/21/2003 (151151)
7 07/19/2002 (4762)
8 06/24/2003 (60303)
9 09/26/2002 (12350)
10 10/15/2002 (12337)
11 08/15/2002 (6894)
12 02/03/2003 (286198)
13 08/31/2004 (272564)
14 02/05/2004 (258950)
15 01/07/2005 (338837)
16 07/07/2004 (258307)
17 09/26/2002 (11829)
18 08/24/2005 (403273)
19 06/28/2005 (376054)
20 10/31/2004 (276897)
21 03/07/2005 (372291)
22 12/22/2004 (289575)
23 01/21/2005 (337408)
24 07/14/2006 (457318)
25 05/17/2006 (462138)
26 09/25/2002 (159612)
27 03/18/2005 (346350)
28 07/30/2003 (133869)
29 10/29/2002 (14541)
30 12/15/2003 (254080)
31 02/03/2006 (436165)
32 09/24/2001 (159611)
33 07/22/2005 (397876)
34 11/27/2001 (IE0001062003001)
35 06/17/2005 (376522)
36 10/26/2005 (432895)
37 08/25/2005 (404533)
38 05/30/2003 (60877)
39 09/17/2003 (248098)
40 06/16/2004 (247738)
41 08/26/2002 (159609)

42 08/14/2006 (483129)
43 12/17/2004 (286731)
44 05/17/2005 (376212)
45 04/12/2004 (264619)
46 02/11/2004 (260442)
47 07/12/2005 (393369)
48 06/30/2004 (266880)
49 06/02/2004 (272991)
50 07/28/2005 (380321)
51 12/16/2004 (285097)
52 08/27/2001 (159608)
53 03/07/2003 (21400)
54 04/30/2004 (255002)
55 08/31/2004 (273678)
56 08/23/2002 (4928)
57 03/02/2005 (372448)
58 09/04/2002 (9088)
59 02/23/2004 (260927)
60 05/23/2005 (262475)
61 07/31/2002 (5786)

62 08/04/2003 (36623)
63 03/17/2006 (340573)
64 05/17/2006 (461234)
65 07/29/2002 (159606)
66 08/07/2006 (466313)
67 12/20/2004 (339119)
68 08/07/2002 (7213)
69 07/08/2005 (376056)
70 03/07/2005 (372281)
71 03/23/2005 (347781)
72 07/01/2005 (378760)
73 01/10/2006 (436188)
74 08/19/2002 (4885)
75 08/30/2003 (152221)
76 07/14/2006 (486688)
77 01/03/2003 (15110)
78 10/11/2002 (11055)
79 08/25/2002 (8609)
80 09/30/2005 (402695)
81 01/07/2005 (339147)
82 07/02/2003 (35418)
83 11/18/2002 (12073)
84 03/22/2004 (263436)
85 07/22/2005 (397878)
86 07/31/2002 (6169)
87 08/18/2006 (465699)
88 05/09/2006 (459139)
89 08/08/2005 (396518)
90 12/31/2004 (338842)
91 08/18/2004 (277856)
92 02/24/2005 (339179)
93 02/21/2005 (337409)
94 05/11/2006 (459075)
95 08/14/2006 (483077)
96 12/17/2004 (339587)
97 11/15/2005 (435315)
98 01/27/2005 (347186)
99 03/29/2004 (264628)
100 02/23/2005 (346354)
101 05/14/2004 (248280)
102 06/03/2004 (258305)
103 03/10/2004 (261603)
104 06/15/2006 (481001)
105 08/08/2003 (159603)
106 06/02/2005 (376058)
107 06/25/2002 (159602)
108 02/21/2005 (344830)

109 08/22/2003 (150711)
110 08/31/2004 (273416)
111 07/22/2005 (397880)
112 08/14/2003 (150122)
113 02/09/2006 (435249)
114 01/27/2003 (21017)
115 09/04/2003 (247717)
116 10/16/2002 (12820)
117 03/24/2006 (374721)
118 09/14/2005 (431669)
119 11/04/2004 (338243)
120 10/26/2005 (432986)
121 03/02/2006 (431805)
122 09/01/2004 (267453)
123 05/17/2006 (463636)
124 12/09/2002 (14830)

125 07/22/2005 (397881)
126 08/14/2002 (7906)
127 08/11/2005 (377164)
128 08/25/2003 (151529)
129 01/28/2002 (IE0018454001001)
130 12/28/2004 (251988)
131 08/31/2004 (273127)
132 05/19/2003 (159599)
133 02/06/2004 (251940)
134 02/03/2004 (257672)
135 05/23/2005 (345033)
136 03/23/2006 (436917)
137 08/15/2006 (489783)
138 04/17/2006 (459765)
139 05/20/2005 (392573)
140 08/04/2005 (398933)
141 01/27/2006 (436181)
142 03/20/2003 (23813)
143 05/20/2002 (159598)
144 06/02/2005 (376059)
145 12/16/2004 (286819)
146 12/13/2004 (339850)
147 06/23/2003 (35416)
148 07/09/2002 (2159)
149 03/06/2003 (26396)
150 12/17/2004 (338429)
151 01/06/2005 (339121)
152 01/31/2005 (347857)
153 07/17/2006 (462746)
154 05/17/2005 (376280)
155 04/28/2003 (159595)
156 12/28/2004 (256034)
157 07/28/2004 (276490)
158 08/31/2004 (273881)
159 08/20/2002 (7588)
160 07/31/2003 (33803)
161 07/19/2002 (4827)
162 04/30/2002 (159594)
163 07/21/2006 (482501)
164 07/17/2002 (4563)
165 06/22/2006 (458889)
166 07/11/2005 (393361)
167 08/15/2006 (490271)
168 02/27/2006 (436730)
169 08/14/2006 (483124)
170 05/27/2003 (29063)
171 08/30/2003 (149187)
172 05/26/2004 (352355)
173 05/28/2003 (31177)
174 02/21/2005 (337411)
175 06/28/2004 (352356)

176 08/22/2005 (396197)
177 01/16/2002 (120354)
178 08/29/2005 (398935)
179 01/17/2006 (376062)
180 05/24/2005 (380324)
181 03/31/2006 (436922)
182 07/26/2004 (352357)
183 07/19/2002 (5014)
184 07/14/2006 (484040)
185 05/27/2005 (379484)
186 08/27/2004 (267540)
187 08/18/2006 (483113)

188 06/15/2005 (380845)
189 11/26/2003 (250021)
190 10/26/2005 (432935)
191 01/07/2005 (339138)
192 08/24/2004 (352358)
193 07/13/2005 (397022)
194 11/05/2004 (334318)
195 09/23/2004 (352359)
196 02/25/2005 (345303)
197 08/31/2002 (10381)
198 07/18/2006 (481382)
199 08/15/2005 (398936)
200 10/22/2004 (352360)
201 11/01/2004 (285137)
202 02/21/2005 (345433)
203 08/15/2005 (393373)
204 08/16/2002 (7720)
205 08/31/2004 (272729)
206 03/21/2003 (159590)
207 08/17/2004 (284165)
208 08/15/2002 (7525)
209 11/24/2004 (352361)
210 08/05/2005 (398937)
211 08/25/2005 (397853)
212 01/09/2004 (254701)
213 08/11/2006 (457284)
214 05/25/2006 (462747)
215 02/03/2003 (285652)
216 04/19/2006 (459137)
217 08/31/2002 (8599)
218 08/27/2004 (266751)
219 08/07/2002 (7201)
220 03/20/2002 (159589)
221 06/14/2005 (375259)
222 08/30/2005 (398938)
223 07/26/2003 (61449)
224 04/17/2006 (454234)
225 02/26/2004 (296001)
226 09/05/2002 (10360)
227 12/19/2002 (18859)
228 03/10/2005 (346208)
229 03/15/2004 (262011)
230 06/30/2003 (35785)
231 05/14/2004 (263118)
232 02/01/2005 (347843)
233 10/01/2003 (250440)
234 11/05/2004 (334295)
235 02/27/2006 (453320)
236 03/22/2004 (296004)
237 10/31/2003 (253956)
238 07/14/2006 (480854)
239 02/28/2003 (159586)
240 06/24/2005 (396413)
241 08/31/2004 (272789)
242 04/19/2004 (296006)

243 03/10/2004 (264415)
244 05/28/2003 (31159)
245 07/17/2006 (462748)
246 02/20/2002 (159585)
247 09/07/2004 (291280)
248 05/06/2005 (376209)
249 08/29/2004 (265955)
250 02/28/2005 (381956)

