

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER** Page 1 of 3  
**DOCKET NO.:** 2007-0581-MLM-E **TCEQ ID:** RN100219252 **CASE NO.:** 33133  
**RESPONDENT NAME:** Huntsman Petrochemical Corporation

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> AIR	<input checked="" type="checkbox"/> MULTI-MEDIA (check all that apply)	<input checked="" type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input checked="" type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Huntsman Port Neches, 6001 Highway 366, Port Neches, Jefferson County</p> <p><b>TYPE OF OPERATION:</b> Petrochemical manufacturing plant</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is one additional pending enforcement action regarding this facility location, Docket No. 2007-2006-AIR-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on October 1, 2007. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768  <b>TCEQ Enforcement Coordinator:</b> Mr. Bryan Elliott, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-6162; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171  <b>Respondent:</b> Mr. Steven Barre, Site Manager, Huntsman Petrochemical Corporation, P.O. Box 847, Port Neches, Texas 77651  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> February 2 and February 13 to 15, 2007</p> <p><b>Date of NOV/NOE Relating to this Case:</b> March 20, 2007 (NOE)</p> <p><b>Background Facts:</b> These were routine investigations.</p> <p><b>AIRWASTE</b></p> <p>1) Allowed unauthorized emissions to the atmosphere and caused an unauthorized discharge to the soil. Specifically, from October 10 to 11, 2006, over a period of 27.5 hours, the Respondent allowed a release of benzene contaminated wastewater and oil from a carbon canister. This release resulted in 4,500 gallons of waste onto the soil and 74.42 pounds ("lbs") of volatile organic compounds ("VOCs"), including 54.24 lbs of benzene into the atmosphere. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 106.4(c), 113.120, 122.143(4), and 335.4, TEX. WATER CODE § 26.121(c), 40 CODE OF FEDERAL REGULATIONS § 63.135(b), Federal Operating Permit No. O-02288, Special Terms and Conditions Nos. 1D, 16, and 17, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>2) Failed to comply with permitted emissions limits. Specifically, an emissions event occurred on January 11, 2007 at the A-3 Light Olefins Unit and the F-6 Ethylene Oxide Unit that lasted for 7 hours, resulting in the release of 825.09 lbs of VOCs, 219.8 lbs of CO, and 17.15 lbs of NOx. Since this emissions event could</p>	<p><b>Total Assessed:</b> \$23,775</p> <p><b>Total Deferred:</b> \$4,755  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$9,510</p> <p><b>Total Paid to General Revenue:</b> \$9,510</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that by November 27, 2006, the Respondent removed the spilled material using vacuum trucks and remediated the contaminated soil and rock. The Respondent re-sampled the soil whereby the analytical results were non-detect for benzene and below the Texas Risk Reductions Standards for total petroleum hydrocarbons.</p> <p><b>Ordering Provisions:</b></p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement improvements to training, design, operation, or maintenance procedures, in order to address the unauthorized discharge and emissions event that occurred from October 10 to 11, 2006, and to prevent the reoccurrence of same or similar incidents;</p> <p>b. Within 30 days after the effective date of this Agreed Order, implement improvements to training, design, operation, or maintenance procedures, in order to address the emissions events that occurred on January 11, 2007, and to prevent the reoccurrence of same or similar incidents; and</p> <p>c. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a. and 2.b.</p>

<p>have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Federal Operating Permit No. O-01320, Special Terms and Conditions No. 13, NSR Permit No. 5952A, Special Condition No. 1, NSR Permit No. 19823, Special Condition No. 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): JE0052V



Attachment A

Docket Number: 2007-0581-MLM-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** Huntsman Petrochemical Corporation  
**Payable Penalty Amount:** Nineteen Thousand Twenty Dollars (\$19,020)  
**SEP Amount:** Nine Thousand Five Hundred Ten Dollars (\$9,510)  
**Type of SEP:** Pre-approved  
**Third-Party Recipient:** Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Clean School Buses  
**Location of SEP:** Jefferson County

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

**1. Project Description**

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to aid local school districts, area transit agencies, and local governments in need of funding assistance to pay for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. The funds will be disbursed on a needs-rated basis, using non-attainment area status, condition of buses, and economic status of the recipient as possible rating factors if competition for the funds exists. To maximize funds, retrofitting will take priority over replacement of buses. Older buses deemed not suitable for retrofitting will be permanently retired and sold only for scrap.

Acceptable retrofit technologies include particulate matter traps, diesel particulate matter filters, nitrogen oxides (NO<sub>x</sub>) reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the United States Environmental Protection Agency ("EPA") or the California Air Resources Board.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate matter and hydrocarbon



emissions from buses, to meet the new, more stringent emissions standards introduced by the EPA which will be phased in between 2007 and 2010.

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:

Texas Association of Resource Conservation and Development Areas, Inc.  
1716 Briarcrest Drive, Suite 510  
Bryan, Texas 77802-2700

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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



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

**5. Publicity**

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

**6. Clean Texas Program**

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

**7. Other SEPs by TCEQ or Other Agencies**

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





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision March 19, 2007

**ICEQ**

DATES	Assigned	2-Apr-2007	Screening	4-Apr-2007	EPA Due	15-Dec-2008
	PCW	4-Apr-2007				

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	Huntsman Petrochemical Corporation		
Reg. Ent. Ref. No.	RN100219252		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

<b>CASE INFORMATION</b>			
Enf./Case ID No.	33133	No. of Violations	2
Docket No.	2007-0581-MLM-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	Bryan Elliott
Multi-Media	Industrial and Hazardous Waste	EC's Team	EnforcementTeam 5
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** Subtotal 1

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes: The penalty was enhanced due to five previous findings orders, three 1660 style orders, five NOVs for similar violations, and five NOVs for dissimilar violations. The penalty was reduced due to three NOAs.

**Culpability**   Enhancement Subtotal 4

Notes: The Respondent does not meet the culpability criteria.

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

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

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

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

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

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  Adjustment

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

Notes

**Final Penalty Amount**

**STATUTORY LIMIT ADJUSTMENT** Final Assessed Penalty

**DEFERRAL**  Reduction Adjustment

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

Notes

Deferral offered for expedited settlement.

**PAYABLE PENALTY**

Screening Date 4-Apr-2007

Docket No. 2007-0581-MLM-E

PCW

Respondent Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

Case ID No. 33133

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Bryan Elliott

### 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)	5	25%
	Other written NOVs	5	10%
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	5	125%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	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%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 217%

>> 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 penalty was enhanced due to five previous findings orders, three 1660 style orders, five NOVs for similar violations, and five NOVs for dissimilar violations. The penalty was reduced due to three NOAs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 217%

Screening Date 4-Apr-2007

Docket No. 2007-0581-MLM-E

PCW

Respondent Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

Case ID No. 33133

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 106.4(c), 113.120, 122.143(4), and 335.4, Tex. Water Code § 26.121(c), 40 Code of Federal Regulations § 63.135(b), Federal Operating Permit No. O-02288, Special Terms and Conditions Nos. 1D, 16, and 17, and Tex. Health & Safety Code § 382.085(b)

Violation Description Allowed unauthorized emissions to the atmosphere and caused an unauthorized discharge to the soil as documented during an investigation conducted on February 2, 2007. Specifically, from October 10 to 11, 2006, over a period of 27.5 hours, Huntsman allowed a release of benzene contaminated wastewater and oil from a carbon canister. This release resulted in 4500 gallons of waste onto the soil and 74.42 pounds ("lbs") of volatile organic compounds ("VOCs"), including 54.24 lbs of benzene into the atmosphere. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		x		50%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Human health or the environment was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1 Number of violation days 2

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

Violation Base Penalty \$5,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$143

Violation Final Penalty Total \$15,850

This violation Final Assessed Penalty (adjusted for limits) \$15,850

## Economic Benefit Worksheet

**Respondent** Huntsman Petrochemical Corporation  
**Case ID No.** 33133  
**Reg. Ent. Reference No.** RN100219252  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
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	\$5,000	10-Oct-2006	27-Nov-2006	0.1	\$33	n/a	\$33
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,000	10-Oct-2006	16-Nov-2007	1.1	\$110	n/a	\$110

