

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2007-1194-AIR-E **TCEQ ID:** RN101619179 **CASE NO.:** 34302
RESPONDENT NAME: ConocoPhillips Company

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Sweeny Refinery, State Highway 35 and Farm-to-Market Road 524, Old Ocean, Brazoria County</p> <p>TYPE OF OPERATION: Petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are two additional pending enforcement actions, Docket No. 2007-0670-AIR-E and 2007-1730-AIR-E, regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on January 28, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Ms. Miriam Hall, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-1044; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Ms. Cynthia Jordy, Environmental Team Leader, ConocoPhillips Company, P.O. Box 866, Sweeny, Texas 77480 Mr. David P. Huffman, Plant Manager, ConocoPhillips Company, P.O. Box 866, Sweeny, Texas 77480 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation/Record Review Relating to this Case: May 4, 2007 and April 23, 2007</p> <p>Date of NOE Relating to this Case: July 6, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation and record review.</p> <p>AIR</p> <p>1) Failure to maintain the Regenerative Thermal Oxidizer ("RTO") at or above the required 1,500 degrees Fahrenheit (°F) [30 TEX. ADMIN. CODE §§ 101.20(2), 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") § 63.152(c)(2)(i), Federal Operating Permit ("FOP") No. O-01626, Special Terms and Conditions ("STC") 1A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to maintain a continuous pilot light on four flares [30 TEX. ADMIN. CODE §§ 101.20(1) and (2), 116.115(c), 122.143(4), 40 CFR §§ 60.18(c)(2), 63.11(b)(5), 63.113(a)(1)(i), New Source Review Permit ("NSRP") Nos. 5920A, Special Condition ("SC") 4B, 7467A, SC 4, 18142, SC 15, 22086, SC 9, 30513, SC 5, FOP No. O-01626, STC 1A and 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failure to comply with the Sulfur Recovery Unit ("SRU") Tail Gas Incinerator ("TGI") (EPN 28.2-36-2) maximum allowable emission rates ("MAER") for sulfur dioxide ("SO₂") of 115.42 pounds per hour ("lbs/hr") and/or an in-stack hourly average concentration of 250 parts per million by volume ("ppmv") [30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), NSRP No. 5920A, SC 1 and</p>	<p>Total Assessed: \$228,900</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$114,450</p> <p>Total Paid to General Revenue: \$114,450</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification:</p> <p>This is a Findings Order because there were three prior actions for the same violation.</p>	<p>Corrective Actions Taken:</p> <p>1) The Executive Director recognizes that on November 28, 2005, December 1, 2005, and August 7, 2006, the Respondent restored the RTO temperature to at least 1,500° F.</p> <p>Ordering Provisions:</p> <p>2) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A).</p> <p>3) The Order will require the Respondent to:</p> <p>a) Within 30 days after the effective date of this Agreed Order, implement improvement to designs, operations, and/or maintenance practices that address the causes leading to the following events and are designed to prevent recurrence of same or similar incidents:</p> <ul style="list-style-type: none"> i. The flare pilot light outages; ii. The SO₂ exceedances; iii. The H₂S exceedances; iv. The low pH in the Caustic Scrubber; and v. The unauthorized emissions from April 2 through April 10, 2007. <p>b) Within 30 days after the effective date of this Agreed Order, submit administratively complete applications to amend NSRP Nos. 5920A and 30513 to accurately reflect CO emissions;</p> <p>c) Respond completely and adequately, as determined by the Air Permits Division, to all letters requesting information concerning the NSRP Nos. 5920A and 30513 amendment applications;</p> <p>d) Within 45 days after the effective date of this Agreed Order, submit written</p>

<p>9, FOP No. O-01626, STC 1A and 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>4) Failure to comply with the carbon monoxide emission rates on the Heavy Oil Cracking ("HOC") Unit Regenerator Stack (EPN 27.1-36-RE), Vacuum Unit Heater (EPN 29.1-36-1), Coke Heaters (EPN Unit 29.2-36-CS), and Continuous Catalytic Regeneration ("CCR") Furnace (EPN 35-36-1) [30 TEX. ADMIN. CODE §§ 101.20(1) and (2), 116.115(c), 122.143(4), 40 CFR §§ 60.103(a), 63.1565(a)(1)(i), NSRP Nos. 5920A, SC 1 and 23, 30513 SC 1, FOP No. O-01626, STC 1A and 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>5) Failure to comply with the average fuel gas hydrogen sulfide ("H₂S") maximum concentration limit of 160 ppmv for one hour and/or the three-hour rolling average of 162 ppmv [30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), 122.143(4), 40 CFR §§ 60.104(a)(1), NSRP No. 5920A, SC 3, FOP No. O-01626, STC 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>6) Failure to maintain the pH level in the Caustic Scrubber (EPN 35-95-102) at or above 7.68 [30 TEX. ADMIN. CODE §§ 101.20(2), 122.143(4), 40 CFR § 63.1567(a)(2), FOP No. O-01626, STC 1A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>7) Failure to control unauthorized emissions from April 2 through April 10, 2007 [30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), NSRP No. 7467A, SC 1, Standard Permit No. 75864, General Condition 8, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		<p>certification of compliance with Ordering Provision Nos. 3.a.i. – 3.a.v., as described in Ordering Provision No. 3.f.;</p> <p>e) Within 180 days after the effective date of this Agreed Order, submit written certification that the HOC Unit Regenerator Stack (EPN 27.1-36-RE), Vacuum Unit Heater (EPN 29.1-36-1), Coke Heaters (EPN Unit 29.2-36-CS, and CCR Furnace (EPN 35-36-1), are in compliance with the emission rates in NSRP Nos. 5920A and 30513 or that operation of these sources have been ceased until such time that appropriate authorization is obtained; and</p> <p>f) The written certification required by Ordering Provision Nos. 3.d. and 3.e. shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with this order.</p>
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Attachment A
Docket Number: 2007-1194-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: ConocoPhillips Company

Payable Penalty Amount: Two Hundred Twenty-Eight Thousand Nine Hundred Dollars (\$228,900)

SEP Amount: One Hundred Fourteen Thousand Four Hundred Fifty Dollars (\$114,450)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program

Location of SEP: Brazoria County

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

ConocoPhillips Company
Agreed Order - Attachment A

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 June 26, 2007

TCEQ

DATES	Assigned	9-Jul-2007	Screening	24-Jul-2007	EPA Due	1-Apr-2008
	PCW	1-Nov-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	ConocoPhillips Company
Reg. Ent. Ref. No.	RN101619179
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	34302	No. of Violations	7
Docket No.	2007-1194-AIR-E	Order Type	Findings
Media Program(s)	Air	Enf. Coordinator	Miriam Hall
Multi-Media		EC's Team	EnforcementTeam 4
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

Culpability Enhancement **Subtotal 4**

Notes

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

Total EB Amounts **Subtotal 6**
Approx. Cost of Compliance **0% Enhancement***
**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

PAYABLE PENALTY

Screening Date 24-Jul-2007 **Docket No.** 2007-1194-AIR-E
Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
Media [Statute] Air
Enf. Coordinator Miriam Hall

PCW
 Policy Revision 2 (September 2002)
 PCW Revision June 26, 2007

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	36	180%
	Other written NOVs	25	50%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	7	175%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	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) 554%