251 08/05/2005 (396199)
252 05/25/2006 (462749)
253 11/22/2004 (335797)
254 08/27/2004 (279078)
255 10/30/2002 (10265)
256 03/28/2005 (381957)
257 05/24/2004 (31438)
258 10/26/2005 (431242)
259 07/28/2004 (282417)
260 12/16/2004 (114225)
261 12/10/2004 (114224)
262 08/19/2005 (404732)
263 07/14/2006 (480399)
264 05/19/2003 (28851)
265 12/23/2004 (381958)
266 10/26/2005 (432043)
267 04/23/2004 (265028)
268 05/11/2006 (459108)
269 08/31/2004 (272814)
270 01/21/2005 (381959)
271 10/31/2004 (276789)
272 07/14/2006 (480559)
273 07/14/2006 (485731)
274 03/15/2004 (261999)
275 01/31/2005 (347762)
276 05/12/2004 (257994)
277 09/28/2005 (406914)
278 07/23/2003 (296010)
279 12/13/2004 (336762)
280 09/01/2004 (277902)
281 09/30/2002 (7575)
282 05/10/2005 (346362)
283 12/17/2002 (15107)
284 04/14/2003 (27517)
285 08/18/2006 (480155)
286 01/14/2005 (338682)
287 11/30/2005 (373986)
288 08/18/2006 (338817)
289 10/31/2004 (289698)
290 07/21/2005 (393364)
291 08/15/2003 (140682)
292 11/30/2003 (126059)
293 11/01/2004 (284370)
294 08/26/2003 (296012)
295 08/27/2002 (9435)
296 08/15/2002 (7533)
297 08/19/2003 (150391)
298 01/31/2003 (159627)
299 03/18/2005 (346346)
300 08/16/2004 (281509)
301 12/21/2004 (334606)
302 03/21/2005 (346710)
303 07/21/2006 (457258)
304 04/23/2004 (258324)
305 10/01/2003 (296014)
306 05/31/2005 (346355)
307 06/26/2003 (60783)
308 01/05/2005 (285365)
309 02/05/2004 (260440)

310 01/29/2002 (159626)
311 05/26/2004 (258253)
312 10/16/2002 (12725)
313 06/22/2005 (350704)

314	09/07/2004	(333240)
315	04/17/2006	(436288)
316	08/31/2004	(274129)
317	10/01/2003	(250457)
318	04/11/2006	(454294)
319	01/27/2003	(21168)
320	04/29/2004	(255279)
321	10/23/2003	(296016)
322	11/01/2004	(285135)
323	06/24/2005	(396517)
324	09/28/2005	(402693)
325	04/30/2004	(254073)
326	04/13/2004	(265611)
327	08/15/2006	(462106)
328	07/28/2004	(282469)
329	10/05/2005	(374026)
330	04/26/2006	(433177)
331	08/29/2003	(152748)
332	03/30/2004	(264622)
333	11/15/2001	(97516)
334	08/05/2005	(393374)
335	02/23/2005	(346345)
336	04/17/2006	(433179)
337	11/24/2003	(296017)
338	03/04/2003	(26394)
339	03/23/2006	(433180)
340	06/01/2004	(254581)
341	03/28/2006	(436841)
342	12/23/2002	(159623)
343	04/01/2005	(345046)
344	08/17/2004	(273076)
345	05/04/2005	(347119)
346	09/01/2005	(403238)
347	08/09/2002	(7520)
348	08/07/2003	(61967)
349	05/17/2005	(376237)
350	01/07/2005	(339177)
351	12/24/2003	(296018)
352	11/01/2004	(286768)
353	12/27/2001	(159622)
354	11/30/2003	(249732)
355	12/22/2004	(289567)
356	02/07/2006	(436297)
357	03/22/2005	(346347)
358	07/20/2004	(278387)
359	05/23/2005	(376200)
360	05/11/2006	(289568)
361	08/12/2005	(285295)
362	01/21/2004	(296019)
363	08/17/2004	(284292)
364	03/15/2004	(261987)
365	07/17/2006	(482291)
366	08/07/2006	(438858)
367	05/24/2006	(466817)
368	11/12/2003	(254614)
369	12/30/2005	(433116)
370	02/11/2004	(260085)
371	03/31/2006	(454296)
372	01/09/2005	(339130)
373	08/07/2002	(7186)
374	02/12/2003	(22520)
375	08/16/2002	(8175)
376	05/04/2005	(338714)

377 05/25/2006 (462949)
378 01/31/2005 (347883)
379 08/16/2002 (7857)
380 07/06/2004 (258308)
381 08/19/2002 (6722)
382 08/08/2006 (479807)
383 11/27/2002 (159619)
384 05/17/2006 (465607)
385 02/11/2004 (260441)
386 06/14/2005 (350783)
387 11/30/2005 (435278)
388 12/16/2004 (289573)
389 06/29/2005 (347598)
390 11/19/2001 (159618)
391 04/08/2005 (347573)
392 09/12/2005 (406575)
393 02/21/2005 (345507)
394 05/31/2006 (457316)
395 01/09/2004 (253974)
396 12/13/2004 (334315)
397 08/15/2002 (7408)
398 05/17/2004 (253533)
399 06/30/2004 (267508)
400 06/30/2004 (267938)
401 10/26/2005 (432097)
402 01/09/2004 (254710)
403 12/06/2004 (284914)
404 08/27/2002 (9436)
405 08/31/2002 (4886)
406 08/19/2005 (393378)
407 07/19/2002 (5209)
408 01/17/2005 (249734)
409 08/29/2003 (151240)
410 08/18/2006 (338822)
411 08/11/2006 (247956)
412 05/27/2005 (374664)
413 12/20/2004 (339116)
414 02/21/2005 (344930)

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

Date: 03/05/2003 (26396)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]
Description: Failure to have at least a B-surface water operator.

Date: 09/30/2002 (159615)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 04/18/2006 (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 IA
Description: Failure to notify and report in a timely manner following a reportable emissions event (Incident No. 64153).

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: 08/31/2002 (159612)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 08/22/2005 (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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Exceedance of the concentration limit for chlorine; Permit 4021, SC 7
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 IA
Description: Exceeded VOC permit limit during an emissions event.
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(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(c)[G]
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]
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)[G]
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: 08/31/2005 (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 IA

PERMIT IA

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)[G]

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

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

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 IA

Description: Dow had an avoidable emissions event during Incident 51417.

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 IA

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 IA
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 IA
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 IA
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 IA
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 IA
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 IA
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 IA
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 IA
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 IA
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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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 IA

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: 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: 08/20/2002 (7575)

Self Report? NO Classification: Minor

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

30 TAC Chapter 115, SubChapter D 115.354(1)(B)

30 TAC Chapter 116, SubChapter B 116.115(c)[G]

40 CFR Part 60, Subpart VV 60.482-7[G]

Description: 8 difficult to monitor valves were not monitored during the year 1999, as required by rules.

Self Report? NO Classification: Moderate

Citation: TEXAS HEALTH AND SAFETY CODE 382.085

Description: RE failed to control emissions on February 08, 2001 from KR-5 Kettle sample point, Incident No. 20051. This constitutes a violation of Texas Safety and Health CODE § 382.085(a),

Date: 05/24/2003 (29063)

Self Report? NO Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.201(a)(2)[G]

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: 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)[G]

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

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

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 IA
Description: Failure to meet permitted ammonia emission standard.

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 IA
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 IA
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 IA
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 IA
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 IA
Description: Failed to meet maximum allowable emission rates.

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 IA
Description: Incident 40337 was an avoidable emissions event.
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 IA
Description: Exceeded VOC permit limit during an avoidable 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 emissons event.
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: 12/02/2003 (250021)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT IA
Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal oxidizer.
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 IA
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: 01/07/2002 (120354)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: OP IA
Description: PERMIT SPECIAL CONDITI
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: OP IA
PERMIT IA
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: OP IA
PERMIT IA
Description: Failure to maintain partial pressure records.
Date: 05/30/2003 (60877)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)[G]

Description: Notification updates under TAC 335.6 are required.

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)[G]

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

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 IA

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

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 IA

Description: Failure to maintain a plug on an open ended line.

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: 05/24/2005 (380324)

Self Report? NO Classification: Minor

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

Rqmt Prov: OP IA

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 IA

PERMIT IA

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: 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: 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: 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 IA

PA IA

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 IA

PA IA

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

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: 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: 08/26/2005 (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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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

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 IA

Description: Dow exceeded VOC permit limit during 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 IA

Description: Incident #43280 was avoidable.

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 IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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 IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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 IA

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 IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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

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)[G]

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

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: 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)[G]

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

Date: 03/05/2003 (26394)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(3)[G]

Description: Failure to have proper grade of licensed operator.

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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 IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Failure to re-monitor fugitive components within 15 days.

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)[G]

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

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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 IA

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 IA

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 IA

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)[G]

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

Rqmt Prov: OP IA

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)[G]

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

Rqmt Prov: OP IA

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: OP IA

PERMIT IA

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 IA

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 IA

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: OP IA

PERMIT IA

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)[G]

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(c)[G]

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

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 IA

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 IA

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 IA

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 IA

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: OP IA

PERMIT IA

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 IA

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 IA

Description: Dow failed to perform eight daily visual flare observations as required.

Date: 12/31/2002 (159627)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 12/31/2001 (159626)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 08/19/2006 (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 IA

PA IA

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 IA

PA IA

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 IA

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

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 IA

Description: Failure to provide a backup dempster resulting in unauthorized emisssions.(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: 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 IA

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

PERMIT IA

Description: Failure to plug open ended valves.