**Notes for DELAYED costs** Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed and estimated cost for remediation of spill. Date Required is the date of the emission event and Final Date is the date of remediation and the date of prospective 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** \$7,000
**TOTAL** \$143

Screening Date 4-Apr-2007

Docket No. 2007-0581-MLM-E

PCW

Respondent Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

Case ID No. 33133

PCW Revision March 19, 2007

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Federal Operating Permit No. O-01320, Special Terms and Conditions No. 13, NSR Permit No. 5952A, Special Condition No. 1, NSR Permit No. 19823, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with permitted emissions limits, as documented during an investigation conducted from February 13 to 15, 2007. Specifically, an emissions event occurred on January 11, 2007 at the A-3 Light Olefins Unit and the F-6 Ethylene Oxide Unit that lasted for 7 hours, resulting in the release of 825.09 lbs of VOCs, 219.8 lbs of CO, and 17.15 lbs of NOx. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found 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 0%

Matrix Notes

Human health or the environment was exposed to insignificant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

<i>mark only one with an x</i>	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$42

Violation Final Penalty Total \$7,925

This violation Final Assessed Penalty (adjusted for limits) \$7,925

## Economic Benefit Worksheet

**Respondent** Huntsman Petrochemical Corporation  
**Case ID No.** 33133  
**Reg. Ent. Reference No.** RN100219252  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				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	11-Jan-2007	16-Nov-2007	0.8	\$42	n/a	\$42

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is the date of the emission event and Final Date is the date of prospective 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

\$1,000

TOTAL

\$42



AIR NEW SOURCE PERMITS	PERMIT	54328
AIR NEW SOURCE PERMITS	PERMIT	52531
AIR NEW SOURCE PERMITS	PERMIT	52077
AIR NEW SOURCE PERMITS	PERMIT	54881
AIR NEW SOURCE PERMITS	PERMIT	54182
AIR NEW SOURCE PERMITS	REGISTRATION	72310
AIR NEW SOURCE PERMITS	REGISTRATION	72329
AIR NEW SOURCE PERMITS	REGISTRATION	72336
AIR NEW SOURCE PERMITS	REGISTRATION	72802
AIR NEW SOURCE PERMITS	REGISTRATION	73102
AIR NEW SOURCE PERMITS	REGISTRATION	73601
AIR NEW SOURCE PERMITS	REGISTRATION	73665
AIR NEW SOURCE PERMITS	REGISTRATION	73663
AIR NEW SOURCE PERMITS	PERMIT	72907
AIR NEW SOURCE PERMITS	REGISTRATION	73927
AIR NEW SOURCE PERMITS	REGISTRATION	73956
AIR NEW SOURCE PERMITS	PERMIT	74236
AIR NEW SOURCE PERMITS	REGISTRATION	74296
AIR NEW SOURCE PERMITS	REGISTRATION	74362
AIR NEW SOURCE PERMITS	REGISTRATION	74511
AIR NEW SOURCE PERMITS	REGISTRATION	74838
AIR NEW SOURCE PERMITS	REGISTRATION	74849
AIR NEW SOURCE PERMITS	REGISTRATION	74851
AIR NEW SOURCE PERMITS	REGISTRATION	74096
AIR NEW SOURCE PERMITS	REGISTRATION	75064
AIR NEW SOURCE PERMITS	REGISTRATION	75203
AIR NEW SOURCE PERMITS	REGISTRATION	75183
AIR NEW SOURCE PERMITS	REGISTRATION	75202
AIR NEW SOURCE PERMITS	REGISTRATION	76510
AIR NEW SOURCE PERMITS	REGISTRATION	76627
AIR NEW SOURCE PERMITS	REGISTRATION	76677
AIR NEW SOURCE PERMITS	REGISTRATION	76732
AIR NEW SOURCE PERMITS	REGISTRATION	76932
AIR NEW SOURCE PERMITS	REGISTRATION	76950
AIR NEW SOURCE PERMITS	REGISTRATION	77129
AIR NEW SOURCE PERMITS	REGISTRATION	77217
AIR NEW SOURCE PERMITS	REGISTRATION	77327
AIR NEW SOURCE PERMITS	REGISTRATION	78199
AIR NEW SOURCE PERMITS	REGISTRATION	78974
AIR NEW SOURCE PERMITS	REGISTRATION	79036
AIR NEW SOURCE PERMITS	PERMIT	647B
AIR NEW SOURCE PERMITS	PERMIT	4508A
AIR NEW SOURCE PERMITS	PERMIT	5807A
AIR NEW SOURCE PERMITS	PERMIT	5952A
AIR NEW SOURCE PERMITS	PERMIT	5972A
AIR NEW SOURCE PERMITS	PERMIT	7761
AIR NEW SOURCE PERMITS	PERMIT	11824
AIR NEW SOURCE PERMITS	PERMIT	12276
AIR NEW SOURCE PERMITS	PERMIT	12800
AIR NEW SOURCE PERMITS	PERMIT	12599
AIR NEW SOURCE PERMITS	PERMIT	12951
AIR NEW SOURCE PERMITS	PERMIT	13091
AIR NEW SOURCE PERMITS	PERMIT	13377
AIR NEW SOURCE PERMITS	PERMIT	16909
AIR NEW SOURCE PERMITS	PERMIT	19823
AIR NEW SOURCE PERMITS	PERMIT	20134
AIR NEW SOURCE PERMITS	PERMIT	20160
AIR NEW SOURCE PERMITS	PERMIT	20201
AIR NEW SOURCE PERMITS	PERMIT	20485
AIR NEW SOURCE PERMITS	PERMIT	23141
AIR NEW SOURCE PERMITS	PERMIT	23568
AIR NEW SOURCE PERMITS	PERMIT	29516
AIR NEW SOURCE PERMITS	PERMIT	31443
AIR NEW SOURCE PERMITS	PERMIT	32823
AIR NEW SOURCE PERMITS	PERMIT	33285
AIR NEW SOURCE PERMITS	PERMIT	36646
AIR NEW SOURCE PERMITS	PERMIT	36453
AIR NEW SOURCE PERMITS	PERMIT	36831
AIR NEW SOURCE PERMITS	PERMIT	38747
AIR NEW SOURCE PERMITS	PERMIT	39725
AIR NEW SOURCE PERMITS	PERMIT	40103
AIR NEW SOURCE PERMITS	PERMIT	40375