>> **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 for 36 similar NOVs, 25 unrelated NOVs, six 1660 Orders, seven Findings Orders, and one Consent Decree. The penalty was reduced for one Notice of Audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 554%

Screening Date 24-Jul-2007	Docket No. 2007-1194-AIR-E	PCW
Respondent ConocoPhillips Company	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 34302	<small>PCW Revision June 26, 2007</small>	
Reg. Ent. Reference No. RN101619179		
Media [Statute] Air		
Enf. Coordinator Miriam Hall		
Violation Number <input type="text" value="1"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(2), 122.143(4), 40 Code of Federal Regulations ("CFR") § 63.152(c)(2)(i), Federal Operating Permit ("FOP") No. O-01626, Special Terms and Conditions ("STC") 1A, and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to maintain the Regenerative Thermal Oxidizer ("RTO") at or above the required 1500 degrees Fahrenheit (°F). Specifically, the RTO temperature dropped to 1492.8°F on November 28, 2005, 1496.3°F on December 1, 2005, and 1488°F on August 7, 2006.	
Base Penalty		<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text" value="x"/>	<input type="text"/>	
				Percent <input type="text" value="10%"/>	

>> Programmatic Matrix

	Falsification				
		Major	Moderate		Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="text"/>
				Percent <input type="text" value="0%"/>	
Matrix Notes	Human health or the environment could have been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.				

Adjustment

Violation Events

Number of Violation Events <input type="text" value="3"/>		Number of violation days <input type="text" value="3"/>												
<small>mark only one with an x</small> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:50%;">daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text" value="x"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text" value="x"/>		Violation Base Penalty <input type="text" value="\$3,000"/>
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input type="text"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text" value="x"/>													

Three single events are recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$9"/>	Violation Final Penalty Total <input type="text" value="\$19,620"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$19,620"/>	

Economic Benefit Worksheet

Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
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
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Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$250	28-Nov-2005	7-Aug-2006	0.7	\$9	n/a	\$9

Notes for DELAYED costs

The estimated cost of additional oversight to increase the thermal oxidizer temperature from the date of the first violation to the date the last violation was corrected.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$9

Screening Date 24-Jul-2007
Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
Media [Statute] Air
Enf. Coordinator Miriam Hall

Docket No. 2007-1194-AIR-E

PCW

*Policy Revision 2 (September 2002)
 PCW Revision June 26, 2007*

Violation Number

Rule Cite(s)
 30 Tex. Admin. Code §§ 101.20(1) and (2), 116.115(c), 122.143(4), 40 CFR §§ 60.18(c)(2), 63.11(b)(5), 63.113(a)(1)(i), New Source Review Permit ("NSRP") Nos. 5920A, Special Condition ("SC") 4B, 7467A, SC 4, 18142, SC 15, 22086, SC 9, 30513, SC 5, FOP No. O-01626, STC 1A and 19, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to maintain a continuous pilot light on four flares. See Attachment 1.

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	

>> Programmatic Matrix

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

Matrix Notes

Human health or the environment could have been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation. Flares were in standby mode - no emissions going to flares at the time of the outages.

Adjustment

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="checkbox"/>

Violation Base Penalty

Four single events are recommended - one event per flare.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	10-Feb-2006	30-Apr-2008	2.2	\$111	n/a	\$111

Notes for DELAYED costs

The estimated cost of corrective measures to prevent flare outages from date of the first violation to the projected compliance date.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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

\$111

Screening Date 24-Jul-2007

Docket No. 2007-1194-AIR-E

PCW

Respondent ConocoPhillips Company

Policy Revision 2 (September 2002)

Case ID No. 34302

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101619179

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c), 122.143(4), NSRP No. 5920A, SC 1 and 9, FOP No. O-01626, STC 1A and 19, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the Sulfur Recovery Unit ("SRU") Tail Gas Incinerator ("TGI") (EPN 28.2-36-2) maximum allowable emission rates ("MAER") for sulfur dioxide ("SO₂") of 115.42 pounds per hour ("lbs/hr") and/or an in-stack hourly average concentration of 250 parts per million by volume ("ppmv"). See Attachment 2.

Base Penalty

failed

OR

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

Percent

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

Matrix Notes

Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation. The total excess emissions were 1,203.57 lbs of SO₂.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

mark only one with an x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input checked="" type="checkbox"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Two quarterly events are recommended for the period June 9, 2006 through November 29, 2006.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
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	9-Jun-2006	30-Apr-2008	1.9	\$95	n/a	\$95

Notes for DELAYED costs

The estimated cost of corrective measures to prevent excess SO₂ emissions from date of the first violation to the projected compliance date.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$1,000	TOTAL	\$95
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Screening Date 24-Jul-2007

Docket No. 2007-1194-AIR-E

PCW

Respondent ConocoPhillips Company

Policy Revision 2 (September 2002)

Case ID No. 34302

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101619179

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number

Rule Cite(s)
 30 Tex. Admin. Code §§ 101.20(1) and (2), 116.115(c), 122.143(4), 40 CFR §§ 60.103(a), 63.1565(a)(1)(i), NSRP Nos. 5920A, SC 1 and 23, 30513 SC 1, FOP No. O-01626, STC 1A and 19, and Tex. Health & Safety Code § 382.085(b)

Violation Description
 Failed to comply with the carbon monoxide emission rates on the Heavy Oil Cracking ("HOC") Unit Regenerator Stack (EPN 27.1-36-RE), Vacuum Unit Heater (EPN 29.1-36-1), Coke Heaters (EPN Unit 29.2-36-CS), and Continuous Catalytic Regeneration ("CCR") Furnace (EPN 35-36-1). See Attachment 3.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

>> Programmatic Matrix

	Major	Moderate	Minor
Falsification	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

Matrix Notes

Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation. The total excess emissions for the four emission points were 6,569.21 lbs or approximately 3.28 tons.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

mark only one with an x

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

Violation Base Penalty

The following semiannual events are recommended: two events for the HOC Unit Regenerator stack, one event for the Vacuum Unit Heater, one event for the Coke Heater and one event for the CCR Furnace.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

Item Description: No commas or \$

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$10,000	10-Nov-2005	30-Jun-2008	2.6	\$1,319	n/a	\$1,319
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost of obtaining permit amendments or permit alterations from the date of the first violation to the projected compliance date.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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

\$10,000

TOTAL

\$1,319

Screening Date 24-Jul-2007

Docket No. 2007-1194-AIR-E

PCW

Respondent ConocoPhillips Company

Policy Revision 2 (September 2002)

Case ID No. 34302

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101619179

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(1), 116.115(c), 122.143(4), 40 CFR §§ 60.104(a)(1), NSRP No. 5920A, SC 3, FOP No. O-01626, STC 19, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the fuel gas hydrogen sulfide ("H₂S") maximum hourly average concentration limit of 160 ppmv and/or the three-hour rolling average of 162 ppmv. See Attachment 4.

Base Penalty

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

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

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input checked="" type="checkbox"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
single event	<input type="text"/>	

Violation Base Penalty

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	10-Jul-2006	30-Apr-2008	1.8	\$90	n/a	\$90

Notes for DELAYED costs

The estimated cost of corrective measures to prevent excess H₂S in fuel gas from date of the first violation to the projected compliance date.