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 IA
PERMIT IA
Description: THROX unit exceeded CO MAER.
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 IA
PERMIT IA
Description: Exceeded vinyl chloride average feedrate limit.
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 IA
PERMIT IA
Description: Exceeded firebox temperatures for THROX & TOX
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 IA
PERMIT IA
Description: Flowmeters on vent stream to TOX not operational.
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 IA
PERMIT IA
Description: Flare A32CSF1 exceeded hourly VOC MAER
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)(4)
Rqmt Prov: OP IA
PERMIT IA
Description: Failure to monitor valves and pressure sensing devices
Self Report? NO Classification: Moderate

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 IA
Description: Failure to monitor connectors
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)[G]
Description: Failure to meet the limit for one or more permit parameter
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 IA
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: 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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Failure to equip open-ended valve with a plug.

Date: 01/14/2005 (338682)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

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 IA

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: 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 IA

Description: Incident 7827 was an avoidable emissions event.

Date: 11/30/2002 (159623)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 09/30/2003 (296016)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 11/30/2001 (159622)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 06/29/2005 (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: 05/04/2005 (338714)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP IA

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 IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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 IA

PERMIT IA

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)[G]

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.05181(a)[G]

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

Rqmt Prov: OP IA

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

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: OP IA

PERMIT IA

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: OP IA

PERMIT IA

Description: Dow failed to equip open-ended lines with plugs/caps on two occasions.

Date: 10/31/2002 (159619)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)[G]

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

Date: 11/05/2004 (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: OP IA

PA IA

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 IA

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 IA

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: OP IA

PA IA

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

Date: 07/18/2006 (462746)

Self Report? NO Classification: Moderate

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. 2004-1344-MLM-E

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The Dow Chemical Company ("Dow Chemical") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE chs. 361 and 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Dow Chemical, presented this agreement to the Commission.

Dow Chemical understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Dow Chemical agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon Dow Chemical.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Dow Chemical owns and operates a chemical manufacturing operation located at 2301 North Brazosport Boulevard, 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 Facility involves the management and/or the disposal of industrial hazardous waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.

4. During an inspection on May 5, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to equip 27 open-ended lines with a cap or plug within the operating areas of B19G1FU1, B23G2FU2, and B68ALFU1 between April 19, 2004 and April 18, 2005. Specifically, during the deviation reporting periods of April 19, 2004 to October 18, 2004 and October 19, 2004 to April 18, 2005 there were 27 deviations reported for open-ended lines in hazardous air pollutant ("HAP") and/or volatile organic compound ("VOC") service with no second valve, blind flange, cap, or plug.

5. During an inspection on July 21, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to conduct auditory, visual, and olfactory (AVO) checks one shift each day for Hydrogen Chloride and Chlorine leaks within the operating area of B68ALFU1 between August 14 and 18, 2004.

6. During an inspection on July 21, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to monitor five valves in highly reactive VOC ("HRVOC") service during the second quarter of 2004.

7. During an inspection on May 5, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to convert in-stack concentrations of Carbon Monoxide emissions to pounds per hour ("lbs/hr") from scrubber B19G1T210 for the 3rd and 4th quarters of 2004.

8. During an inspection on May 5, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent unauthorized emissions of 2,369 pounds ("lbs") of the HRVOC Ethylene at the Polyethylene IV Unit, Facility ID NO. B41P4RX1, emission point number ("EPN") B41RL1 during an emissions event that occurred on March 30, 2005 and lasted 15 minutes. These emissions are not authorized by the permit. Since this emissions event was avoidable and inadequately reported, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

9. During an inspection on May 5, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent unauthorized emissions of 1,160 lbs of volatile organic compounds ("VOCs") from the Light Hydrocarbons – 7 Unit, Facility ID No. B72L7RX1, emission point number ("EPN") B60F3 and 546.9 lbs of Carbon Monoxide and 90% opacity from Facility ID No. B60L7F1 during an emissions event that occurred on April 28, 2005 and lasted 1 hour and 36 minutes. The release included 4.2 lbs of the HRVOC Butene, 1.1 lbs of the hazardous air pollutant ("HAP") and HRVOC 1.3 Butadiene, 0.4 lbs of

the HAP Hexane, and 7.4 lbs of the HRVOC Propylene. Since the emission event was avoidable, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

10. During an inspection on July 21, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to equip 27 open-ended lines with a cap or plug within the operating areas of B27P3FU3, B25P2FU1, B25P2FU2, B37P4FU1, B41P4FU1, and B77APFU1 between February 27, 2004 and August 29, 2004. Specifically during the deviation reporting periods of January 28, 2004 to July 27, 2004 and July 28, 2004 to September 30, 2004 there were 27 deviations reported for open-ended lines in VOC service with no second valve, blind flange, cap, or plug.

11. During an inspection on July 18, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to either repair or place on the delay of repair list 10 leaking components in Unit B41P4FU1 within 15 days after the leak was discovered.

12. During an inspection on July 18, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to include the hydrogen chloride leak in Unit B41P4CT1 on July 2, 2004 as a deviation in the August 24, 2004 deviation report.

13. During an inspection on July 18, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent unauthorized emissions of 663 lbs of Carbon released on February 10, 2004 for approximately two minutes, which were not reported within 24 hours (reported in a deviation report submitted August 24, 2004). Since this emissions event was inaccurately reported, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

14. During an inspection on July 18, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to report within 24 hours the emissions event of 663 lbs of Carbon released on February 10, 2004 for approximately two minutes. The regulated entity reported the event on a deviation report on August 24, 2004.

15. A TCEQ Houston Regional Office investigator documented that Dow Chemical failed to establish minimum liquid to gas ("L/G") ratio for the operation of the scrubber (halogen reduction device) in the polycarbonate facility in the engineering thermoplastics unit during the performance test conducted on December 12, 2002. Without the L/G ratio established, compliance with the mass emission rate requirement of less than 0.45 kilograms per hour ("kg/hr") cannot be determined.

16. During an inspection on April 30, 2003, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to comply with the permitted limit established in the

Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. 37884 for propylene (C3H6O), carbon monoxide (CO), and nitric oxide (NOx). Specifically, the Respondent failed to prevent the unauthorized emission of C3H6O, CO, and NOx at the Dow's North American Propylene (NAPP-1) Unit during the period between January 4 and 25, 2003. The reported value of C3H6O, CO and NOx released to the atmosphere were 39,360 lbs, 37,030 lbs and 6,910 lbs respectively. The permitted VOC limit including propylene is 3,600 lbs. The permitted CO and NOx limits are 3,220 lbs and 960 lbs respectively.

17. During an inspection on April 25, 2003, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to comply with the permitted limit established in the Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. X-7386 for ethylene oxide. Specifically, the Respondent failed to prevent the unauthorized emission of ethylene oxide at the Dow's Hydroxyalkyl Acrylate (HHA Reactor System B6400) Unit for a period of one hour 45 minutes on March 12, 2003. The reported value of ethylene oxide released from the VS-1 Schrubber valve to the atmosphere was 5,795 lbs. The permitted ethylene oxide limit is 0.20 lbs/hr.

18. During an inspection on April 14, 2003, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent the unauthorized emission of ethylene at the Dow's Plant B Polyethylene (PE) Unit for a period of 33 hours starting on April 7, 2003. The reported value of ethylene released to the atmosphere, as a result of malfunctioning of the Train 2 safety relief valve, was 203,000 lbs.

19. During an inspection beginning on March 10, 2004 and concluding on April 5, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to have available the records to demonstrate that samples were being continuously collected from the bottoms of stripping towers T-444 and T-445.

20. During an inspection beginning on March 10, 2004 and concluding on April 5, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to use an approved method to establish the pounds per hour of VOCs emitted into the atmosphere from cooling towers CT-320 and CT-2320.

21. During an inspection beginning on March 10, 2004 and concluding on April 5, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to conduct a quarterly accuracy audit for the CEMS on Boiler No. 2 FTB-402 (EPN No. OC5SV404) for the third quarter (July through September) of 2002.

22. During an inspection beginning on March 10, 2004 and concluding on April 5, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to meet the requirements of the VOC leak detection and repair programs. Specifically, one pump

was not attempted to be repaired within five days; and two pumps, one valve, and two connectors were not repaired within 15 days. The estimated amount of emissions from the three pumps are as follows: Tag #EAI67373 (10/16-24/03) – 9.54 lbs; Tag #EAI106430 (12/19/03-1/20/04) – 33.92 lbs; Tag #EAI89844 (12/19/03-1/20/04)-33.92 lbs. The estimated amount of emissions from one valve is as follows: Tag #02140 (6/4-13/03) – 1.98 lbs. The estimated amount of emissions from the two connectors are as follows: Tag #02359 (6/4-23/03) – 0.38 lbs, and Tag #EAI35470 (12/6-10/03) – 0.1 lbs.

23. During an inspection beginning on March 10, 2004 and concluding on April 5, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to perform VOC leak detection monitoring of valves according to 40 CFR Part 60, Appendix A-7, Method 21, 8.3.1 during the fourth quarter of 2003. The estimated amount of VOC emissions from the 25 valves were 20.24 lbs of VOCs.

24. During an inspection on March 26, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent the disposal of unauthorized hazardous waste into an on-site hazardous waste landfill. Specifically, instead of sending the waste to an on-site incinerator, or performing the on-site waste stabilization treatment, 355 cubic yards of non-treated waste (contaminated soil) was placed in Cell IV of Dow's Block-51 landfill between the period of January 14, 2003 and September 23, 2003.