AIR NEW SOURCE PERMITS	PERMIT	40374
AIR NEW SOURCE PERMITS	PERMIT	40527
AIR NEW SOURCE PERMITS	PERMIT	40804
AIR NEW SOURCE PERMITS	PERMIT	41444
AIR NEW SOURCE PERMITS	PERMIT	41301
AIR NEW SOURCE PERMITS	PERMIT	41757
AIR NEW SOURCE PERMITS	PERMIT	42103
AIR NEW SOURCE PERMITS	PERMIT	42153
AIR NEW SOURCE PERMITS	PERMIT	42348
AIR NEW SOURCE PERMITS	PERMIT	42526
AIR NEW SOURCE PERMITS	PERMIT	42154
AIR NEW SOURCE PERMITS	PERMIT	42458
AIR NEW SOURCE PERMITS	PERMIT	42720
AIR NEW SOURCE PERMITS	PERMIT	43143
AIR NEW SOURCE PERMITS	PERMIT	44055
AIR NEW SOURCE PERMITS	PERMIT	44123
AIR NEW SOURCE PERMITS	PERMIT	44124
AIR NEW SOURCE PERMITS	PERMIT	44125
AIR NEW SOURCE PERMITS	PERMIT	44164
AIR NEW SOURCE PERMITS	PERMIT	44165
AIR NEW SOURCE PERMITS	PERMIT	44034
AIR NEW SOURCE PERMITS	PERMIT	44295
AIR NEW SOURCE PERMITS	PERMIT	44434
AIR NEW SOURCE PERMITS	PERMIT	44454
AIR NEW SOURCE PERMITS	PERMIT	44555
AIR NEW SOURCE PERMITS	PERMIT	44556
AIR NEW SOURCE PERMITS	PERMIT	44561
AIR NEW SOURCE PERMITS	PERMIT	44694
AIR NEW SOURCE PERMITS	PERMIT	44812
AIR NEW SOURCE PERMITS	PERMIT	45089
AIR NEW SOURCE PERMITS	PERMIT	45090
AIR NEW SOURCE PERMITS	PERMIT	45094
AIR NEW SOURCE PERMITS	PERMIT	45198
AIR NEW SOURCE PERMITS	PERMIT	45277
AIR NEW SOURCE PERMITS	PERMIT	45278
AIR NEW SOURCE PERMITS	PERMIT	45644
AIR NEW SOURCE PERMITS	PERMIT	45569
AIR NEW SOURCE PERMITS	PERMIT	45664
AIR NEW SOURCE PERMITS	PERMIT	45663
AIR NEW SOURCE PERMITS	PERMIT	46059
AIR NEW SOURCE PERMITS	PERMIT	46088
AIR NEW SOURCE PERMITS	PERMIT	42324
AIR NEW SOURCE PERMITS	PERMIT	46489
AIR NEW SOURCE PERMITS	PERMIT	46604
AIR NEW SOURCE PERMITS	PERMIT	46791
AIR NEW SOURCE PERMITS	PERMIT	47011
AIR NEW SOURCE PERMITS	PERMIT	47039
AIR NEW SOURCE PERMITS	PERMIT	47065
AIR NEW SOURCE PERMITS	PERMIT	47066
AIR NEW SOURCE PERMITS	PERMIT	47422
AIR NEW SOURCE PERMITS	PERMIT	47555
AIR NEW SOURCE PERMITS	PERMIT	47513
AIR NEW SOURCE PERMITS	PERMIT	47577
AIR NEW SOURCE PERMITS	PERMIT	47887
AIR NEW SOURCE PERMITS	PERMIT	48001
AIR NEW SOURCE PERMITS	PERMIT	48178
AIR NEW SOURCE PERMITS	PERMIT	48176
AIR NEW SOURCE PERMITS	PERMIT	47939
AIR NEW SOURCE PERMITS	PERMIT	49192
AIR NEW SOURCE PERMITS	PERMIT	49247
AIR NEW SOURCE PERMITS	PERMIT	49429
AIR NEW SOURCE PERMITS	PERMIT	49295
AIR NEW SOURCE PERMITS	PERMIT	49493

AIR NEW SOURCE PERMITS	PERMIT	49615
AIR NEW SOURCE PERMITS	PERMIT	50109
AIR NEW SOURCE PERMITS	PERMIT	50328
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0052V
AIR NEW SOURCE PERMITS	AFS NUM	4824500006
AIR NEW SOURCE PERMITS	REGISTRATION	79198
AIR NEW SOURCE PERMITS	REGISTRATION	79296
AIR NEW SOURCE PERMITS	REGISTRATION	79529
AIR NEW SOURCE PERMITS	REGISTRATION	79800

AIR NEW SOURCE PERMITS	REGISTRATION	79939
AIR NEW SOURCE PERMITS	REGISTRATION	80149
AIR NEW SOURCE PERMITS	REGISTRATION	80171
AIR NEW SOURCE PERMITS	REGISTRATION	80169
AIR NEW SOURCE PERMITS	REGISTRATION	80328
AIR NEW SOURCE PERMITS	REGISTRATION	80391
AIR NEW SOURCE PERMITS	REGISTRATION	80389
AIR NEW SOURCE PERMITS	REGISTRATION	80390
AIR NEW SOURCE PERMITS	REGISTRATION	80702
AIR NEW SOURCE PERMITS	REGISTRATION	81415
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50055
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30029

Location: 6001 HIGHWAY 366, PORT NECHES, TX, 77651 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: April 03, 2007

Agency Decision Requiring Compliance History: Enforcement

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

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

Name: Bryan Ellioff Phone: 239-6162

### 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: 03/07/2003 ADMINORDER 2002-0511-AIR-E  
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: GC8 PERMIT  
SC1 PERMIT

Description: Failure to maintain volatile organic compounds below the MAERT limit.  
Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT  
Description: Failure to properly repair leaking components by the end of the next process unit shutdown.  
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 VV 60.482-9(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly repair leaking components by the end of the next process unit shutdown.  
Effective Date: 04/25/2003 ADMINORDER 2002-1026-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: SC11 PERMIT  
Description: Failure to perform daily monitoring of the Volatile Organic Compound concentration.

Classification: Moderate

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

Rqmt Prov: SC11 PERMIT

Description: Failure to sample the outlet cooling tower water stream from the exchangers in butadiene service within 24 hours after a VOC concentration of greater than 0.5 ppmw is detected between the inlet and outlet streams.

Classification: Moderate

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

Rqmt Prov: SC24 PERMIT

Description: Failure to collect grab samples within 24 hours from each suspect condenser and cooler after detecting a VOC concentration in exceedance of 0.5 ppmw, indicated by gas chromatography.

Effective Date: 06/12/2003

ADMINORDER 1998-1481-MLM-E

Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: OR 1 PERMIT

Description: Failed to ensure that the stormwater system and all its systems of collection, treatment and disposal were properly operated and maintained by allowing oil to collect in and near the banks of the unlined PV-9 Pond near the G-6 and F-6 Units.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(a)  
30 TAC Chapter 335, SubChapter A 335.6(b)

Description: Failed to notify or appropriately change the Notice of Registration for three waste streams.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.62  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]

Description: Failed to make accurate hazardous waste determinations and classify any nonhazardous waste of the waste stored in and on the banks of the PV-9 Pond.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)  
30 TAC Chapter 335, SubChapter C 335.69(a)(3)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)

Description: Failed to have the hazardous waste label visible for a 40 cubic yard roll-off box, which was covered by a tarp, failed to label a different 40 cubic yard roll-off box containing sludge with the words "hazardous waste" or the date of accumulation.

Classification: Moderate

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

Description: Failed to submit complete upset reports on September 9, 10, 11, 18, 20, 23, 25 and 28, 1997.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.100[G]  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(e)(3)(i)

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

Description: Failed to produce a copy of the startup, shutdown, and malfunction plan upon request.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)[G]

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)

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

Description: Failed to repair leaking components in the C-4, PO/MTBE and F-6 Units within fifteen calendar days after each leak was detected.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Failed to repair leaking components in the A-3 Unit within fifteen calendar days after leaks were detected.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)[G]  
30 TAC Chapter 116, SubChapter B 116.115(a)

5C THC Chapter 382, SubChapter A 382.085[G]

Rqmt Prov: SC1 PERMIT

Description: Failed to repair a leaking component at the C-4 Unit within 15 calendar days after leaks were detected.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(1)(i)

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

Description: Failed to monitor components in the C-4, F-2, F-4, F-6 Units for leaks on a monthly basis.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

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

Description: Failed to monitor components in the F-2, F4 and F-6 Units monthly to detect leaks, and where a leak was detected, failed to monitor the components monthly until a leak was not detected for two successive months.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)[G]  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor components in the C-4 Unit on a quarterly basis.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Held material containing butadiene from two solvent recovery towers in an open sump, which was not capable of maintaining working pressure sufficient at all times to prevent any vapor or gas loss to the atmosphere.

Classification: Moderate

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

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-5(a)

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

Rqmt Prov: SP 2 PERMIT

Description: Failed to equip the sample station for Tank 43 in the Receiving and Shipping areas with a closed-purge or closed vent system.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262[G]  
30 TAC Chapter 116, SubChapter B 116.115(b)[G]

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

Description: Failed to timely notify the TCEQ within ten days following installation or modification of Huntsman's switching tanks 45 and 46 in the C-4 Unit to oil-water separator service.

Classification: Minor

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

Rqmt Prov: sc12 PERMIT

Description: Failed to include the duration or expected duration and corrective actions taken or being taken in the upset report submitted on November 7, 1998.