Avoided Costs

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

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	\$90
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Screening Date 24-Jul-2007	Docket No. 2007-1194-AIR-E	PCW
Respondent ConocoPhillips Company	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 34302	<i>PCW Revision June 26, 2007</i>	
Reg. Ent. Reference No. RN101619179		
Media [Statute] Air		
Enf. Coordinator Miriam Hall		
Violation Number	6	
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(2), 122.143(4), 40 CFR § 63.1567(a)(2), FOP No. O-01626, STC 1A, and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to maintain the pH level in the Caustic Scrubber (EPN 35-95-102) at or above 7.68 on May 31, 2006, June 13, 2006, and August 31, 2006, when the pH levels fell to 7.64, 7.57, and 7.56, respectively.	
Base Penalty		\$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm					
	Release	Major	Moderate	Minor		
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>		
	Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>	Percent	10%

>> Programmatic Matrix

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

Matrix Notes
 Human health or the environment could have been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input checked="" type="text" value="x"/>

Violation Base Penalty \$3,000

Three single events are recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$113"/>	Violation Final Penalty Total <input type="text" value="\$19,620"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$19,620"/>	

Economic Benefit Worksheet

Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	31-May-2006	31-Aug-2008	2.3	\$113	n/a	\$113

Notes for DELAYED costs

The estimated cost of corrective measures to maintain the proper pH from the date of the first violation to the projected compliance date.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$1,000	TOTAL	\$113
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Screening Date 24-Jul-2007

Docket No. 2007-1194-AIR-E

PCW

Respondent ConocoPhillips Company

Policy Revision 2 (September 2002)

Case ID No. 34302

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN101619179

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c), 116.615(2), NSRP No. 7467A, SC 1, Standard Permit No. 75864, General Condition 8, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent the shutdown of Compressor C-100 in Unit 26.1 due to a drop in the seal pressure resulting in unauthorized emissions from April 2 through April 10, 2007. During the emissions event which lasted 196 hours, one minute, 225 lbs of unauthorized nitrogen oxides ("NO_x") were released from Flare No. 19 (EPN 56-61-19) and the following unauthorized emissions were released from Flare No. 29 (EPN 29-61-1): 1,061 lbs of NO_x, 21,103 lbs of SO₂, 1,273 lbs of volatile organic compounds, 5,682 lbs of CO, and 229 lbs of H₂S. Since these emissions could have been foreseen and avoided by good maintenance practices, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text" value="50%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

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

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

Adjustment

Violation Events

Number of violation days

<i>mark only one with an x</i>	daily	<input type="text"/>
	monthly	<input checked="" type="text" value="x"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>

Violation Base Penalty

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ConocoPhillips Company
Case ID No. 34302
Reg. Ent. Reference No. RN101619179
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	2-Apr-2007	30-Apr-2008	1.1	\$54	n/a	\$54

Notes for DELAYED costs

The estimated cost of corrective measures to prevent excess emissions from date of the first violation to the projected compliance date.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$54

ConocoPhillips Company
2007-1194-AIR-E

Attachment 1

Violation No. 2: Pilot light outages on flares

Flare Emission Point No. ("EPN")	Date(s)	Length of outage
56-61-11	February 10, 2006	2 hours, 30 minutes
	June 25, 2006	16 minutes
29-61-1	February 12, 2006	15 minutes
56-61-23	June 23, 2006	1 hour, 6 minutes
56-61-1	September 14, 2006	2 hours, 30 minutes
	September 20, 2006	45 minutes
	October 31, 2006	14 hours, 15 minutes
	November 10, 2006	5 minutes

ConocoPhillips Company
2007-1194-AIR-E

Attachment 2

Violation No. 3 - Sulfur Dioxide (SO₂) Exceedances

Date	Time	Actual Emissions (lbs/hr)	Excess Emissions (lbs)	Exceedance of 250 ppmv?
June 9, 2006	10:00 AM	119.115	3.73	No
June 28, 2006	5:00 PM	377.26	261.84	Yes
June 29, 2006	8:00 AM	213.27	97.85	Yes
	9:00 AM	214.98	99.56	
	10:00 AM	129.94	14.52	
August 18, 2006	1:00 PM	151.07	35.65	Yes
August 24, 2006	11:00 AM	144.97	29.55	Yes
September 6, 2006	12:00 PM	130.23	14.81	Yes
September 9, 2006	3:00 AM	137.19	21.77	Yes
September 15, 2006	5:00 AM	123.02	7.60	Yes
	11:00 AM	185.35	69.93	
September 17, 2006	12:00 PM	130.06	14.64	Yes
September 18, 2006	7:00 PM	117.59	2.17	Yes
September 20, 2006	10:00 AM	148.54	33.12	No
September 21, 2006	10:00 PM	138.37	22.95	No
October 4, 2006	7:00 AM	131.58	16.16	Yes
October 9, 2006	1:00 PM	141.20	25.78	Yes
October 11, 2006	11:00 AM	171.61	56.19	Yes
October 14, 2006	1:00 PM	147.17	31.75	Yes
October 17, 2006	2:00 AM	142.37	26.95	Yes
October 21, 2006	12:00 PM	124.23	8.81	Yes
October 23, 2006	4:00 PM	128.05	12.63	Yes
	5:00 PM	142.28	26.86	
October 28, 2006	3:00 PM	127.29	11.87	Yes
October 30, 2006	9:00 PM	173.92	58.50	Yes
November 2, 2006	6:00 PM	176.74	61.32	Yes
November 5, 2006	7:00 AM	206.82	91.40	Yes
November 9, 2006	10:00 AM	137.82	22.40	Yes
November 13, 2006	3:00 AM	224.42	109.00	Yes
	4:00 AM	115.74	0.32	
November 17, 2006	5:00 AM	211.22	95.80	Yes
	6:00 AM	134.17	18.75	
November 18, 2006	2:00 AM	124.66	9.24	Yes
November 24, 2006	2:00 PM	127.23	11.81	No
November 28, 2006	1:00 PM	147.64	32.22	Yes
November 29, 2006	9:00 PM	123.38	7.96	Yes
Total Excess Emissions			1203.57 lbs	

ConocoPhillips Company
2007-1194-AIR-E

Attachment 3

Violation No. 4 – Carbon monoxide (CO) exceedances

Heavy Oil Cracking (HOC) Unit Regenerator Stack (EPN 27.1-36-RE)

Permit limits for CO: 608.91 lbs/hr, 500 ppmv

Date	Time	Actual emissions (lbs/hr)	Excess Emissions (lbs)	Exceedance of 500 ppmv [40 CFR §§ 60.103(a) and 63.1565(a)(1)(i)]
November 10, 2005	6:00 PM	567.52	none	Yes - 521 ppmv
December 16, 2005	5:00 PM	648.10	39.19	Yes
December 17, 2005	5:00 PM	550.57	none	Yes – 504.22 ppmv
February 3, 2006	7:00 PM	719.82	110.91	Yes
March 26, 2006	5:00 PM	634.45	25.54	Yes
April 11, 2006	5:00 PM	595.82	none	Yes -540.02 ppmv
April 24, 2006	5:00 PM	588.40	none	Yes – 536.65 ppmv
May 26, 2006	3:00 PM	663.97	55.06	Yes
	5:00 PM	670.56	61.65	
	6:00 PM	630.10	21.19	
November 6, 2006	10:00 PM	658.64	49.73	Yes
	11:00 PM	732.21	123.30	
Total Excess Emissions			486.57 lbs	