25. During an inspection on April 23, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent the lock-nut from falling off the positioner pin, which disconnected the feedback arm from the coupler block in the LHC-8. This resulted in the release of unauthorized emissions which exceeded permitted limits. Specifically, the total unauthorized emissions above the emissions cap from this incident were 80,525 lbs of VOCs, 4,599 lbs of benzene, and 10,050 lbs of CO.

26. During an inspection on April 3, 2003, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to submit a complete final emissions event report.

27. During a record review on October 25, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to comply with Air Permit No. 20432, Special Condition III-1, by allowing the release of unauthorized emissions at the Light Hydrocarbon 7 facility during a nonexempt emissions event which lasted from 4:35 a.m. until 9:30 a.m. on August 13, 2004. The emissions event was caused by an error made by maintenance personnel who left a valve closed on a backup hydrogen line for one of the facility's reactors. The event was avoidable and does not meet the demonstrations for an affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

28. During an inspection beginning on March 31, 2005 and concluding on June 17, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to maintain pH and water flow rates for Scrubber D-27. The maximum allowable pH is 4.0 and the minimum required flow rate is 0.6 gallons per minute 9 or 5 pounds per minute (lbs/min)]. On 9/24/03 at 2:10 p.m., redundant pH readings were 9.1 and 8.6 and were caused by blow-back of trimethylamine (TMA) in the line after unloading a railcar. On 9/3/04, an employee shut down the scrubber system in error, reducing the flow to 0 to 4.6 lbs/min for a 45-min period and causing the pH to rise above 4.0 for 10 min. (Redundant pH readings were 8.0 and 7.7 at 1:20 p.m.)

29. During an inspection beginning on March 31, 2005 and concluding on June 17, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to conduct an instrument-monitored fugitive emission inspection on a pump, Tag #EAI273155, for two quarters, fourth quarter 2003 and first quarter 2004.

30. During an inspection beginning on March 31, 2005 and concluding on June 17, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to maintain caps and/or plugs on four open-ended lines in the B6600 Quat 188 Plant for components EAI272070 (T-100c/EPN B6610V100), EAI272990 (T-100c/EPN B6610V100), EAI1273010 (D-57/EPN Unknown), and EAI272471 (P-53A/EPN B6610V53).

31. During an inspection beginning on March 31, 2005 and concluding on June 17, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to retain two-year fugitive emission monitoring records for 21 components in methylene chloride service and 22 components in volatile organic compound (VOC) service.

32. During an inspection beginning on March 31, 2005 and concluding on June 17, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to monitor for fugitive emissions all connectors, regardless of size, in VOC service. A total of 649 components were not monitored.

33. During an inspection beginning on March 31, 2005 and concluding on June 17, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to obtain a permit prior to constructing and operating methylene chloride extraction Tower T-100c.

34. During an inspection on August 25, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical exceeded the maximum allowable emission rate (MAER) for volatile organic compounds (VOC) during an avoidable emissions event at the Hydroxy Alkyl Acrylates Plant on December 23, 2004. Dow failed to close a valve after maintenance which resulted in an over pressurization, blown rupture disc, and release of 1,061 pounds (lbs) of propylene oxide from the VS-1 Scrubber. The duration was one hour and 45

minutes. The MAER for VOCs is 0.20 lbs per hour. Because the event was avoidable, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

35. During an inspection beginning on August 12, 2005 and concluding on August 26, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to monitor 269 valves in Volatile Hazardous Air Pollutant ("VHAP") service in the Chemicals and Metals (1) area from February 3, 2004 to September 30, 2004, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005.

36. During an inspection beginning on August 12, 2005 and concluding on August 26, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to equip 49 open-ended lines in the Chemicals and Metals (1) area with a second valve, blind flange, cap, or plug. Specifically, during the deviation reporting periods of February 3, 2004 to August 3, 2004 and August 3, 2004 to February 2, 2005, it was reported there were 11 open-ended lines in VHAP service on February 3, 2004, and 38 open-ended lines in VHAP service from August 17, 2004 to January 7, 2005.

37. During an inspection beginning on August 12, 2005 and concluding on August 26, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to conduct an annual Audio, Visual, and Olfactory ("AVO") inspection of the closed vent system in VHAP service in the Chemicals and Metals (1) area, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005.

38. During an inspection beginning on August 12, 2005 and concluding on August 26, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to adequately maintain records regarding repairs and replacements done as a result of leaks documented during AVO inspections of the Chemicals and Metals (1) areas once per shift, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005.

39. During an inspection beginning on August 12, 2005 and concluding on August 26, 2005, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to operate within permit representations. Specifically, TCEQ Air Permit No. 5661 does not authorize chlorine emissions from the J-20 HCI absorber in the Chemicals and Metals (1) area (EPN B15V20), however, during the deviation reporting period of August 3, 2004 to February 2, 2005, unauthorized chlorine emissions from the J-20 HCI absorber were reported.

40. During an inspection beginning on August 13, 2004 and concluding on August 27, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent unauthorized emissions of 10,085 pounds ("lbs") of the highly reactive volatile

organic compound ("HRVOC") ethylene during an emissions event that occurred on May 26, 2004 and lasted 4 hours and 30 minutes. These emissions were not authorized by the permit. Since the emissions event was avoidable, not reported within the required timeframe, and determined to be excessive, Dow Chemical failed to meet the demonstration criteria for an affirmative dense in 30 TEX. ADMIN. CODE § 101.222.

41. During an inspection beginning on August 13, 2004 and concluding on August 27, 2004, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on May 26, 2004 at 9:30 a.m., but was not reported until May 27, 2006 at 1:59 p.m.

42. During an inspection beginning on November 5, 2004 and concluding on November 19, 2004 and documented March 17, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent unauthorized emissions of 307.52 pounds ("lbs") of the hazardous air pollutant ("HAP") 1.3-butadiene, 236.54 lbs of the HRVOC 1-butene, 204.36 lbs of 1-pentene, 6.91 lbs of acetyelen, 161.71 lbs of the HAP benzene, 87.61 lbs of butane, 40,064.50 lbs of carbon monoxide, 39.12 lbs of cyclohexane, 6,397.78 lbs of ethane, 24,787.55 lbs of the HRVOC ethylene, 2,009.76 lbs of hydrogen, 0.11 lbs of hydrogen sulfide, 0.62 lbs of isobutene, 11,622.74 lbs of methane, 1,981 lbs of methyl acetylene, 280.23 lbs of nitrogen dioxide, 5,324.46 lbs of nitrogen oxide, 58.75 lbs of propadiene, 2,662.36 lbs of propane, 7,116.38 lbs of the HRVOC propylene, 49.24 lbs of the HAP toluene, and 10.77 lbs of the HAP xylene for a total of 32,477.99 lbs of HRVOCs and 529.24 lbs of HAPs during an event at the Light Hydrocarbon-8 Unit which began March 5, 2003 and lasted 27 hours and 30 minutes. These emissions were not authorized by the permit. Since the emissions event was avoidable and determined to be excessive, the Dow Chemical failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

43. During an inspection on February 7, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to meet the flare requirements for 3 flares (EPN Nos. BSRF601, BSRFMW1T, and BSRFMNF). Specifically, Dow Chemical failed to monitor the flare pilots flames in order to maintain the continuous presence of a flame using a thermocouple or other equipment device which detects the presence of a flame.

44. During an inspection on February 16, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to maintain the continuous presence of a flame on five occasions for three flares (EPN Nos. BSRFMNF, BSRF601, and BSRFMW1T).

45. During an inspection on February 16, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to submit Permit by Rule ("PBR") notification (Form

PI-7) within ten days following modifications to the brine process for the aromatic storage wells (EPN Nos. BSRPSR2 and BSRPR2L) in to Lake Warder and SR-2 (benzene brine ponds).

46. During an inspection on February 16, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to monitor 504 valves and 1,716 connectors in the fugitive emissions area (EPN No. BSRFUBRCK) during the third and fourth quarters of 2004, and the second quarter of 2005. The estimated amount of volatile organic compound ("VOCs") fugitive emissions during this time period of 273 days is 14.71 tons from the valves, and 2.82 tons from the connectors, for a combined total of 17.53 tons of VOCs. The permitted limit of VOCs from this EPN is 2.04 tons per year.

47. During an inspection on February 16, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to report the deviation of failure to conduct fugitive emissions monitoring on 504 valves and 1,716 connectors in the fugitive area (EPN No. BSRFUBRCK) during the second quarter of 2005 in the deviation report dated August 5, 2005.

48. During an inspection on February 16, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to check for proper operation of the engine (EPN No. BSRGE601) by recorded measurements of nitrogen oxide ("NOx") and carbon monoxide ("CO") emissions after engine maintenance was conducted on February 26, 2005.

49. During an inspection on February 16, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to include the specific rule citations for units with a claimed exemption from the emission specifications of 30 TEX. ADMIN. CODE § 117.206 in the final control report submitted March 31, 2005.