Classification: Moderate

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

30 TAC Chapter 101, SubChapter A 101.20(2)

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

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

Description: Failed to cap or plug a temporary aromatic distillate unloading line near the west end of the bullet tanks in the Shipping and Receiving Area and failed to equip Tanks 43, 87 and 88 in benzene service, with closed-purge or closed vent systems.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(2)

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

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

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

Rqmt Prov: SC 10 PERMIT  
SC 111 PERMIT

SC 2A PERMIT

Description: Failure to route vapors from the degassing and/or cleaning of VOCs from transport vessels at

the tank-car cleaning rack to a control device until a turnover or at least four vapor volumes.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

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

Rqmt Prov: SC 111 PERMIT

Description: Failed to repair leaking components in the Receiving and Shipping Area within 15 calendar days after leaks were detected.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)[G]  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC 111 PERMIT

Description: Failed to repair a leaking component in the C-4 Unit within fifteen calendar days after leaks were detected.

Classification: Moderate

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

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

Description: Failed to monitor one pump in the F2 Unit for leaks on a monthly basis from February 3, 1997 to October 31, 1998.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)

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

Description: Failed to monitor components in the F2 and F6 units monthly to detect leaks and where a leak was detected, failed to monitor components monthly until a leak was not detected for two successive months.

Classification: Moderate

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

Rqmt Prov: SC 6 PERMIT

Description: Exceeding the filling rate of ethylene oxide to Tank Nos. 9, 10, 30 and 180 in the Receiving and Shipping Area on May 9, May 16, May 26, 1998.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)  
30 TAC Chapter 335, SubChapter C 335.69(a)(3)

30 TAC Chapter 335, SubChapter C 335.69(d)(2)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(a)

Description: Failed to properly label hazardous waste containers.  
Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(f)(2)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)

Description: Failed to complete weekly hazardous waste inspections of a 90-day container storage area for the weeks of 01/02/98, 02/27/98, 7/2/98, 8/7/98, 8/14/98 and 8/28/98.  
Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(d)(1)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)(i)

Description: Failed to close a hazardous waste container in the MTBE lab satellite waste accumulation area.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130

30 TAC Chapter 115, SubChapter D 115.352(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
40 CFR Part 60, Subpart VV 60.482-6[G]  
5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failed to equip an open-ended line containing VOCs with a second valve, blind flange, plug or cap.

Classification: Moderate

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

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

Rqmt Prov: SC6C PERMIT

Description: Failed to limit visible emissions from the high pressure flare at the A-3 Unit to five minutes in a two-hour period on January 10, 2000.

Classification: Moderate

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

Rqmt Prov: GC7 PERMIT

Description: Failed to supply records sufficient to demonstrate compliance with the permit's maximum allowable emission rate.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]  
5C THC Chapter 382, SubChapter A 382.0518(a)

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

Description: Failed to obtain permit authorization for modifications to the North Flare and the South Flare.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
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).  
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: SP 2(A) PERMIT

Description: Failed to ensure that valve numbers 10422 and 15538 at the C-4 Unit were equipped with a second valve, blind flange, plug or cap.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]  
5C THC Chapter 382, SubChapter A 382.0518(a)

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

Description: Failed to obtain permit authorization or to satisfy the conditions of a permit by rule prior to expanding and operating the Joint Waste Water Treatment Plant.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.7(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.11(d)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 2A PERMIT

Description: Failed to maintain pollution emission capture equipment in good working order. Allowed Compressors 2CIA, 2CIB, and 2CIC to operate improperly.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 16 PERMIT

Description: Failed to have a weatherproof and readily visible identification marked with the equipment identification number attached to leaking component 29106 at the F-6 Unit.

Classification: Moderate

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

Rqmt Prov: SC 12 PERMIT

Description: Failed to maintain the stack temperature at or above 1000 degrees Fahrenheit at the Ethylene Oxide incinerator at the F6 Unit on 8/21/99.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter F 115.546(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to record the chemical name and estimated liquid quantity of VOC's contained in each vessel prior to degassing and/or cleaning.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset. Failed to report an upset at the C-4 Unit that occurred January 7-8, 2000 until January 13, 2000.

Classification: Moderate

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

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

Rqmt Prov: SC1 PERMIT

Description: Allowed the release of 1,3-butadiene emissions to the atmosphere without authorization on January 7-8, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset that occurred at the E-4 Unit on March 12, 2000.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Allowed the release of ammonia emissions to the atmosphere without authorization on March 12, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset at the C-4 Unit that began on 1/10/00.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Allowed the release of 1,3-butadiene and VOC emissions to the atmosphere without authorization on January 10-11, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.7(b)(1)(D)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report the duration of a maintenance event which occurred when the A-3 Unit was shut down on January 17, 2000. The shut down report submitted January 13, 2000 failed to include the estimated duration of the event.

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT

Description: Allowed the release of 1,3-butadiene and VOC emissions to the atmosphere from the A-3 Unit without authorization on January 17, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: OR 1 PERMIT

Description: Failed to ensure that the stormwater and all its systems of collection, treatment, and disposal were properly operated and maintained by allowing oil to collect in and near the banks of the unlined PV-9 Pond near the G-6 and F-6 Units.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(b)

Description: Failed to notify the TCEQ of the locations of approximately 20 storage points for containers of nonhazardous waste oil throughout the Plant.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
30 TAC Chapter 335, SubChapter E 335.112(a)(8)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174

Description: Failed to perform weekly inspections on a railcar containing Polyblend.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(B)  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC1 PERMIT

Description: Released approximately 1382 pounds of unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC1 PERMIT  
SC6c PERMIT

Description: Failed to limit visible emissions from a process gas flare to five minutes in any two-hour

period from Flare 1 and Flare 2 at the Cracked Gas Compressor Unit on April 21, 2000.

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT

Description: Exceeded the maximum allowable emission rate of 1.98 pounds per hour.

Classification: Moderate

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

Description: Failed to submit to the TCEQ initial and final upset reports that included the duration or estimated duration of the upset for a reportable upset at the MTBE section of the Propylene Oxide/MTBE F5 Unit Ground Flare that began on 11/6/00.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC10 PERMIT

Description: Failed to limit emissions from the Propylene Oxide/MTBE F5 Unit Ground Flare to five minutes in a two-hour period on 11/7/00.

Classification: Moderate

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

Description: Failed to submit notification to the TCEQ within 24 hours of discovery of a reportable upset on November 15, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC 10 PERMIT

Description: Failed to limit visible emissions from the Propylene Oxide/MTBE F5 Unit Ground Flare to five minutes in a two-hour period on 11/14/00.

Classification: Moderate

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

Description: Failed to submit notification to the TCEQ within 24 hrs of discovery of a reportable upset caused by a 1,3-butadiene leak from the S4E53 Exchanger at Cooling Tower 3 at the C4 Unit that began on 11/5/00.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)  
Description: Failed to prevent unauthorized emissions of 1,3-butadiene from leaking from the S4E53 Exchanger at Cooling Tower 3 at the C4 Unit during an upset that began on 11/5/00.

Classification: Moderate

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

Description: Failed to report to the TCEQ the start time of a reportable upset concerning an ammonia leak at the E4 Unit in the Oxides and Olefins Plant which began on 11/13/00.

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

Description: Exceeded the maximum allowable emission rate for ammonia.

Classification: Moderate

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

Description: Failed to submit notification to the TCEQ within 24 hrs of discovery of a reportable upset that began on 11/15/00 at a pump in the E7 Unit at the Oxides and Olefins Plant.

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

Description: Exceed the maximum allowable emission rate for Permit No. 647B by allowing 1860 pounds of ammonia from a ruptured pump gasket to release to the atmosphere during an upset that began on 11/15/00..

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6[G]

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

Description: Failed to include the estimated duration of a reportable upset in an upset notification

concerning a benzene leak from Cooling Tower No. 4 at the A3 Unit in the Oxides and Olefins Plant that began on 11/6/00.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Exceeded the maximum allowable emission rate of 1.58 pounds per hour of benzene emissions from Cooling Tower No. 4 at the A3 Unit in the Oxides and Olefins Plant w/o authorization.