Vacuum Unit Heater (EPN 29.1-36-1)

Permit limit for CO: 15.10 lbs/hr

Date	Time	Actual Emissions (lbs/hr)	Excess Emissions (lbs)
May 22, 2006	9:00 AM	56.47	41.37
	11:00 AM	119.74	104.64
	12:00 PM	115.39	100.29
	1:00 PM	108.45	93.35
	2:00 PM	81.46	66.36
	3:00 PM	139.03	123.93
	4:00 PM	142.00	126.90
	8:00 PM	173.44	158.34
	9:00 PM	49.46	34.36
	10:00 PM	132.00	116.90
	11:00 PM	120.29	105.99
May 23, 2006	12:00 AM	109.35	94.25
	1:00 AM	159.09	143.99
	3:00 AM	135.05	119.95
	4:00 AM	112.37	97.27
	5:00 AM	141.34	126.24
	6:00 AM	139.70	124.60
	7:00 AM	135.10	120.00

	8:00 AM	50.14	35.04
May 26, 2006	12:00 PM	37.46	22.36
Total Excess Emissions			1,956.13 lbs

Coke Heater (EPN Unit 29.2-36-CS)
Permit limit for CO: 19.68 lbs/hr

Date	Time	Actual Emissions (lbs/hr)	Excess Emissions (lbs)
June 20, 2006	8:00 AM	31.71	12.03
	5:00 PM	40.25	20.57
	6:00 PM	75.69	56.01
	7:00 PM	142.67	122.99
	8:00 PM	161.64	141.96
	9:00 PM	147.42	127.74
	10:00 PM	121.29	101.61
	11:00 PM	134.86	115.18
June 21, 2006	12:00 AM	83.24	63.56
	1:00 AM	122.00	102.32
	2:00 AM	131.58	111.90
	3:00 AM	146.31	126.63
	4:00 AM	128.48	108.80
	5:00 AM	142.15	122.47
	6:00 AM	106.91	87.23
	7:00 AM	106.32	86.64
	8:00 AM	123.36	103.68
	9:00 AM	108.75	89.07
	10:00 AM	112.50	92.82
	11:00 AM	105.86	86.18
	12:00 PM	102.90	83.22
	1:00 PM	114.56	94.88
	2:00 PM	104.17	84.49
	3:00 PM	137.89	118.21
	4:00 PM	137.13	117.45
	5:00 PM	142.43	124.75
	6:00 PM	130.96	111.28
	7:00 PM	82.04	62.36
	8:00 PM	84.96	65.29
	9:00 PM	88.43	68.75
	10:00 PM	102.71	83.03
	11:00 PM	110.76	91.08
June 22, 2006	12:00 AM	93.91	75.23
	1:00 AM	104.36	84.68
	2:00 AM	125.79	106.11
	3:00 AM	39.51	19.83
August 24, 2006	4:00 PM	38.13	18.45
September 7, 2006	5:00 PM	19.81	0.13
	10:00 PM	20.79	1.11
September 8, 2006	12:00 AM	36.84	17.16
	1:00 AM	125.15	105.47
	2:00 AM	26.52	6.84

	4:00 AM	24.32	4.64
September 11, 2006	11:00 AM	20.90	1.22
	12:00 AM	32.70	13.02
September 12, 2006	12:00 PM	72.07	52.39
September 12, 2006	1:00 PM	107.41	87.73
	2:00 PM	74.80	55.12
	3:00 PM	216.10	196.42
November 25, 2006	11:00 AM	125.07	105.39
Total Excess Emissions			3,935.12 lbs

Continuous Catalytic Regeneration ("CCR") Furnace (EPN 35-36-1)

Permit limit for CO: 16.0 lbs/hr

Date	Time	Actual Emissions (lbs/hr)	Excess Emissions (lbs)
June 26, 2006	12:00 PM	23.34	7.34
	1:00 PM	33.71	17.71
	2:00 PM	35.04	19.34
	3:00 PM	66.22	50.22
	4:00 PM	87.59	71.59
	7:00 PM	17.63	1.63
July 7, 2006	1:00 PM	22.12	6.12
July 18, 2006	8:00 AM	18.28	2.28
August 25, 2006	10:00 AM	21.07	5.07
September 21, 2006	12:00 PM	21.28	5.28
October 4, 2006	8:00 PM	18.07	2.07
October 12, 2006	5:00 PM	18.74	2.74
Total Excess Emissions			191.39

ConocoPhillips Company
2007-1194-AIR-E

Attachment 4

Violation No. 5 – Hydrogen sulfide (H₂S) exceedances

Date	Time	Unit	H ₂ S Concentration (ppmv)	Three Hour exceedance? (average)
July 10, 2006	11:00 AM	35-36-1 CCR Furnace	238.88	No
July 10, 2006	11:00 AM	Multiple –Main Fuel Gas H ₂ S Monitor	810.83	Yes – (508.44 ppmv)
	12:00 PM		695.56	
August 9, 2006	7:00 PM	29.1-36-001 Vacuum Unit Heater	167.15	No
August 18, 2006	11:00 AM		193.32	Yes – (168.58 ppmv)
	12:00 PM		229.84	
September 19, 2006	10:00 AM		186.01	No
September 24, 2006	6:00 PM		176.33	No

Compliance History

Customer/Respondent/Owner-Operator:	CN601674351 ConocoPhillips Company	Classification: AVERAGE	Rating: 2.71
Regulated Entity:	RN101619179 SWEENEY REFINERY	Classification: AVERAGE	Site Rating: 5.76

ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD048210645
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30048
	AIR NEW SOURCE PERMITS	PERMIT	5689
	AIR NEW SOURCE PERMITS	PERMIT	10779
	AIR NEW SOURCE PERMITS	PERMIT	12344
	AIR NEW SOURCE PERMITS	PERMIT	12993
	AIR NEW SOURCE PERMITS	PERMIT	13744
	AIR NEW SOURCE PERMITS	PERMIT	13929
	AIR NEW SOURCE PERMITS	PERMIT	13978
	AIR NEW SOURCE PERMITS	PERMIT	1313A
	AIR NEW SOURCE PERMITS	PERMIT	1314A
	AIR NEW SOURCE PERMITS	PERMIT	1486A
	AIR NEW SOURCE PERMITS	PERMIT	1514A
	AIR NEW SOURCE PERMITS	PERMIT	2849A
	AIR NEW SOURCE PERMITS	PERMIT	5679G
	AIR NEW SOURCE PERMITS	PERMIT	5689A
	AIR NEW SOURCE PERMITS	PERMIT	5920A
	AIR NEW SOURCE PERMITS	PERMIT	7467A
	AIR NEW SOURCE PERMITS	PERMIT	7754A
	AIR NEW SOURCE PERMITS	PERMIT	8402A
	AIR NEW SOURCE PERMITS	PERMIT	18142
	AIR NEW SOURCE PERMITS	PERMIT	18601
	AIR NEW SOURCE PERMITS	PERMIT	21265
	AIR NEW SOURCE PERMITS	PERMIT	22086
	AIR NEW SOURCE PERMITS	PERMIT	24161
	AIR NEW SOURCE PERMITS	PERMIT	25004
	AIR NEW SOURCE PERMITS	PERMIT	24717
	AIR NEW SOURCE PERMITS	PERMIT	24162
	AIR NEW SOURCE PERMITS	PERMIT	26533
	AIR NEW SOURCE PERMITS	PERMIT	25434
	AIR NEW SOURCE PERMITS	PERMIT	30513
	AIR NEW SOURCE PERMITS	PERMIT	33153
	AIR NEW SOURCE PERMITS	PERMIT	35367
	AIR NEW SOURCE PERMITS	PERMIT	35506
	AIR NEW SOURCE PERMITS	PERMIT	35780
	AIR NEW SOURCE PERMITS	PERMIT	39026
	AIR NEW SOURCE PERMITS	PERMIT	40944
	AIR NEW SOURCE PERMITS	PERMIT	42367
	AIR NEW SOURCE PERMITS	PERMIT	43038
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0042G
	AIR NEW SOURCE PERMITS	REGISTRATION	72035
	AIR NEW SOURCE PERMITS	REGISTRATION	72036
	AIR NEW SOURCE PERMITS	REGISTRATION	55489
	AIR NEW SOURCE PERMITS	REGISTRATION	75616
	AIR NEW SOURCE PERMITS	REGISTRATION	75905
	AIR NEW SOURCE PERMITS	REGISTRATION	75713
	AIR NEW SOURCE PERMITS	AFS NUM	4803900010
	AIR NEW SOURCE PERMITS	PERMIT	PSDTX103M2
	AIR NEW SOURCE PERMITS	PERMIT	70113
	AIR NEW SOURCE PERMITS	PERMIT	49140
	AIR NEW SOURCE PERMITS	PERMIT	54666
	AIR NEW SOURCE PERMITS	PERMIT	52705
	AIR NEW SOURCE PERMITS	PERMIT	53563
	AIR NEW SOURCE PERMITS	PERMIT	22690
	AIR NEW SOURCE PERMITS	PERMIT	74130
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX103M
	AIR NEW SOURCE PERMITS	REGISTRATION	76776
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX103M2
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX998
	AIR NEW SOURCE PERMITS	REGISTRATION	76731
	AIR NEW SOURCE PERMITS	REGISTRATION	76644

AIR NEW SOURCE PERMITS	EPA ID	PSDTX103M3
AIR NEW SOURCE PERMITS	REGISTRATION	77648
AIR NEW SOURCE PERMITS	REGISTRATION	77153
AIR NEW SOURCE PERMITS	REGISTRATION	77156
AIR NEW SOURCE PERMITS	REGISTRATION	77157
AIR NEW SOURCE PERMITS	REGISTRATION	77152
AIR NEW SOURCE PERMITS	REGISTRATION	77154
AIR NEW SOURCE PERMITS	REGISTRATION	77155
AIR NEW SOURCE PERMITS	REGISTRATION	77336
AIR NEW SOURCE PERMITS	REGISTRATION	78566
AIR NEW SOURCE PERMITS	REGISTRATION	79552
AIR NEW SOURCE PERMITS	PERMIT	80806
AIR NEW SOURCE PERMITS	REGISTRATION	81104
AIR QUALITY NON PERMITTED	ACCOUNT NUMBER	BL0042G
AIR OPERATING PERMITS	PERMIT	1626
AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0042G
AIR OPERATING PERMITS	PERMIT	2151
WASTEWATER	PERMIT	TX0007536
WASTEWATER	PERMIT	TX0007536000
WASTEWATER	PERMIT	WQ0000721000
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	20580
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30048
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50186
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50186
WASTEWATER LICENSING	LICENSE	WQ0000721000

Location: HIGHWAY 35 AND FM 524, OLD OCEAN, TX, 77463 Rating Date: September 01 06 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 07, 2007

Agency Decision Requiring Compliance History: Enforcement

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

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

Name: Miriam Hall Phone: (512) 239-1044

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

Effective Date: 08/29/2003 ADMINORDER 2002-0467-AIR-E (FINDINGS)
Classification: Minor
Citation: 5B THC Chapter 370, SubChapter B 370.008[G]
Description: Failure to include compound descriptive and compound amount in the final report to the agency.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: SP17 PERMIT
Description: Failure to conduct sampling of the TGI according to permit SP.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6(c)
Description: Failure to submit Final Record for the May 23, 2002 upset w/in two wks of upset.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.11(a)[G]
Rqmt Prov: SC 1 PERMIT
Description: Failure to prevent unauthorized discharge of emissions on May 23, 2002.
Effective Date: 08/30/2004 ADMINORDER 2002-1028-IWD-E (1660)
Classification: Moderate
Citation: TWC Chapter 26 26.121(a)(1)
Rqmt Prov: NOT LISTED PERMIT
Description: Failure to comply w/the daily avg. and daily max. selenium limits of TCEQ WQ Permit 00721 for outfall 001. SNC violations are those which exceed the permitted limit by 40% for conv. pollutants & 20% for toxics.
Effective Date: 05/23/2005 ADMINORDER 2004-0704-AIR-E (1660)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit # 5682A /PSD-TX-103M2, SC 19B PA
Description: Failure to conduct successive quarterly cylinder gas audits (CGAs) on the Continuous Emission Monitoring System (CEMS) associated with Unit 27.1 Regenerator Stack (EPN 27.1-36-RE).
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 J 60.105(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: NSR Permit # 30513 SC # 2 PA
Description: Failed to calibrate, certify, maintain, and operate a CEMS capable of continuously monitoring and recording the concentration of H2S in all fuel gases before being burned at the Unit 35 Furnace (EPN 35-36-1).
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: NSR Permit # 30513, SC # 26C PA
Description: Failed to conduct a valid audit on the CEMS associated with the Unit 35 Furnace (EPN 35-36-1) during the September 11, 2003 quarterly CGA schedule.
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 note daily observations in the flare (EPN 56-61-17) operation log.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC 14H PERMIT
Description: Failed to comply with the 5 and 15 day requirements for leaking valves in Units 4, 20, 27.2, and 35.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to demonstrate compliance with the required primary seal inspection for Tank (EPN 68-95-32) associated with Unit 15 - Hexane Isomerization.
Effective Date: 06/09/2005 ADMINORDER 2003-0446-AIR-E (1660)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 21265 SC 4B, C PERMIT
Description: Failed to submit the semi-annual reports for the wastewater unit (EPN 56 and 56.1) and the copper treater unit (EPN 43) from January 1998 to December 2002.
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 60.482-2(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 30513 SC 4 PERMIT

Description: Failed to implement a fugitive monitoring program for the Continuous Catalyst Reformer Unit No. 35 within 180 days after the initial start up on August 2, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(vii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include an explanation for the delay in repairing leaking components when repairs are required within 15 days of discovery in semi-annual reports for the periods of July - December 2000, January - June 2001, July - December 2001, and January - July 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit semi-annual reports for Unit 35 to the TCEQ due in February 2001, August 2001, and February 2002.

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 J 60.105(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5682A SC 18 PERMIT

Description: Failed to perform the initial compliance certification test on the Hydrogen Sulfide Continuous Emissions Monitoring System within 30 days of performance testing of the unit, conducted on March 16, 2001.