50. During an inspection beginning on June 19, 2006 and concluding on July 12, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to comply with hydrogen chloride ("HCl") emissions limits of 0.40 pounds per hour ("lbs/hr") and 12.0 parts per million ("ppm") and Chlorine ("Cl2") emissions limits of 0.03 lbs/hr and failed to comply with the minimum destruction efficiency of 99.99% for volatile organic compounds (VOCs). Specifically, results of stack testing conducted on July 28, 2005 at emission point number ("EPN") A36S531 in the SK-531 Thermal Treatment Unit (TTU/BU-520) and Tail Scrubber showed emissions of 0.56 lbs/hr and 19.7 ppm of HCl and 0.49 lbs/hr of Cl2 and a VOC destruction efficiency of 98.95%.

51. During an inspection beginning on June 19, 2006 and concluding on July 12, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent unauthorized emissions, failed to prevent visible emissions from a process gas flare for more

than five minutes in any two-hour period, and failed to operate a process gas flare with a pilot flame present at all times. Specifically, unauthorized emissions of 200,551.26 lbs of VOCs, 94,184.1 lbs of CO, and 100% opacity were released through the Elevate Flare F-1, EPN OC6L8RX1, in the Light Hydrocarbon – 8 Block OC-601 Unit (Incident Nos. 42477 and 42478) during an emissions event that occurred on July 9, 2004 and lasted 111 hours and 17 minutes, including 7 minutes during which there was no pilot flame. Since the emissions event was avoidable and determined to be excessive, Dow Chemical failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

52. During an inspection on June 23, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent unauthorized emissions and failed to prevent visible emissions with an opacity greater than 30% for any 6-minute period. Specifically, unauthorized emissions of 66,711.24 lbs of VOCs, 12,260.37 lbs of CO, 307.06 lbs of nitrogen oxide, 5,834.24 lbs of nitric oxide, and 100% opacity were released from a hole in the ground (from drilling operations) located underneath a drilling rig in the Stratton Ridge Unit (Incident Nos. 42709 and 42710) during an emissions event that occurred on July 13, 2004 and lasted 25 hours and 45 minutes. These emissions are not authorized by the permit. Since the emissions event was avoidable and determined to be excessive, Dow Chemical failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

53. During an inspection on June 23, 2006, a TCEQ Houston Regional Office investigator documented that Dow Chemical failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 3, 401 lbs of the HRVOC ethylene were released from an inconel rupture disc in the Polyethylene #4 Unit (Incident 73950) during an emissions event that occurred on April 4, 2006 and lasted 6 minutes. These emissions are not authorized by the permit. Since the emissions event was avoidable, Dow Chemical failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

54. Dow Chemical received notice of the violations on or about June 2, 2002, June 8, 2003, August 4, 2003, May 3, 2004, May 29, 2004, May 31, 2004, June 7, 2004, January 9, 2005, July 28, 2005, August 19, 2005, August 22, 2005, August 24, 2005, August 26, 2005, September 14, 2005, November 15, 2005, January 17, 2006, March 15, 2006, March 22, 2006, May 11, 2006, August 9, 2006, August 17, 2006 and August 25, 2006.

55. The Executive Director recognizes that Dow Chemical has implemented the following corrective measures at the Plant in response to this enforcement action:

a. Implemented measures to prevent unauthorized emissions related to the same causes as the emissions events; and

b. Submitted corrective action plans (CAP) to address excessive emissions events that occurred on March 5, 2003, May 26, July 9 and July 13, 2004.

56. The Executive Director recognizes that Dow Chemical has implemented numerous corrective measures at the Plant in response to this enforcement action.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1, 2, and 3, Dow Chemical is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE chs. 361 and 382, and the rules of the Commission.

2. As evidenced by Finding of Fact No. 4, Dow Chemical has failed to equip 27 open-ended lines with a cap or plug within the operating areas of B19G1FU1, B23G2FU2, and B68ALFU1 between April 19, 2004 and April 18, 2005. Specifically, during the deviation reporting periods of April 19, 2004 to October 18, 2004 and October 19, 2004 to April 18, 2005 there were 27 deviations reported for open-ended lines in hazardous air pollutant ("HAP") and/or volatile organic compound ("VOC") service with no second valve, blind flange, cap, or plug, in violation of TCEQ Air Permit No. 20432, Special Condition 2.E., 30 TEX. ADMIN. CODE § 115.352(4), 40 CFR § 63.167(a)(1), 30 TEX. ADMIN. CODE § 116.715(a) and TEX. HEALTH & SAFETY CODE § 382.085(b).

3. As evidenced by Finding of Fact No. 5, Dow Chemical has failed to conduct auditory, visual, and olfactory (AVO) checks one shift each day for Hydrogen Chloride and Chlorine leaks within the operating area of B68ALFU1 between August 14 and 18, 2004, in violation of TCEQ Permit No. 20432, Special Condition 3.A., 30 TEX. ADMIN. CODE § 116.715(a) and TEX. HEALTH & SAFETY CODE § 382.085(b).

4. As evidenced by Finding of Fact No. 6, Dow Chemical has failed to monitor five valves in highly reactive VOC ("HRVOC") service during the second quarter of 2004, in violation of 30 TEX. ADMIN. CODE § 115.354(2)(C) and TEX. HEALTH & SAFETY CODE § 382.085(b).

5. As evidenced by Finding of Fact No. 7, Dow Chemical has failed to convert in-stack concentrations of Carbon Monoxide emissions to pounds per hour ("lbs/hr") from scrubber B19G1T210 for the 3rd and 4th quarters of 2004, in violation of TCEQ Air Permit No. 20432, Special Condition I-22.C. and 40 CFR § 63.152(c)(2)(ii), 30 TEX. ADMIN CODE § 116.715(a) and TEX. HEALTH & SAFETY CODE § 382.085(b).

6. As evidenced by Finding of Fact No. 8, Dow Chemical has failed to prevent unauthorized emissions of 2,369 pounds ("lbs") of the HRVOC Ethylene at the Polyethylene IV Unit,

Facility ID NO. B41P4RX1, emission point number ("EPN") B41RL1 during an emissions event that occurred on March 30, 2005 and lasted 15 minutes. These emissions are not authorized by the permit, in violation of TCEQ Air Permit No. 834, Special Condition 1 and 30 TEX. ADMIN. CODE § 116.115(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was avoidable and inadequately reported, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222

7. As evidenced by Finding of Fact No. 9, Dow Chemical has failed to prevent unauthorized emissions of 1,160 lbs of volatile organic compounds ("VOCs") from the Light Hydrocarbons – 7 Unit, Facility ID No. B72L7RX1, emission point number ("EPN") B60F3 and 546.9 lbs of Carbon Monoxide and 90% opacity from Facility ID No. B60L7F1 during an emissions event that occurred on April 28, 2005 and lasted 1 hour and 36 minutes. The release included 4.2 lbs of the HRVOC Butene, 1.1 lbs of the hazardous air pollutant ("HAP") and HRVOC 1,3Butadiene, 0.4 lbs of the HAP Hexane, and 7.4 lbs of the HRVOC Propylene, in violation of TCEQ Air Permit No. 20432, Special Condition III-1, 30 TEX. ADMIN. CODE § 116.715(a) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emission event was avoidable, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

8. As evidenced by Finding of Fact No. 10, Dow Chemical has failed to equip 27 open-ended lines with a cap or plug within the operating areas of B27P3FU3, B25P2FU1, B25P2FU2, B37P4FU1, B41P4FU1, and B77APFU1 between February 27, 2004 and August 29, 2004. Specifically during the deviation reporting periods of January 28, 2004 to July 27, 2004 and July 28, 2004 to September 30, 2004 there were 27 deviations reported for open-ended lines in VOC service with no second valve, blind flange, cap, or plug, in violation of TCEQ Air Permit No. O-02215, Special Condition 1.A. and 11, TCEQ Air Permit No. 19519, Special Condition 5.E., TCEQ Air Permit No. 48813, Special Condition 5.E., TCEQ Air Permit No. 6803, Special Condition 9.E., TCEQ Air Permit No. 834, Special Condition 9.E., TCEQ Air Permit No. 8567, Special Condition 8.E., 30 TEX. ADMIN. CODE §§ 115.352(4), 116.115(c) and 122.143(4), 40 CFR § 60.482-6(a)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b).

9. As evidenced by Finding of Fact No. 11, Dow Chemical has failed to either repair or place on the delay of repair list 10 leaking components in Unit B41P4FU1 within 15 days after the leak was discovered, in violation of TCEQ Air Permit No. O-02215, Special Conditions 1.A. and 11, TCEQ Air Permit No. 834, Special Condition 9.I., 30 TEX. ADMIN. CODE §§ 115.352(2), 116.115(c) and 122.143(4) and TEX. HEALTH & SAFETY CODE § 382.085(b).

10. As evidenced by Finding of Fact No. 12, Dow Chemical has failed to include the hydrogen chloride leak in Unit B41P4CT1 on July 2, 2004 as a deviation in the August 24, 2004 deviation report, in violation of TCEQ Air Permit No. O-02215, General Terms and Conditions, 30 TEX. ADMIN. CODE § 122.145(2)(A) and TEX. HEALTH & SAFETY CODE §

382.085(b).