Classification: Moderate

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

Description: Failed to submit notification to the TCEQ within twenty-four hours of discovery of a reportable upset at the F-4 incinerator at the F4 Unit in the Oxides and the Olefins Plant that began on November 13, 2000.

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

Description: Exceeded the maximum allowable emission rate of 2.15 pounds per hour for VOC emissions in Permit No. 5927A during an upset that began on 11/13/00.

Classification: Minor

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

Description: Failed to include in the upset notification to the TCEQ the estimated duration of reportable upsets at the A3 Olefins Unit, Propylene Oxide/MTBE Plant, and the F2 Unit that began on 12/16/00.

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

Description: Exceeded permitted limits.

Classification: Moderate

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

Description: Failed to submit notification to the TCEQ within 24 hrs of discovery of a reportable upset at the C-A3-1/Flares at the A3 Unit in the Oxides and Olefins Plant which began on January 7, 2001.

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

Description: Exceeded the maximum allowable emission rates for VOC and NOx emission in TCEQ Permit No. 19823.

Effective Date: 06/12/2003

ADMINORDER 2001-0349-AIR-E

Classification: Moderate

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

Description: Caused or contributed to elevated off-site concentrations of 1,3-butadiene, methyl tertiary butyl ether, styrene, and other volatile organic compounds on August 26, thru Aug 30, 2000.

Effective Date: 06/13/2004

ADMINORDER 2003-0650-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

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

Rqmt Prov: 20485 Special Conditions No. 5 PERMIT

Description: Failure to maintain an emission rate below an allowable emission limit at the Butadiene Unit.

Effective Date: 08/20/2006

ADMINORDER 2006-0107-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Permit 5952A SC 1 PA

Description: Failure to maintain an emission rate below the allowable emissions limit.

Classification: Minor

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

Description: Failure to properly notify the Beaumont Region Office of a reportable emissions event for

Incident 69694.

Classification: Moderate

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

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

Rqmt Prov: 19823, SPECIAL CONDITION 1 PERMIT

Description: Failure to prevent ethylene emissions during Incident 69694.

Effective Date: 09/21/2006

ADMINORDER 2006-0399-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: No. 16909 PERMIT

Description: Failure to prevent unauthorized emissions.

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: 20485 PERMIT  
O-01327 OP

Description: Failure to meet the minimum net heating value requirement during the compliance test conducted on June 8, 2005, which should be greater than 11.2MJ/scm. Results of the compliance test show a minimum net heating value of 10.23MJ/scm.

Classification: Moderate

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

Rqmt Prov: Permit 5952A, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

Description: Failure to report an emissions event within 24 hours after discovery.

Classification: Moderate

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

Rqmt Prov: No. 16909/ Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 12/02/2006

ADMINORDER 2005-0926-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: 20485 PERMIT

Description: Failure to maintain VOC limit less than 2.0 ppmw in C4 Cooling Tower.

Classification: Moderate

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

Rqmt Prov: 20485 PERMIT

Description: Failure to maintain an emission rate below the allowable limit.

Classification: Moderate

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

Rqmt Prov: 647B/MAERT PERMIT

Description: Failure to prevent unauthorized ammonia emissions from the E7 Cooling Tower. A8c2All

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 113, SubChapter C 113.730

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct HON sampling and analysis following an approved method.

Classification: Moderate

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

Rqmt Prov: 20160 PERMIT

Description: Failure to repair leaking exchanger in the PO/MTBE cooling water system during unit shutdown.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 1:00 p.m. on September 16, 2003 at the MTBE Drying Column Overhead Line.

Classification: Moderate

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

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

Rqmt Prov: 20160/General Condition 8 PERMIT

Description: Failed to prevent unauthorized emissions of 479.5 lbs of Dimethyl Ether, 8631.6 lbs of Isobutylene and 479.5 lbs of Methyl Formate from the MTBE Drying Column Overhead Line on September 16, 2003.

Classification: Moderate

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

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

Rqmt Prov: 1322/SC17 OP  
20160/GC 8 PERMIT

Description: Failed to prevent unauthorized emissions of 15 lbs of Ethylene Glycol, 699 lbs of Tert Butanol and 854 lbs of Tert Butyl Hydroperoxide from the Tertiary Butyl Alcohol (TBHP) Feed Header on January 11, 2004.

Classification: Moderate

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

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

Rqmt Prov: 20160, GC8 PERMIT  
O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions of 745 lbs of Tert Butanol from Tank 007, the TBA Day Tank (EPN POTK007) on February 23, 2004.

Classification: Moderate

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

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

Rqmt Prov: 1322/SC 17 OP  
5972A/SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 67 lbs of ethylene oxide from the F-P-137 Ethylene Oxide Rundown on August 25, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of VOCs of 303 lbs on December 10, 2003, 98 lbs December 13, 2003, 432 lbs January 1, 2004, 394 lbs January 15, 2004, 547 lbs February 17, 2004, and 167 lbs on February 28, 2004 from the F-F-6 Regenerator Vent.

Classification: Moderate

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

Rqmt Prov: 5952/ SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 595 lbs of Ethylene and 44 lbs of Ethylene Glycol from the Regenerator Flash Drum Vent on November 22, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event on August 23, 2003 at the F-4 Regenerator (EPN F4FF135).

Classification: Moderate

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

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

Rqmt Prov: 19823, SC1 PERMIT  
20160, GC8 PERMIT

5972A, SC1 PERMIT  
O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions on August 23, 2003 of 1) 5304 lbs of VOC from the PO/MTBE Unit, and 2073 lbs of CO and 251 lbs of NOx from the F5 Unit of the PO/MTBE Plant to the PO/MTBE Flare (EPN POFLARE), and 2) 221 lbs of Ethylene from the Regen/Reabsorb Vent at the F4 Regenerator (EPN F4FF135).

Classification: Moderate

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

Description: Failed to submit a final record to the TCEQ within two weeks after the end of a reportable emissions event on September 6, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

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

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

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 106 lbs of Ethylene from the F-6 Regenerator Vent (EPN F6FF6104) on September 6, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 8:15 p.m. on October 5, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

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

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

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 146 lbs VOCs (Ethylene and Ethylene Glycol) from the F-6 Regenerator Vent (EPN F6FF6104) on October 5, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 12:15 p.m. on October 25, 2003 at the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the Olefins and Oxides (O&O) Plant.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: 1322/ SC 15 OP  
5897A/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 2514 lbs of Ammonia from the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the O&O Plant on October 25, 2003.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: 20485, SC1 PERMIT  
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions on January 15, 2004 of 12 lbs of VOCs and 18 lbs of 1,3-Butadiene from the North Unit of the C4/MTBE/Butadiene Units, and 3 lbs of NOx and 19 lbs of CO from the Butadiene Unit of the C4 Plant to the North/South Flare (EPN UWN6R1, UW6R1).

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: 1327/ SC15 OP  
20485/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 163.46 lbs of VOCs on August 20, 2003 and

302.658 lbs of VOCs on February 20, 2004 from the tank hatch of Tank 77.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: 20485, SC1 PERMIT  
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions to the North/South Flare (EPN UWN6R1/UWS6R1) of 2) 48 lbs of VOC and 17 lbs of 1,3 Butadiene from the MTBE Unit on July 22, 2003, and 3) 173 lbs of VOC, 79 lbs of

1,3 Butadiene, 131 lbs of CO and 13 lbs of NOx from the C4 Plant on February 7, 2004.

Classification: Minor

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

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Minor

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

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Moderate

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

Rqmt Prov: 5807A SC 1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

Rqmt Prov: 29516 General Conditions PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

Rqmt Prov: 56390 SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.  
Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.  
Classification: Moderate

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

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

Rqmt Prov: 20485 SC1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.  
Classification: Moderate

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

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

Rqmt Prov: 20485 Special Condition 1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.  
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3.  
A8c1G

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

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

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order  
and operating properly for Flare 3. B18

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

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

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order  
and operating properly for Flare 3. B18

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3.  
A8c1G

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

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

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

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

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

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

Description: Failure to comply with a reporting requirement.