Effective Date: 09/30/2005

ADMINORDER 2004-1617-AIR-E (FINDINGS)

Classification: Major

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

Rqmt Prov: TCEQ Air Permit #5682A, SC #1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Effective Date: 01/26/2006

ADMINORDER 2005-0163-AIR-E (1660)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 5682 & PSD-TX-103M2, S.C. #1 PERMIT

Description: Failure to prevent an unplanned shutdown of an incinerator resulting in unauthorized emissions.

Effective Date: 04/14/2006

ADMINORDER 2005-1660-AIR-E (1660)

Classification: Moderate

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

Rqmt Prov: Permit # 49140 PA

Description: RE failed to prevent an avoidable emissions event.

Effective Date: 07/14/2006

ADMINORDER 2005-1904-AIR-E (1660)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7467A SC 1 PERMIT

Permit No. 5920A and PSD-TX-103M2, SC 1 PA

Description: RE failed to prevent avoidable emissions events.

Effective Date: 09/21/2006

ADMINORDER 2006-0252-AIR-E (FINDINGS)

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 5682A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions

Classification: Moderate

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

Rqmt Prov: Permit # 5682A & PSD-TX-103M2, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Minor

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

5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to submit accurate final report after an emissions event
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Permit No. 5920A PERMIT
Description: Failed to prevent unauthorized emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to submit initial notification within 24 hours from the discovery date for a reportable emissions event.
Effective Date: 12/02/2006 ADMINORDER 2006-0706-AIR-E (FINDINGS)
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to submit the initial notification within 24 hours of discovery for the emission event that occurred on February 11, 2006. Specifically, the initial notification for Incident No. 71652 was submitted 46 hours after the emissions event.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to maintain an emission rate below the maximum allowable emission limits of 0.11 lbs/hr for nitrogen oxides, 0.83 lbs/hr for carbon monoxide, and 0.06 lbs/hr for sulfur dioxide from the Coker Flare (EPN 29-61-1) on February 11, 2006.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to maintain an emission rate below the maximum allowable emission limits of 0.11 lbs/hr for nitrogen oxides, 0.83 lbs/hr for carbon monoxide, 0.06 lbs/hr for sulfur dioxide, and zero lbs/hr for volatile organic compounds ("VOCs") Coker Flare [emission point number ("EPN") 29-61-1] on January 10, 2006.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1563(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(1)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit 49140 Special Condition 12 PERMIT
Description: Failed to comply with the permitted emission rate of 1.0 lbs of PM per 1,000 lbs of coke burned-off. Specifically, during the stack testings of November 3-4, 2004, June 30, 2005, and December 13, 2005 PM emissions from the Fluid Catalytic Cracking Unit (FCCU) No. 3 Regenerator Vent (EPN 3-95-3) were exceeded.
Effective Date: 05/25/2007 ADMINORDER 2005-1212-AIR-E (FINDINGS)
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to submit initial notification within 24 hours after the discovery of an emissions event that occurred on October 29-30, 2004 at Unit 26.2.
Classification: Minor
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 report within two weeks after the end of an emissions event which occurred on October 29-30, 2004 at Unit 26.2
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: #5682 and PSD-TX-103M2, S.C. #1 PERMIT
Description: failed to control unauthorized emissions at the LP Emergency Flare due to the unplanned shutdown of a compressor at Unit 26.2 on October 29-30, 2004
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit # 5862A/PSD-TX-103M2 PERMIT

Description: Failed to control unauthorized emissions from the LP Emergency Flare during an emissions event which occurred on October 7, 2004 during the startup of Unit 26.1

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #5682A and PSD-TX-103M2, S.C. #1 PERMIT

Description: failed to control unauthorized emissions from the LP Emergency Flare due to the unplanned shutdown of a compressor at Unit 26.2 on October 21, 2004.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
30 TAC Chapter 101, SubChapter F 101.211(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report an emissions event, which occurred on October 7, 2004, when the emissions during startup of Unit 26.1 exceeded the initial estimates in the startup notification.

Effective Date: 06/29/2007

ADMINORDER 2006-1550-AIR-E (FINDINGS)

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition 8 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on May 25, 2006 at 3:00 a.m., but was not reported until June 7, 2006 at 12:05 p.m.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on June 1, 2006 at 2:00 a.m., but was not reported until June 12, 2006 at 4:48 p.m.

Effective Date: 07/13/2007

ADMINORDER 2006-2030-AIR-E (FINDINGS)

Classification: Major

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent an avoidable emissions event.

See addendum for information regarding federal actions.

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

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	08/09/2002	(3092)
2	08/15/2002	(5279)
3	08/19/2002	(4924)
4	08/19/2002	(8203)
5	08/22/2002	(160691)
6	08/25/2002	(8594)
7	08/25/2002	(4904)
8	08/25/2002	(8582)

9	08/31/2002	(9933)
10	09/09/2002	(6311)
11	09/23/2002	(160694)
12	10/07/2002	(11565)
13	10/23/2002	(160697)
14	10/31/2002	(14828)
15	11/27/2002	(160701)
16	12/09/2002	(13725)
17	12/20/2002	(160705)
18	12/23/2002	(14220)
19	01/07/2003	(18532)
20	01/09/2003	(20971)
21	01/10/2003	(16787)
22	01/10/2003	(20972)
23	01/10/2003	(19275)
24	01/24/2003	(21424)
25	02/26/2003	(20393)
26	02/28/2003	(160670)
27	02/28/2003	(19809)
28	03/07/2003	(21233)
29	03/11/2003	(160709)
30	03/25/2003	(160673)
31	04/04/2003	(23918)
32	04/04/2003	(23919)
33	04/23/2003	(160678)
34	04/23/2003	(33899)
35	05/02/2003	(10852)
36	05/12/2003	(27507)
37	05/27/2003	(296409)
38	06/05/2003	(17956)
39	06/16/2003	(33521)
40	06/17/2003	(34943)
41	06/23/2003	(160685)
42	07/10/2003	(119447)
43	07/16/2003	(36390)
44	07/23/2003	(296413)
45	07/26/2003	(61517)
46	08/04/2003	(133826)
47	08/23/2003	(61968)
48	08/27/2003	(296415)
49	09/24/2003	(296417)
50	10/21/2003	(296419)
51	10/27/2003	(282874)
52	11/06/2003	(249501)
53	11/07/2003	(253887)
54	11/24/2003	(254187)
55	11/24/2003	(296420)
56	11/25/2003	(254294)
57	12/22/2003	(296421)
58	12/31/2003	(255587)
59	01/22/2004	(296422)
60	01/30/2004	(259125)
61	01/30/2004	(261337)
62	02/02/2004	(250745)
63	02/23/2004	(296404)
64	03/17/2004	(257314)
65	03/22/2004	(296406)
66	03/22/2004	(264254)
67	04/06/2004	(257342)
68	04/08/2004	(258257)
69	04/22/2004	(296407)
70	05/07/2004	(266127)
71	05/25/2004	(296410)
72	06/21/2004	(352588)
73	06/30/2004	(273454)
74	06/30/2004	(271507)
75	07/01/2004	(275993)
76	07/02/2004	(278283)