11. As evidenced by Finding of Fact No. 13, Dow Chemical has failed to prevent unauthorized emissions of 663 lbs of Carbon released on February 10, 2004 for approximately two minutes, which were not reported within 24 hours (reported in a deviation report submitted August 24, 2004), in violation of TCEQ Air Permit No. 48813, Special Condition 1, TCEQ Air Permit No. O-02215, Special Condition 11, 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was inaccurately reported, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

12. As evidenced by Finding of Fact No. 14, Dow Chemical has failed to report within 24 hours the emissions event of 663 lbs of Carbon released on February 10, 2004 for approximately two minutes. The regulated entity reported the event on a deviation report on August 24, 2004, in violation of TCEQ Air Permit No. O-02215, Special Conditions 2.E., 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4) and TEX. HEALTH & SAFETY CODE § 382.085(b).

13. As evidenced by Finding of Fact No. 15, Dow Chemical has failed to establish minimum liquid to gas ("L/G") ratio for the operation of the scrubber (halogen reduction device) in the polycarbonate facility in the engineering thermoplastics unit during the performance test conducted on December 12, 2002. Without the L/G ratio established, compliance with the mass emission rate requirement of less than 0.45 kilograms per hour ("kg/hr") cannot be determined, in violation of TCEQ Federal Operating Permit ("FOP") O-02210, Special Terms and Condition 10, TCEQ New Source Review ("NSR") Air Permit No. 7531, Special Condition 6, 40 CFR §§ 63.994(b)(1) and 63.1103(d) and 30 TEX. ADMIN. CODE §§ 101.20(2), 116.115(c) and 122.143(4).

14. As evidenced by Finding of Fact No. 16, Dow Chemical has failed to comply with the permitted limit established in the Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. 37884 for propylene (C3H6O), carbon monoxide (CO), and nitric oxide (NOx). Specifically, the Respondent failed to prevent the unauthorized emission of C3H6O, CO, and NOx at the Dow's North American Propylene (NAPP-1) Unit during the period between January 4 and 25, 2003. The reported value of C3H6O, CO and NOx released to the atmosphere were 39,360 lbs, 37,030 lbs and 6,910 lbs respectively. The permitted VOC limit including propylene is 3,600 lbs. The permitted CO and NOx limits are 3,220 lbs and 960 lbs respectively, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(G) and Air Permit No. 37884, Maximum Allowable Emission Rate Table and TEX. HEALTH & SAFETY CODE § 382.085(b).

15. As evidenced by Finding of Fact No. 17, Dow Chemical has failed to comply with the

permitted limit established in the Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. X-7386 for ethylene oxide. Specifically, the Respondent failed to prevent the unauthorized emission of ethylene oxide at the Dow's Hydroxyalkyl Acrylate (HHA Reactor System B6400) Unit for a period of one hour 45 minutes on March 12, 2003. The reported value of ethylene oxide released from the VS-1 Schrubber valve to the atmosphere was 5,795 lbs. The permitted ethylene oxide limit is 0.20 lbs/hr, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. X-7386, Maximum Allowable Emission Rate Table, Special Condition No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b).

16. As evidenced by Finding of Fact No. 18, Dow Chemical has failed to prevent the unauthorized emission of ethylene at the Dow's Plant B Polyethylene (PE) Unit for a period of 33 hours starting on April 7, 2003. The reported value of ethylene released to the atmosphere, as a result of malfunctioning of the Train 2 safety relief valve, was 203,000 lbs, in violation of TEX. HEALTH & SAFETY CODE § 382.085(a) and 30 TEX. ADMIN. CODE §§ 115.121(a)(1) and 115.122(a).

17. As evidenced by Finding of Fact No. 19, Dow Chemical has failed to have available the records to demonstrate that samples were being continuously collected from the bottoms of stripping towers T-444 and T-445, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review ("NSR") Permit No. 19041, Special Condition No. 9 and TEX. HEALTH & SAFETY CODE § 382.085(b).

18. As evidenced by Finding of Fact No. 20, Dow Chemical has failed to use an approved method to establish the pounds per hour of VOCs emitted into the atmosphere from cooling towers CT-320 and CT-2320, in violation of 30 TEX. ADMIN. CODE § 116.115(c), NSR Permit No. 19041, Special Condition No. 13 and TEX. HEALTH & SAFETY CODE § 382.085(b).

19. As evidenced by Finding of Fact No. 21, Dow Chemical has failed to conduct a quarterly accuracy audit for the CEMS on Boiler No. 2 FTB-402 (EPN No. OC5SV404) for the third quarter (July through September) of 2002, in violation of 30 TEX. ADMIN. CODE § 116.115(c), NSR Permit No. 19041, Special Condition No. 19B and TEX. HEALTH & SAFETY CODE § 382.085(b).

20. As evidenced by Finding of Fact No. 22, Dow Chemical has failed to meet the requirements of the VOC leak detection and repair programs. Specifically, one pump was not attempted to be repaired within five days; and two pumps, one valve, and two connectors were not repaired within 15 days. The estimated amount of emissions from the three pumps are as follows: Tag #EAI67373 (10/16-24/03) – 9.54 lbs; Tag #EAI106430 (12/19/03-1/20/04) – 33.92 lbs; Tag #EAI89844 (12/19/03-1/20/04)-33.92 lbs. The estimated amount of emissions from one valve is as follows: Tag #02140 (6/4-13/03) – 1.98 lbs. The estimated amount of

emissions from the two connectors are as follows: Tag #02359 (6/4-23/03) – 0.38 lbs, and Tag #EAI35470 (12/6-10/03) – 0.1 lbs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 116.115(c), NSR Permit No. 19041, Special Condition Nos. 1, 15, and 16, 40 CFR §§ 63.163(c)(1) and (2), 63.168(f)(1), 63.174(d) and TEX. HEALTH & SAFETY CODE § 382.085(b).

21. As evidenced by Finding of Fact No. 23, Dow Chemical has failed to perform VOC leak detection monitoring of valves according to 40 CFR Part 60, Appendix A-7, Method 21, 8.3.1 during the fourth quarter of 2003. The estimated amount of VOC emissions from the 25 valves were 20.24 lbs of VOCs, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 116.115(c), NSR Permit No. 19041, Special Condition No. 1, 40 CFR § 63.1004(b) and TEX. HEALTH & SAFETY CODE § 382.085(b).

22. As evidenced by Finding of Fact No. 24, Dow Chemical has failed to prevent the disposal of unauthorized hazardous waste into an on-site hazardous waste landfill. Specifically, instead of sending the waste to an on-site incinerator, or performing the on-site waste stabilization treatment, 355 cubic yards of non-treated waste (contaminated soil) was placed in Cell IV of Dow's Block-51 landfill between the period of January 14, 2003 and September 23, 2003, in violation of 30 TEX. ADMIN. CODE §§ 335.2(b), 335.431, TCEQ Hazardous Waste Permit No. 50161, Permit Provision III-E 10 and V-EE and 40 CFR §§ 268.1(a) and 268.40(a).

23. As evidenced by Finding of Fact No. 25, Dow Chemical has failed to prevent the lock-nut from falling off the positioner pin, which disconnected the feedback arm from the coupler block in the LHC-8. This resulted in the release of unauthorized emissions which exceeded permitted limits. Specifically, the total unauthorized emissions above the emissions cap from this incident were 80,525 lbs of VOCs, 4,599 lobs of benzene, and 10,050 lbs of CO, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TCEQ Air Flexible Permit No. 2043/PSD-TX-894 and TEX. HEALTH & SAFETY CODE § 382.085(b).

24. As evidenced by Finding of Fact No. 26, Dow Chemical has failed to submit a complete final emissions event report, in violation of 30 TEX. ADMIN. CODE § 101.201(b) AND TEX. HEALTH & SAFETY CODE § 382.085(b).

25. As evidenced by Finding of Fact No. 27, Dow Chemical has failed to comply with Air Permit No. 20432, Special Condition III-1, by allowing the release of unauthorized emissions at the Light Hydrocarbon 7 facility during a nonexempt emissions event which lasted from 4:35 a.m. until 9:30 a.m. on August 13, 2004. The emissions event was caused by an error made by maintenance personnel who left a valve closed on a backup hydrogen line for one of the facility's reactors, in violation of 30 TEX. ADMIN. CODE § 116.715(a), Air Permit No. 20432, Special Condition III-1 and TEX. HEALTH & SAFETY CODE § 382.085(b). The event was avoidable and does not meet the demonstrations for an affirmative defense as found in 30

TEX. ADMIN. CODE § 101.222.

26. As evidenced by Finding of Fact No. 28, Dow Chemical has failed to maintain pH and water flow rates for Scrubber D-27. The maximum allowable pH is 4.0 and the minimum required flow rate is 0.6 gallons per minute 9 or 5 pounds per minute (lbs/min)]. On 9/24/03 at 2:10 p.m., redundant pH readings were 9.1 and 8.6 and were caused by blow-back of trimethylamine (TMA) in the line after unloading a railcar. On 9/3/04, an employee shut down the scrubber system in error, reducing the flow to 0 to 4.6 lbs/min for a 45-min period and causing the pH to rise above 4.0 for 10 min. (Redundant pH readings were 8.0 and 7.7 at 1:20 p.m.), in violation of 30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 20776, Special Condition 8 and TEX. HEALTH & SAFETY CODE § 382.085(b).