Classification: Moderate

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

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

Rqmt Prov: 20485, Special Condition 1 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit..

Classification: Moderate

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

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

Rqmt Prov: 19823 Special Condition 1 PERMIT

O-02288 Special Condition 16 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

Classification: Minor

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

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

Description: Failure to submit a timely reports of an emissions events on October 20 and 25, 2004, and March 16,2005.

Classification: Major

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

Rqmt Prov: Permit 5807A SC 1 PERMIT

Description: Failure to prevent unauthorized emissions that occurred at the anhydrous ammonia loading area of the E4 Unit; E4 Unit covered by Permit 5807A. Incident 48357.

Classification: Moderate

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

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

Rqmt Prov: FOP O-01327, SC 15 OP  
Permit 20486, SC 1 PERMIT

Description: Failure to comply with the MAERT limits of permit 20485; failure to comply with the conditions of FOP

O-01327.

Classification: Moderate

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

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

Rqmt Prov: FOP O-01327, SC 15 OP  
Permit 20485, SC 1 PERMIT

Description: Failure to comply with the emissions limits as specified in Special Condition 1, which references the Maximum Allowable Emissions Rate Table, of TCEQ Permit 20485, and Special Condition 15 of Federal Operating Permit O-01327.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly report emissions events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

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

Description: Failure to submit an initial notification of an emissions event with 24 hours.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

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

Description: Huntsman failed to properly identify the correct Emission Point Common Name in 57946 final notification.

Classification: Moderate

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

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

Rqmt Prov: 19823/ SC 1 PERMIT

Description: Failure to comply with the Maximum Allowable Emissions Rate Table (MAERT) of TCEQ Permit 19823.

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	07/25/2002	(4155)
2	07/25/2002	(3876)
3	07/26/2002	(4350)
4	07/26/2002	(4345)
5	07/26/2002	(4372)
6	07/26/2002	(4375)
7	07/26/2002	(4383)
8	07/26/2002	(2982)
9	07/26/2002	(4386)
10	07/26/2002	(4366)
11	07/29/2002	(6011)
12	07/31/2002	(4635)
13	08/01/2002	(4022)
14	08/01/2002	(4158)
15	08/01/2002	(4044)
16	08/01/2002	(4091)
17	08/06/2002	(3832)
18	08/20/2002	(7047)
19	08/20/2002	(6857)
20	08/20/2002	(7227)

21	08/26/2002	(9046)
22	08/26/2002	(9499)
23	09/25/2002	(12184)
24	10/08/2002	(13061)
25	10/11/2002	(8025)
26	10/15/2002	(13466)
27	10/15/2002	(13326)
28	11/26/2002	(16960)
29	11/26/2002	(16488)
30	11/26/2002	(16469)
31	11/26/2002	(16872)
32	11/26/2002	(16989)
33	11/26/2002	(16833)
34	11/26/2002	(16629)
35	11/26/2002	(16869)
36	11/26/2002	(16494)
37	11/26/2002	(16603)
38	11/26/2002	(16606)
39	11/26/2002	(16524)
40	12/04/2002	(16984)
41	12/12/2002	(16651)
42	12/12/2002	(16873)
43	12/13/2002	(16639)
44	12/18/2002	(16658)

45	02/26/2003	(25453)
46	02/26/2003	(25418)
47	02/27/2003	(25223)
48	02/28/2003	(26623)
49	02/28/2003	(26561)
50	03/31/2003	(26570)
51	04/03/2003	(27484)
52	04/03/2003	(26237)
53	04/14/2003	(25395)
54	05/09/2003	(31845)
55	05/12/2003	(29308)
56	06/09/2003	(33422)
57	07/01/2003	(118989)
58	07/08/2003	(24015)
59	07/08/2003	(25046)
60	08/27/2003	(139288)
61	08/29/2003	(119121)
62	10/03/2003	(249924)
63	12/12/2003	(256877)
64	03/30/2004	(262961)
65	03/30/2004	(263046)
66	04/01/2004	(262946)
67	04/01/2004	(262873)
68	04/01/2004	(262956)
69	04/01/2004	(263014)
70	04/01/2004	(263010)
71	04/01/2004	(263588)
72	04/01/2004	(263043)
73	04/01/2004	(262968)
74	04/01/2004	(262879)
75	04/01/2004	(263022)
76	04/01/2004	(263607)
77	04/02/2004	(264437)
78	04/02/2004	(264455)
79	04/02/2004	(263644)
80	04/08/2004	(264474)
81	04/08/2004	(263600)
82	04/08/2004	(263004)
83	04/21/2004	(264467)
84	04/21/2004	(264098)
85	04/21/2004	(264471)
86	04/21/2004	(264092)
87	06/23/2004	(273321)

88 07/16/2004 (270119)  
89 08/26/2004 (273402)  
90 08/31/2004 (263533)  
91 08/31/2004 (285082)  
92 09/08/2004 (288721)  
93 10/18/2004 (333854)  
94 01/11/2005 (343813)  
95 01/28/2005 (343967)  
96 02/16/2005 (344499)  
97 02/16/2005 (344565)  
98 02/16/2005 (351061)  
99 02/23/2005 (346660)  
100 03/08/2005 (346632)  
101 03/08/2005 (347207)  
102 03/10/2005 (341723)  
103 03/31/2005 (373656)  
104 04/04/2005 (349319)  
105 04/04/2005 (349315)  
106 04/05/2005 (349320)  
107 04/05/2005 (349133)  
108 04/05/2005 (374774)  
109 04/15/2005 (375442)  
110 04/15/2005 (375452)  
111 04/15/2005 (375457)  
112 04/21/2005 (373550)

113 04/26/2005 (374614)  
114 05/12/2005 (378265)  
115 05/12/2005 (378267)  
116 05/12/2005 (377634)  
117 05/12/2005 (377613)  
118 05/12/2005 (377543)  
119 05/12/2005 (378487)  
120 05/12/2005 (378225)  
121 05/18/2005 (377798)  
122 05/20/2005 (376583)  
123 05/20/2005 (377225)  
124 06/14/2005 (379665)  
125 06/15/2005 (379607)  
126 06/15/2005 (394963)  
127 06/17/2005 (380357)  
128 07/05/2005 (395675)  
129 07/05/2005 (395572)  
130 07/06/2005 (397867)  
131 07/15/2005 (392774)  
132 07/15/2005 (392639)  
133 08/02/2005 (401638)  
134 08/25/2005 (403293)  
135 08/29/2005 (399102)  
136 08/31/2005 (381075)  
137 09/09/2005 (404606)  
138 11/03/2005 (419194)  
139 11/16/2005 (434314)  
140 12/05/2005 (398736)  
141 12/05/2005 (431206)  
142 12/06/2005 (437343)  
143 12/06/2005 (437334)  
144 12/06/2005 (437338)  
145 12/16/2005 (437133)  
146 01/27/2006 (437989)  
147 01/27/2006 (450224)  
148 01/27/2006 (451827)  
149 01/30/2006 (438965)  
150 02/22/2006 (456022)  
151 02/22/2006 (456036)  
152 02/22/2006 (455947)  
153 02/22/2006 (455838)  
154 02/22/2006 (456099)  
155 02/27/2006 (454550)

156 02/28/2006 (457553)  
157 02/28/2006 (457561)  
158 02/28/2006 (457516)  
159 03/30/2006 (456815)  
160 03/30/2006 (458616)  
161 03/30/2006 (453754)  
162 03/30/2006 (458485)  
163 03/30/2006 (458020)  
164 03/31/2006 (458673)  
165 04/07/2006 (455375)  
166 04/07/2006 (454572)  
167 04/07/2006 (458321)  
168 04/07/2006 (459162)  
169 04/26/2006 (461473)  
170 05/01/2006 (463769)  
171 05/04/2006 (464589)  
172 05/26/2006 (465414)  
173 06/22/2006 (465864)  
174 07/31/2006 (487611)  
175 08/17/2006 (481936)  
176 08/23/2006 (485023)  
177 08/31/2006 (449989)  
178 08/31/2006 (486891)  
179 08/31/2006 (454082)  
180 08/31/2006 (487767)