77	07/12/2004	(259068)
78	07/12/2004	(258107)
79	07/16/2004	(352589)
80	08/18/2004	(282244)
81	08/23/2004	(352590)
82	08/23/2004	(352593)
83	08/24/2004	(260558)
84	08/25/2004	(261423)
85	08/31/2004	(271547)
86	08/31/2004	(273961)
87	09/01/2004	(289795)
88	09/01/2004	(280584)
89	09/10/2004	(333346)
90	09/16/2004	(352591)
91	09/30/2004	(280855)
92	10/05/2004	(336659)
93	10/06/2004	(333804)
94	10/06/2004	(333805)
95	10/06/2004	(333698)
96	10/15/2004	(352592)
97	11/12/2004	(287686)
98	11/22/2004	(338077)
99	11/22/2004	(335609)
100	11/22/2004	(339194)
101	11/22/2004	(333524)
102	11/29/2004	(341065)
103	11/29/2004	(340915)
104	11/29/2004	(336272)
105	11/29/2004	(340851)
106	11/29/2004	(340359)
107	11/29/2004	(340845)
108	11/30/2004	(340792)
109	12/06/2004	(283487)
110	12/11/2004	(342577)
111	12/11/2004	(342599)
112	12/16/2004	(382048)
113	12/17/2004	(288102)
114	12/17/2004	(341910)
115	12/17/2004	(340488)
116	12/20/2004	(289506)
117	12/22/2004	(340482)
118	12/22/2004	(342153)
119	12/28/2004	(342422)
120	12/28/2004	(277696)
121	12/29/2004	(289466)
122	12/30/2004	(345626)
123	12/30/2004	(287859)
124	12/30/2004	(345294)
125	12/30/2004	(345296)
126	12/30/2004	(345297)
127	12/30/2004	(342412)
128	01/04/2005	(342579)
129	01/07/2005	(345295)
130	01/07/2005	(345299)
131	01/17/2005	(286211)
132	01/27/2005	(343576)
133	02/10/2005	(343557)
134	02/14/2005	(349255)
135	02/21/2005	(349952)
136	02/21/2005	(351188)
137	02/22/2005	(350692)
138	02/23/2005	(382045)
139	02/23/2005	(382046)
140	02/23/2005	(382047)
141	02/25/2005	(350491)
142	03/03/2005	(349462)
143	03/03/2005	(371965)
144	03/09/2005	(372280)

145	03/09/2005	(345300)
146	03/16/2005	(343615)
147	03/16/2005	(373194)
148	03/29/2005	(372022)
149	03/31/2005	(350563)
150	04/12/2005	(374970)
151	04/12/2005	(375119)
152	05/19/2005	(378252)
153	05/20/2005	(375132)
154	06/20/2005	(396218)
155	06/23/2005	(349036)
156	06/24/2005	(374887)
157	06/24/2005	(397011)
158	07/11/2005	(398367)
159	07/11/2005	(396156)
160	07/15/2005	(400176)
161	07/20/2005	(399359)
162	07/26/2005	(400458)
163	08/02/2005	(402413)
164	08/15/2005	(404591)
165	08/22/2005	(406298)
166	08/24/2005	(406619)
167	08/30/2005	(402698)
168	08/30/2005	(418482)
169	10/12/2005	(345293)
170	10/21/2005	(433893)
171	10/28/2005	(403331)
172	10/28/2005	(418688)
173	10/31/2005	(433354)
174	12/01/2005	(438294)
175	01/02/2006	(439019)
176	01/30/2006	(453505)
177	01/30/2006	(451619)
178	01/30/2006	(440119)
179	02/07/2006	(453152)
180	02/08/2006	(440116)
181	02/08/2006	(440354)
182	02/13/2006	(440416)
183	02/21/2006	(449529)
184	02/23/2006	(455205)
185	02/23/2006	(451390)
186	02/23/2006	(453702)
187	02/24/2006	(438289)
188	02/27/2006	(440305)
189	03/13/2006	(453717)
190	03/14/2006	(453727)
191	03/16/2006	(433352)
192	03/16/2006	(438820)
193	03/16/2006	(450930)
194	03/17/2006	(438894)
195	03/20/2006	(278774)
196	03/21/2006	(345285)
197	03/28/2006	(433648)
198	03/28/2006	(451496)
199	03/30/2006	(458137)
200	03/30/2006	(458160)
201	04/20/2006	(460114)
202	04/20/2006	(458139)
203	04/25/2006	(461497)
204	05/04/2006	(461458)
205	05/16/2006	(462220)
206	05/16/2006	(462319)
207	05/17/2006	(463612)
208	05/17/2006	(461841)
209	05/22/2006	(434378)
210	05/22/2006	(463514)
211	05/25/2006	(458131)
212	05/31/2006	(460763)

213	06/23/2006	(480400)
214	06/23/2006	(480579)
215	06/27/2006	(480326)
216	06/27/2006	(480331)
217	06/30/2006	(463704)
218	06/30/2006	(482027)
219	07/07/2006	(460719)
220	07/10/2006	(480119)
221	07/10/2006	(482038)
222	07/11/2006	(483052)
223	07/19/2006	(484922)
224	07/21/2006	(486875)
225	07/24/2006	(465685)
226	07/28/2006	(484927)
227	07/31/2006	(484998)
228	08/04/2006	(483248)
229	08/07/2006	(484904)
230	08/07/2006	(483230)
231	08/16/2006	(485078)
232	08/16/2006	(497297)
233	08/21/2006	(497477)
234	08/21/2006	(497714)
235	08/25/2006	(484989)
236	08/29/2006	(485092)
237	08/29/2006	(485973)
238	09/01/2006	(487285)
239	09/05/2006	(481595)
240	09/05/2006	(487182)
241	10/02/2006	(511382)
242	10/20/2006	(497684)
243	10/24/2006	(516622)
244	10/30/2006	(511381)
245	10/30/2006	(289180)
246	11/03/2006	(514242)
247	11/03/2006	(514125)
248	11/03/2006	(513963)
249	11/06/2006	(453818)
250	11/07/2006	(487028)
251	11/15/2006	(432050)
252	11/21/2006	(514771)
253	11/21/2006	(514871)
254	11/30/2006	(514772)
255	12/06/2006	(514931)
256	12/08/2006	(514770)
257	12/19/2006	(531219)
258	12/21/2006	(514890)
259	12/28/2006	(533933)
260	01/05/2007	(514904)
261	01/10/2007	(534506)
262	01/25/2007	(531232)
263	01/25/2007	(535014)
264	01/29/2007	(531242)
265	01/29/2007	(534512)
266	02/05/2007	(536784)
267	02/05/2007	(516120)
268	02/05/2007	(538614)
269	02/22/2007	(516368)
270	02/22/2007	(516309)
271	02/22/2007	(516228)
272	02/22/2007	(538168)
273	02/22/2007	(516413)
274	02/28/2007	(541083)
275	02/28/2007	(534513)
276	02/28/2007	(535042)
277	03/01/2007	(489392)
278	03/23/2007	(508787)
279	03/28/2007	(554903)
280	03/28/2007	(555356)