27. As evidenced by Finding of Fact No. 29, Dow Chemical has failed to conduct an instrument-monitored fugitive emission inspection on a pump, Tag #EAI273155, for two quarters, fourth quarter 2003 and first quarter 2004, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 20776, Special Condition 7.G. and TEX. HEALTH & SAFETY CODE § 382.085(b).

28. As evidenced by Finding of Fact No. 30, Dow Chemical has failed to maintain caps and/or plugs on four open-ended lines in the B6600 Quat 188 Plant for components EAI272070 (T-100c/EPN B6610V100), EAI272990 (T-100c/EPN B6610V100), EAI1273010 (D-57/EPN Unknown), and EAI272471 (P-53A/EPN B6610V53), in violation of 30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 20776, Special Condition 6.E. and 7.E. and TEX. HEALTH & SAFETY CODE § 382.085(b).

29. As evidenced by Finding of Fact No. 31, Dow Chemical has failed to retain two-year fugitive emission monitoring records for 21 components in methylene chloride service and 22 components in volatile organic compound (VOC) service, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F), Air Permit No. 20776, General Condition 7 and TEX. HEALTH & SAFETY CODE § 382.085(b).

30. As evidenced by Finding of Fact No. 32, Dow Chemical has failed to monitor for fugitive emissions all connectors, regardless of size, in VOC service. A total of 649 components were not monitored, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 20776, Special Condition 10 and TEX. HEALTH & SAFETY CODE § 382.085(b).

31. As evidenced by Finding of Fact No. 33, Dow Chemical has failed to obtain a permit prior to constructing and operating methylene chloride extraction Tower T-100c, in violation of 30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b).

32. As evidenced by Finding of Fact No. 34, Dow Chemical has exceeded the maximum

allowable emission rate (MAER) for volatile organic compounds (VOC) during an avoidable emissions event at the Hydroxy Alkyl Acrylates Plant on December 23, 2004. Dow failed to close a valve after maintenance which resulted in an over pressurization, blown rupture disc, and release of 1,061 pounds (lbs) of propylene oxide from the VS-1 Scrubber. The duration was one hour and 45 minutes. The MAER for VOCs is 0.20 lbs per hour, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Permit No. 7386, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b). Because the event was avoidable, Dow Chemical failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

33. As evidenced by Finding of Fact No. 35, Dow Chemical has failed to monitor 269 valves in Volatile Hazardous Air Pollutant ("VHAP") service in the Chemicals and Metals (1) area from February 3, 2004 to September 30, 2004, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005, in violation of 30 TEX. ADMIN. CODE §§ 115.354(2)(C), 101.20(2) and 122.143(4), 40 CFR § 63.168(b)(1), TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A. and TEX. HEALTH & SAFETY CODE § 382.085(b).

34. As evidenced by Finding of Fact No. 36, Dow Chemical has failed to equip 49 open-ended lines in the Chemicals and Metals (1) area with a second valve, blind flange, cap, or plug. Specifically, during the deviation reporting periods of February 3, 2004 to August 3, 2004 and August 3, 2004 to February 2, 2005, it was reported there were 11 open-ended lines in VHAP service on February 3, 2004, and 38 open-ended lines in VHAP service from August 17, 2004 to January 7, 2005, in violation of 30 TEX. ADMIN. CODE §§ 115.352(4) 101.20(2) and 122.143(4), 40 CFR § 63.167(a)(1), TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A. and TEX. HEALTH & SAFETY CODE § 382.085(b).

35. As evidenced by Finding of Fact No. 37, Dow Chemical has failed to conduct an annual Audio, Visual, and Olfactory ("AVO") inspection of the closed vent system in VHAP service in the Chemicals and Metals (1) area, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005, in violation of 40 CFR § 63.148(b), 30 TEX. ADMIN. CODE §§ 101.20(2) and 122.143(4), TCEQ Federal Operating Permit No. O-01388, Special Condition No. 1.A. and TEX. HEALTH & SAFETY CODE § 382.085(b).

36. As evidenced by Finding of Fact No. 38, Dow Chemical has failed to adequately maintain records regarding repairs and replacements done as a result of leaks documented during AVO inspections of the Chemicals and Metals (1) areas once per shift, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005, in violation of TCEQ Air Permit No. 5339, Special Condition No. 11, 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TCEQ Air Permit No. 48478, Special Condition No. 2, TCEQ Air Permit No. 5661, Special Condition No. 6 and TEX. HEALTH & SAFETY CODE § 382.085(b).

37. As evidenced by Finding of Fact No. 39, Dow Chemical has failed to operate within permit representations. Specifically, TCEQ Air Permit No. 5661 does not authorize chlorine emissions from the J-20 HCI absorber in the Chemicals and Metals (1) area (EPN B15V20), however, during the deviation reporting period of August 3, 2004 to February 2, 2005, unauthorized chlorine emissions from the J-20 HCI absorber were reported, in violation of 30 TEX. ADMIN. CODE § 116.116(b)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b).

38. As evidenced by Finding of Fact No. 40, Dow Chemical has failed to prevent unauthorized emissions of 10,085 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene during an emissions event that occurred on May 26, 2004 and lasted 4 hours and 30 minutes. These emissions were not authorized by the permit, in violation of TCEQ New Source Review Permit No. 834, Special Condition 1, 30 TEX. ADMIN. CODE § 116.115(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable, not reported within the required timeframe, and determined to be excessive, Dow Chemical failed to meet the demonstration criteria for an affirmative dense in 30 TEX. ADMIN. CODE § 101.222.

39. As evidenced by Finding of Fact No. 41, Dow Chemical has failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on May 26, 2004 at 9:30 a.m., but was not reported until May 27, 2006 at 1:59 p.m., in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b).

40. As evidenced by Finding of Fact No 42, Dow Chemical has failed to prevent unauthorized emissions of 307.52 pounds ("lbs") of the hazardous air pollutant ("HAP") 1.3-butadiene, 236.54 lbs of the HRVOC 1-butene, 204.36 lbs of 1-pentene, 6.91 lbs of acetyelen, 161.71 lbs of the HAP benzene, 87.61 lbs of butane, 40,064.50 lbs of carbon monoxide, 39.12 lbs of cyclohexane, 6,397.78 lbs of ethane, 24,787.55 lbs of the HRVOC ethylene, 2,009.76 lbs of hydrogen, 0.11 lbs of hydrogen sulfide, 0.62 lbs of isobutene, 11,622.74 lbs of methane, 1,981 lbs of methyl acetylene, 280.23 lbs of nitrogen dioxide, 5,324.46 lbs of nitrogen oxide, 58.75 lbs of propadiene, 2,662.36 lbs of propane, 7,116.38 lbs of the HRVOC propylene, 49.24 lbs of the HAP toluene, and 10.77 lbs of the HAP xylene for a total of 32,477.99 lbs of HRVOCs and 529.24 lbs of HAPs during an event at the Light Hydrocarbon-8 Unit which began March 5, 2003 and lasted 27 hours and 30 minutes. These emissions were not authorized by the permit, in violation of TCEQ Flexible Permit No. 20432, Special Condition Chapter III-1, 30 TEX. ADMIN. CODE § 116.715(a) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and determined to be excessive, the Dow Chemical failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

41. As evidenced by Finding of Fact No. 43, Dow Chemical has failed to meet the flare

requirements for 3 flares (EPN Nos. BSRF601, BSRFMW1T, and BSRFMNF). Specifically, Dow Chemical failed to monitor the flare pilots flames in order to maintain the continuous presence of a flame using a thermocouple or other equipment device which detects the presence of a flame, in violation of 30 TEX. ADMIN. CODE §§ 115.126(1)(B), 116.115(c), 122.143(4), General Operating Permit No. O-012212, Special Condition Nos. 1E and 16, Air Permit No. 22072, Special Condition No. 4 and TEX. HEALTH & SAFETY CODE § 382.085(b).

42. As evidenced by Finding of Fact No. 44, Dow Chemical has failed to maintain the continuous presence of a flame on five occasions for three flares (EPN Nos. BSRFMNF, BSRF601, and BSRFMW1T), in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), General Operating Permit No. O-02212, Special Condition Nos. 1E and 16, Air Permit No. 22072, Special Condition Nos. 4 and 5 and TEX. HEALTH & SAFETY CODE § 382.08 5(b).

43. As evidenced by Finding of Fact No. 45, Dow Chemical has failed to submit Permit by Rule ("PBR") notification (Form PI-7) within ten days following modifications to the brine process for the aromatic storage wells (EPN Nos. BSRPSR2 and BSRPR2L) in to Lake Warder and SR-2 (benzene brine ponds), in violation of 30 TEX. ADMIN. CODE §§ 106.262(3), 122.143(4), General Operating Permit No. O-02212, Special Condition No. 17 and TEX. HEALTH & SAFETY CODE § 382.085(b).