181 09/11/2006 (488579)  
182 09/19/2006 (513278)  
183 09/20/2006 (511947)  
184 09/20/2006 (511204)  
185 09/25/2006 (509094)  
186 09/25/2006 (497536)  
187 09/25/2006 (488474)  
188 10/10/2006 (513527)  
189 10/25/2006 (515506)  
190 10/25/2006 (515822)  
191 10/25/2006 (515478)  
192 10/30/2006 (511240)  
193 11/08/2006 (515666)  
194 11/13/2006 (517041)  
195 11/13/2006 (517036)  
196 11/15/2006 (517191)  
197 11/15/2006 (514399)  
198 11/16/2006 (515790)  
199 11/27/2006 (518436)  
200 11/28/2006 (517675)  
201 11/28/2006 (516609)  
202 11/30/2006 (516090)  
203 12/04/2006 (533060)  
204 12/12/2006 (533440)  
205 12/15/2006 (531666)  
206 12/28/2006 (488675)  
207 12/29/2006 (456006)  
208 01/17/2007 (531872)  
209 02/08/2007 (535487)  
210 02/20/2007 (535145)  
211 02/21/2007 (537271)  
212 02/23/2007 (540396)  
213 02/23/2007 (534486)  
214 02/23/2007 (537684)  
215 02/26/2007 (540551)  
216 03/19/2007 (539598)  
217 03/20/2007 (539695)  
218 03/20/2007 (539462)

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

Date 05/09/2003 (31845)

Self Report? NO

Classification Moderate

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

Rqmt Prov: PERMIT 20485  
 Description: Failure to maintain the Maximum Allowable Emission Rate Table (MAERT) limit of 170 pounds per hour (lb/hr) for Boilers 1 and 2 (EPN UW6BB1&2) for Carbon Monoxide (CO).  
 Date 10/03/2003 (249924)  
 Self Report? NO Classification Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to provide the basis used for determining the quantity of air contaminants emitted during an emissions event.  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to maintain an emission rate below an allowable emission limit.  
 Date 06/23/2004 (273321)  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]  
 30 TAC Chapter 113, SubChapter C 113.100[G]  
 30 TAC Chapter 113, SubChapter C 113.110  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 20485, SC 2D  
 PERMIT 20485, SC 3  
 Description: Failure to properly operate the South Flare on May 3, 2004 which resulted in unauthorized emissions.  
 Date 01/12/2005 (343813)  
 Self Report? NO Classification Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Part 63, Subpart H 63.167[G]  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP Permit O-02286, SC 1D  
 Description: Failure to maintain all VOC lines equipped with a capped end, blind flange, or double blocked valve at the T-E3-147 Tank and the Pump Out Line 56.  
 Date 04/01/2005 (373656)  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to prevent visible emissions.  
 Date 08/23/2006 (485023)  
 Self Report? NO Classification Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 5807A  
 OP O-02287  
 Description: Failure to maintain the daily production limit for the E4 Unit as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)(F)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02287  
 Description: Failure to continuously collect and maintain pilot monitoring data, as required by 30 TAC 122.144(1) and 40 CFR 60.7(f), and reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.  
 Self Report? NO Classification Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.110  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02287  
 Description: Failure to analyze quarterly cooling water samples using Method 624 as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.  
 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)  
 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: 5C THC Chapter 382, SubChapter D 382.085(b)  
 PERMIT 19823  
 PERMIT 5807A  
 OP O-02287  
 OP O-02288

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Units: O-02287 - 5 components (Component Numbers 03968, 05771, 06097, 07502 and 07824) in E4FUG; O-02288 - 1 component (Component Number 0228) in A3FUG.

Self Report? NO Classification Minor

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

Rqmt Prov: PERMIT 647B  
 OP O-02287

Description: Failure to maintain the hourly production limit for Morpholine as reported in the Deviation Report for FOP O-02287 covering July 21, 2004 to January 19, 2005.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)  
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287

Description: Failure to submit a notification within ten days following installation of the replacement facility as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 647B  
 OP O-02287

Description: Failure to operate the E7 flare with a flame present at all times as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 29516  
 OP O-02288

Description: Failure to maintain the minimum scrubber flow rate of 4,800 gallons per hour and the maximum Ethylene Oxide (EO) vapor flow to the scrubber of 1562.4 lbs/hr. as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

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 60.703(c)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(d)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to conduct and maintain records of monthly inspections of by-pass seals applicable to 40 CFR Part 60, Subparts NNN/RRR/FF as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to maintain the tank opening in a closed position during normal operations on Tanks T087 and T088, as reported in the Deviation Reports for FOP O-02288 covering February 14, 2005 to August 14, 2005 and August 15, 2005 to February 14, 2006.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)  
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to submit a Form PI-7 within 10 days following the addition of fugitive components as reported in the Deviation Report for FOP O-02288 covering February

14, 2005 to August 14, 2005.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 29516  
OP O-02288

Description: Failure to maintain records of the scrubber water flow rate and temperature, and vapor flow rate in lbs/hr at the inlet of the scrubber for Unit RSEF085 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 19823  
OP O-02288

Description: Failure to maintain records of the Waste Heat Boiler CEMS daily calibrations for Unit A3HA35 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)

Rqmt Prov: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(6)  
5C THC Chapter 382, SubChapter D 382.085(b)  
OP O-02288

Description: Failure to submit one 40 CFR Part 61, Subpart FF quarterly report for Unit PROA3WW and one 40 CFR Part 60, Subparts NNN/RRR semiannual report for applicable facilities within 30 days after the end of the applicable reporting period of December 31, 2005 as reported in the Deviation Report for FOP O-02288.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 16909  
PERMIT 19823  
OP O-02288

Description: Failure to submit the semiannual reports within 30 days after the end of the applicable reporting period of December 31, 2005 for Units UEHK11, CG1/CG2, and A3HA35, as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Date 11/13/2006 (517041)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(2)

Rqmt Prov: PERMIT P.P. II.C.1.I  
PERMIT P.P. II.C.2.a

Description: Failure to maintain safety and emergency equipment inspection records.

Date 11/13/2006 (517036)

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: Failure to maintain the liner in the secondary containment.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)

Rqmt Prov: PERMIT P.P. II.C.1.I  
PERMIT P.P. II.C.2.a

Description: Failure to input the date on the daily inspection logs.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)

Rqmt Prov: PERMIT P.P. II.C.1.I  
PERMIT P.P. II.C.2.a

Description: Failure to input the signature of the inspector on the daily inspection logs.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(a)

Rqmt Prov: PERMIT P.P. II.C.1.I  
PERMIT P.P. II.C.2.a

Description: Failure to conduct required daily inspection of the BIF and hazardous waste tanks for malfunctions, deteriorations, operator errors, and discharges.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)

Rqmt Prov: PERMIT P.P. II.C.1.p  
PERMIT P.P. II.C.2.i

Description: Failure to test for all associated alarms and parameters during the automatic waste feed cut-off monthly test as required by the permit.

Date 01/18/2007 (531872)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
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)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20160 SC 15E  
PERMIT 20160 SC 2C  
PERMIT 20160 SC 3  
OP O-01322 SC 17

Description: Failure to have cap and plugs installed on open-ended lines.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 General Terms and Conditions  
OP O-01322 SC 20

Description: Failure to submit the annual compliance certification for FOP O-01322 in a timely manner.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)(G)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 SC 10A  
OP O-01322 SC IA

Description: Failure to maintain records of daily calibration of continuous monitors and failure to continuously monitor due to failed calibrations.

Self Report? NO Classification Moderate

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

Description: Failure to report all instances of deviations.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 SC 12G  
OP O-01322 SC 1A

Description: Failure to submit a required semiannual report.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.354(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(b)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of weekly pump and flange check.