44. As evidenced by Finding of Fact No. 46, Dow Chemical has failed to monitor 504 valves and 1,716 connectors in the fugitive emissions area (EPN No. BSRFUBRCK) during the third and fourth quarters of 2004, and the second quarter of 2005. The estimated amount of volatile organic compound ("VOCs") fugitive emissions during this time period of 273 days is 14.71 tons from the valves, and 2.82 tons from the connectors, for a combined total of 17.53 tons of VOCs. The permitted limit of VOCs from this EPN is 2.04 tons per year, in violation of 30 TEX. ADMIN CODE §§ 116.115(c) and 122.143(4), General Operating Permit No. O-02212, Special Condition No. 16, Air Permit No. 22072, Special Condition No. 8(F) and TEX. HEALTH & SAFETY CODE § 382.085(b).

45. As evidenced by Finding of Fact No. 47, Dow Chemical has failed to report the deviation of failure to conduct fugitive emissions monitoring on 504 valves and 1,716 connectors in the fugitive area (EPN No. BSRFUBRCK) during the second quarter of 2005 in the deviation report dated August 5, 2005, in violation of 30 TEX. ADMIN. CODE § 122.145(2)(A) and TEX. HEALTH & SAFETY CODE § 382.085(b).

46. As evidenced by Finding of Fact No 48, Dow Chemical has failed to check for proper operation of the engine (EPN No. BSRGE601) by recorded measurements of nitrogen oxide ("NOx") and carbon monoxide ("CO") emissions after engine maintenance was conducted on February 26, 2005, in violation of 30 TEX. ADMIN. CODE §§ 117.208(d)(7) and

122.143(4), General Operating No. O-02212, Special Condition No. 1D and TEX. HEALTH & SAFETY CODE § 382.085(b).

47. As evidenced by Finding of Fact No. 49, Dow Chemical has failed to include the specific rule citations for units with a claimed exemption from the emission specifications of 30 TEX. ADMIN. CODE § 117.206 in the final control report submitted March 31, 2005, in violation of 30 TEX ADMIN. CODE §§ 117.216(a)(5) and 122.143(4), General Operating Permit No. O-02212, Special Condition No. 1D and TEX. HEALTH & SAFETY CODE § 382.085(b).

48. As evidenced by Finding of Fact No. 50, Dow Chemical has failed to comply with hydrogen chloride ("HCl") emissions limits of 0.40 pounds per hour ("lbs/hr") and 12.0 parts per million ("ppm") and Chlorine ("Cl2") emissions limits of 0.03 lbs/hr and failed to comply with the minimum destruction efficiency of 99.99% for volatile organic compounds (VOCs). Specifically, results of stack testing conducted on July 28, 2005 at emission point number ("EPN") A36S531 in the SK-531 Thermal Treatment Unit (TTU/BU-520) and Tail Scrubber showed emissions of 0.56 lbs/hr and 19.7 ppm of HCl and 0.49 lbs/hr of Cl2 and a VOC destruction efficiency of 98.95%, in violation 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 101.20(2), New Source Review ("NSR") Air Permit No. 46431, General Condition 8 and Special Condition 5, 40 CFR § 63.9000(a) and TEX. HEALTH & SAFETY CODE § 382.085(b).

49. As evidenced by Finding of Fact No. 51, Dow Chemical has failed to prevent unauthorized emissions, failed to prevent visible emissions from a process gas flare for more than five minutes in any two-hour period, and failed to operate a process gas flare with a pilot flame present at all times. Specifically, unauthorized emissions of 200,551.26 lbs of VOCs, 94,184.1 lbs of CO, and 100% opacity were released through the Elevate Flare F-1, EPN OC6L8RX1, in the Light Hydrocarbon – 8 Block OC-601 Unit (Incident Nos. 42477 and 42478) during an emissions event that occurred on July 9, 2004 and lasted 111 hours and 17 minutes, including 7 minutes during which there was no pilot flame, in violation of 30 TEX. ADMIN. CODE §§ 111.111(a)(4)(A)(I), 116.715(a) and 101.20(1), Flexible Air Permit No. 20432, Special Condition III-1 and Special Condition – Flexible Permit General Requirements 4 (now Special Condition III-17), 40 CFR § 60.18(c)(2) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and determined to be excessive, Dow Chemical failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

50. As evidenced by Finding of Fact No. 52, Dow Chemical has failed to prevent unauthorized emissions and failed to prevent visible emissions with an opacity greater than 30% for any 6-minute period. Specifically, unauthorized emissions of 66,711.24 lbs of VOCs, 12,260.37 lbs of CO, 307.06 lbs of nitrogen oxide, 5,834.24 lbs of nitric oxide, and 100% opacity were released from a hole in the ground (from drilling operations) located underneath a drilling rig

in the Stratton Ridge Unit (Incident Nos. 42709 and 42710) during an emissions event that occurred on July 13, 2004 and lasted 25 hours and 45 minutes. These emissions are not authorized by the permit, in violation of 30 TEX. ADMIN. CODE §§ 111.111(a)(8)(A) and 116.115(c), NSR Air Permit No. 834, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and determined to be excessive, Dow Chemical failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

51. As evidenced by Finding of Fact No. 53, Dow Chemical has failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 3, 401 lbs of the HRVOC ethylene were released from an inconel rupture disc in the Polyethylene #4 Unit (Incident 73950) during an emissions event that occurred on April 4, 2006 and lasted 6 minutes. These emissions are not authorized by the permit, in violation of 30 TEX. ADMIN. CODE § 116.115(c), NSR Air Permit No. 834, Special Condition 1 and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable, Dow Chemical failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

52. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Dow Chemical for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.

53. An administrative penalty in the amount of six hundred forty-eight thousand nine hundred and four dollars ($648,904.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Three hundred twenty-four thousand four hundred and fifty-two dollars ($324,452.00) of the administrative penalty shall be conditionally offset by Dow Chemical's completion of a Supplemental Environmental Project ("SEP") as defined in Attachment A, incorporated herein by reference. Dow Chemical'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.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Dow Chemical is assessed an administrative penalty in the amount of six hundred forty-eight thousand nine hundred and four dollars ($648,904.00) as set forth in Conclusion of Law No. 53 for violations of TCEQ rules and state statutes. The payment of this administrative

penalty and Dow Chemical's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here.

2. Dow Chemical shall implement and complete a Supplemental Environmental Project in accordance with TEX. WATER CODE § 7.067. Three hundred twenty-four thousand four hundred and fifty-two dollars ($324,452.00) of the assessed penalty shall be offset with the condition that Dow Chemical implement the SEP defined in Attachment A. Dow Chemical'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. Dow Chemical shall complete the following technical requirements:

   a. Within 30 days after the effective date of this Agreed Order, the Executive Director, may send Dow Chemical any written requests for information concerning the Approved CAPs and Dow Chemical's compliance with these CAPs. Dow Chemical shall respond completely and adequately, to any such written requests for information concerning the approved CAPs within 15 days after receipt of such requests.

   b. Comply with the CAPs as approved by the TCEQ and submit written certification to demonstrate compliance with Ordering Provision No. 3 as described below:

      The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

      The certification shall be submitted to:

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

with a copy to:

Linda Vasse, Air Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Ste. H
Houston, Texas 77023-1452

4. The provisions of this Agreed Order shall apply to and be binding upon Dow Chemical. Dow Chemical is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

5. If Dow Chemical 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, Dow Chemical 's failure to comply is not a violation of this Agreed Order. Dow Chemical has the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Dow Chemical shall notify the Executive Director within seven days after Dow Chemical becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Dow Chemical shall be made in writing to the Executive Director. Extensions are not effective until Dow Chemical receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

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

8. 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.

9. This Agreed Order, issued by the Commission, shall not be admissible against Dow Chemical 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.

10. 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.

11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of the Order to Dow Chemical, or three days after the date on which the Commission mails notice of the Order to Dow Chemical, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

2/3/08
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of The Dow Chemical Company. I represent that I am authorized to agree to the attached Agreed Order on behalf of The Dow Chemical Company, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, The Dow Chemical Company waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Linda Bartholome
Signature

DEC. 27, 2007
Date

LINDA BARTHOLOME
Name (printed or typed)
Authorized Representative
The Dow Chemical Company

RESPONSIBLE CARE LEADER
Title

Attachment A
Docket Number: 2004-1344-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**DOW Chemical Company**
Penalty Amount:	**Six hundred forty-eight thousand nine hundred four dollars ($648,904)**
SEP Amount:	**Three hundred twenty-four thousand four hundred fifty two dollars ($324,452)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Houston-Galveston Area Emission Reduction Credit Organization ("AERCO")** ***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 shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used in accordance with the Supplemental Environmental Project Agreement between AERCO and the Texas Commission on Environmental Quality for the *Clean Cities/Clean Vehicles Program* in Brazoria County. SEP monies will be used to aid local school districts and area transit agencies, and may be used to reach local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of retrofitting or replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older "high emission" buses will be permanently retired and sold only for scrap.

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

B. Environmental Benefit

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

Environmental Projection Agency (EPA), model 2007 and newer buses are also cleaner in terms of particulate matter (PM) emissions than model year 2004 buses. New NOx and HC standards phased in between 2007 and 2010 will result in new school bus engines being 72% cleaner for HC and 90% cleaner for NOx than a bus produced to meet the 2004 federal standards for these pollutants.

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

C. Minimum Expenditure

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent 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, TX 77227-2777

3. Records and Reporting

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

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

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

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

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
P.O. Box 13088
Austin, Texas 78711-3088

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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