Date 02/26/2007 (534486)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
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)(1)

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

Rqmt Prov: PERMIT 20485 Special Condition 26F  
 PERMIT 20485 Special Condition 2A  
 PERMIT 20485 Special Condition 3  
 OP O-01327 Special Condition 15

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service at the C4 Plant.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
 30 TAC Chapter 115, SubChapter B 115.136(a)(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 G 63.152(c)(2)(II)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 12  
 PERMIT 20485 Special Condition 3  
 OP O-01327 Special Condition 1A  
 OP O-1327 Special Condition 15

Description: Failure to continuously collect and maintain operational parameters of any control device required to be installed to meet applicable control requirements required by 30 TAC 115.136(a)(2).

Self Report? NO Classification Moderate

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

Description: 5C THC Chapter 382, SubChapter D 382.085(b)  
 Failure to report all instances of deviations.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
 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)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 3  
 OP O-01327 Special Condition 15

Description: Failure to make the first attempt at repair within five calendar days.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 20485 Special Condition 35(B)  
 PERMIT 20485 Special Condition 8(B)  
 PERMIT 20485 Special Condition 8(C)  
 OP O-01327 Special Condition 15

Description: Failure to maintain emission rates below permitted limits.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)(A)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 3  
 PERMIT 20485 Special Condition 2A  
 OP O-01327 Special Condition 15

Description: Failure to maintain records of flare monitors at the South Flare

F. Environmental audits.

Notice of Intent Date: 07/12/2002 (32986)  
 No DOV Associated

Notice of Intent Date: 06/28/2004 (347983)  
 No DOV Associated

Notice of Intent Date: 07/22/2004 (334174)  
 No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
HUNTSMAN PETROCHEMICAL  
CORPORATION  
RN100219252**

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

**AGREED ORDER  
DOCKET NO. 2007-0581-MLM-E**

**I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Huntsman Petrochemical Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE chs. 361 and 382 and TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petrochemical manufacturing plant at 6001 Highway 366 in Port Neches, Jefferson County, Texas (the "Plant").
2. The Plant involves or involved the management of industrial hazardous waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about March 25, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Twenty-Three Thousand Seven Hundred Seventy-Five Dollars (\$23,775) is assessed by the Commission in settlement of the violations alleged in



Section II ("Allegations"). The Respondent has paid Nine Thousand Five Hundred Ten Dollars (\$9,510) of the administrative penalty and Four Thousand Seven Hundred Fifty-Five Dollars (\$4,755) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Nine Thousand Five Hundred Ten Dollars (\$9,510) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that by November 27, 2006, the Respondent removed the spilled material using vacuum trucks and remediated the contaminated soil and rock. Huntsman re-sampled the soil whereby the analytical results were non-detect for benzene and below the Texas Risk Reductions Standards for total petroleum hydrocarbons.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

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

1. Allowed unauthorized emissions to the atmosphere and caused an unauthorized discharge to the soil, in violation of 30 TEX. ADMIN. CODE §§ 106.4(c), 113.120, 122.143(4), and 335.4, TEX. WATER CODE § 26.121(c), 40 CODE OF FEDERAL REGULATIONS § 63.135(b), Federal Operating Permit No. O-02288, Special Terms and Conditions Nos. 1D, 16, and 17, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 2, 2007. Specifically, from October 10 to 11, 2006, over a period of 27.5 hours, the Respondent allowed a release of benzene contaminated wastewater and oil from a carbon canister. This release resulted in 4,500 gallons of waste onto the soil and 74.42 pounds ("lbs") of volatile organic compounds ("VOCs"), including 54.24 lbs of benzene into the atmosphere. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The document outlines the various methods and systems that can be used to ensure the accuracy and reliability of the records.

The second part of the document focuses on the role of the auditor in the financial reporting process. It describes the responsibilities of the auditor and the standards that must be followed to ensure the integrity of the financial statements. The document also discusses the importance of communication between the auditor and the management of the company.

The third part of the document deals with the issue of fraud and the measures that can be taken to prevent it. It highlights the common types of fraud and the signs that may indicate its presence. The document provides guidance on how to investigate and report suspected fraud, and on how to implement internal controls to reduce the risk of fraud occurring.

The fourth part of the document discusses the importance of transparency and disclosure in financial reporting. It explains the need for companies to provide clear and concise information about their financial performance and position. The document also discusses the role of the auditor in ensuring that the information provided is accurate and reliable.

The fifth part of the document deals with the issue of tax compliance and the measures that can be taken to ensure that all taxes are paid correctly and on time. It discusses the various tax laws and regulations that apply to businesses and provides guidance on how to comply with them. The document also discusses the importance of keeping up to date with changes in tax law.

The sixth part of the document discusses the importance of risk management and the measures that can be taken to identify and mitigate risks. It explains the various types of risks that businesses face and the impact that they can have on the company's performance. The document provides guidance on how to assess risks and develop strategies to manage them.

The seventh part of the document deals with the issue of corporate governance and the measures that can be taken to ensure that the company is run in the best interests of all stakeholders. It discusses the various aspects of corporate governance, including the role of the board of directors, the importance of ethical behavior, and the need for transparency and accountability. The document provides guidance on how to implement effective corporate governance practices.

2. Failed to comply with permitted emissions limits, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Federal Operating Permit No. O-01320, Special Terms and Conditions No. 13, NSR Permit No. 5952A, Special Condition No. 1, NSR Permit No. 19823, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted from February 13 to 15, 2007. Specifically, an emissions event occurred on January 11, 2007 at the A-3 Light Olefins Unit and the F-6 Ethylene Oxide Unit that lasted for 7 hours, resulting in the release of 825.09 lbs of VOCs, 219.8 lbs of CO, and 17.15 lbs of NOx. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Huntsman Petrochemical Corporation, Docket No. 2007-0581-MLM-E" to:

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

2. The Respondent shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Nine Thousand Five Hundred Ten Dollars (\$9,510) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, implement improvements to training, design, operation, or maintenance procedures, in order to address the unauthorized discharge and emissions event that occurred from October 10 to 11, 2006, and to prevent the reoccurrence of same or similar incidents;
  - b. Within 30 days after the effective date of this Agreed Order, implement improvements to training, design, operation, or maintenance procedures, in order to address the emissions



events that occurred on January 11, 2007, and to prevent the reoccurrence of same or similar incidents; and

- c. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a., and 3.b. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent



receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.



## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

John Srdin  
\_\_\_\_\_  
For the Executive Director

2/20/2008  
\_\_\_\_\_  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Steven Barre  
\_\_\_\_\_  
Signature

1/10/08  
\_\_\_\_\_  
Date

STEVEN BARRE  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Huntsman Petrochemical Corporation.

SITE MANAGER  
\_\_\_\_\_  
Title PNPP

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



Attachment A  
Docket Number: 2007-0581-MLM-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** Huntsman Petrochemical Corporation  
**Payable Penalty Amount:** Nineteen Thousand Twenty Dollars (\$19,020)  
**SEP Amount:** Nine Thousand Five Hundred Ten Dollars (\$9,510)  
**Type of SEP:** Pre-approved  
**Third-Party Recipient:** Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Clean School Buses  
**Location of SEP:** Jefferson County

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

**1. Project Description**

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to aid local school districts, area transit agencies, and local governments in need of funding assistance to pay for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. The funds will be disbursed on a needs-rated basis, using non-attainment area status, condition of buses, and economic status of the recipient as possible rating factors if competition for the funds exists. To maximize funds, retrofitting will take priority over replacement of buses. Older buses deemed not suitable for retrofitting will be permanently retired and sold only for scrap.

Acceptable retrofit technologies include particulate matter traps, diesel particulate matter filters, nitrogen oxides (NO<sub>x</sub>) reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the United States Environmental Protection Agency ("EPA") or the California Air Resources Board.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate matter and hydrocarbon



emissions from buses, to meet the new, more stringent emissions standards introduced by the EPA which will be phased in between 2007 and 2010.

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:

Texas Association of Resource Conservation and Development Areas, Inc.  
1716 Briarcrest Drive, Suite 510  
Bryan, Texas 77802-2700

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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



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

**5. Publicity**

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

**6. Clean Texas Program**

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

**7. Other SEPs by TCEQ or Other Agencies**

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