281 03/30/2007 (541806)
 282 04/04/2007 (553900)
 283 04/05/2007 (554567)
 284 04/12/2007 (555765)
 285 04/18/2007 (535818)
 286 04/20/2007 (541785)
 287 04/27/2007 (536863)
 288 04/27/2007 (538234)
 289 05/02/2007 (557193)
 290 05/08/2007 (536805)
 291 05/16/2007 (556084)
 292 05/16/2007 (543939)
 293 05/21/2007 (560688)
 294 05/29/2007 (560939)
 295 05/30/2007 (558665)
 296 05/31/2007 (557887)
 297 05/31/2007 (557814)
 298 05/31/2007 (558933)
 299 05/31/2007 (558165)
 300 05/31/2007 (561604)
 301 06/08/2007 (563044)
 302 06/18/2007 (564174)
 303 06/20/2007 (563448)
 304 06/27/2007 (564004)
 305 06/27/2007 (564948)
 306 07/06/2007 (562320)
 307 07/06/2007 (566372)
 308 07/10/2007 (566109)
 309 07/12/2007 (566817)
 310 07/18/2007 (564160)
 311 07/18/2007 (562884)
 312 07/18/2007 (565411)
 313 07/26/2007 (534491)
 314 07/30/2007 (570079)

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

Date: 08/31/2002 (160694)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 09/30/2002 (160697)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 11/13/2002 (20971)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.222(b)(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 Description: Inadequate maintenance resulted in an emissions event that did not meet the
 Demonstration Criteria.
 Date: 11/30/2002 (160705)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 12/31/2002 (160709)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/31/2003 (160670)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2003 (160673)

Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	03/18/2003 (27507)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Inadequate maintenance resulted in an emissions event that did not meet the Demonstration Criteria.		
Date:	03/31/2003 (160678)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/04/2003 (23919)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Rqmt Prov:	PERMIT TCEQ AIR Permit 5682A		
Description:	Failure to control emissions from process operations.		
Date:	04/30/2003 (296409)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	06/30/2003 (296413)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/10/2003 (119447)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 335, SubChapter A 335.6(c)[G]		
Description:	NOR updates are required.		
Date:	07/31/2003 (296415)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/23/2003 (61968)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 21265		
Description:	ConocoPhillips failed to route unauthorized emissions from aeration tank (Tk 69) to a control device.		
Date:	08/31/2003 (296417)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	09/30/2003 (296419)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2003 (296420)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	11/24/2003 (254187)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) 30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:	PERMIT 5682A and PSD-TX-103M2, SC No: 1		

Description: Conoco Phillips failed to submit the initial notification within 24 hours of the start of the incident (CCEDS #17799) and unauthorized emissions.
Date: 11/25/2003 (254294)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Permit No. 5682A & PSD-TX-103M2, SC 1
Description: Conoco Phillips failed to submit the initial notification within 24 hours of the start of the incident # 10377 and unauthorized emissions.
Date: 11/30/2003 (296421)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 12/31/2003 (255587)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Rqmt Prov: PERMIT 21265, GC #8
Description: Failure to comply with General Condition #8 of TCEQ Air Permit 21265/unauthorized emissions.
Date: 12/31/2003 (296422)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 01/31/2004 (296404)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 02/29/2004 (296406)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 03/18/2004 (257314)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PA 5682A SC 1
Description: Failure to maintain the emissions below the allowables in the MAERT.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(e)(1)[G]
Description: Failure to conduct CGA fourth quarter audit in 2002, for unit 25.1, F-1, for pollutants NOx and CO.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PA 5920A SC(6)(E)
Description: Failure to conduct second quarter cylinder gas audit in 2003, for unit 9, F-4 crude heater.
Date: 03/31/2004 (296407)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 04/12/2004 (258257)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 60, Subpart GGG 60.592(a)
Rqmt Prov: PERMIT Permit No. 21265, Special Condition #4.B
Description: ConocoPhillips failed to include components associated with VOC Tank 454 in fugitive emission monitoring.
Date: 04/30/2004 (296410)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 05/31/2004 (352588)

Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/12/2004 (258107)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 22690 and PSD-TX-751M1, S.C. #1
 Description: Exceeded permit emission limits during an avoidable emissions event.
 Date: 07/12/2004 (259068)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Air Permit #5682A/PSD-TX-103M2 SC #1
 Description: Failure to submit a final notification of an emissions event in a timely manner and unauthorized emissions.
 Date: 08/31/2004 (271547)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 5682A and PSD-TX-103M2, S.C. 1
 Description: Failure to submit separate notification for each facility, and failure to identify correct facility names and unauthorized emissions.
 Date: 12/30/2004 (345626)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to prevent an inadvertent electrical short circuit resulting in unauthorized opacity.
 Date: 12/30/2004 (277696)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT #5682A and PSD-TX-103M2, S.C. #1
 Description: Failure to maintain cooling water flow to debutanizer resulting in unauthorized emissions.
 Date: 01/31/2005 (382045)

Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/21/2005 (433893)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)
 Description: Failed to report the opacity event within 24 hours of the start of the event.
 Date: 03/22/2006 (438894)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT SC 12
 Description: Failure to properly control the torch oil atomizing steam injection rate resulting in excess opacity.
 Date: 05/04/2006 (461458)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]
 Description: Failure to determine if the event is a reportable emissions event within 24 hours of discovery a of a reportable emissions event and failure to notify the affected TCEQ Regional Office within 24 hours of discovery.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Failure to keep emissions of SO2 and CO from the Coker Flare within their Maximum Allowable Emission Rate limits under TCEQ Air Permit No. 5920A.
 Date: 05/17/2006 (462220)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Failed to keep regenerator flue gas opacity within permitted limits.
 Date: 06/16/2006 (462319)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 12
 Description: Failure to keep the opacity level at the Regenerator ESP stack within permit limits while returning the unit to full operating rates following a stack test.
 Date: 06/28/2006 (480331)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Failure to prevent overpressures in Units 7 and 35 and unauthorized emissions.
 Date: 06/28/2006 (480326)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 12
 Description: Failed to properly design the electrostatic precipitator resulting in excess opacity.
 Date: 07/07/2006 (460719)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
 Description: Failure to include the several light paraffins on the final report and amounts of all unauthorized pollutants released.
 Date: 07/12/2006 (483052)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 12
 Description: Failure to properly control opacity from the Regenerator resulting in the excess opacity event.
 Date: 07/31/2006 (484998)
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: Failure to submit the Initial Notification for an Emissions Event to the TCEQ within 24 hours of discovery.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Failure to prevent an avoidable emissions event.
 Date: 08/29/2006 (485092)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 1
 Description: Failed to properly design, maintain, and operate feed stream to Unit 27, leading to interruption of the feed stream and of process operations.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to keep the opacity of the Regenerator Flue Gas Stream at or below 20%.
 Date: 11/30/2006 (514772)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 12
 Description: The RE failed to properly design the electrostatic precipitator on the Unit 3 Regenerator resulting in the excess opacity.
 Date: 12/11/2006 (514770)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT Special Condition 6
 Description: The RE failed to route the vent stream from Aeration Tank 69 to the Regenerative

Thermal Oxidizer.

Self Report? NO Classification: Moderate

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

Description: Failure to meet the affirmative defense and unauthorized emissions.

Date: 12/21/2006 (514890)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 12

Description: The RE failed to properly design the electrostatic precipitator in Unit 3, resulting in avoidable periods of excess opacity, and thereby failed to minimize the durations and intensities of periods of excess opacity.

Date: 01/05/2007 (514904)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1

Description: The RE failed to prevent an unnecessary maintenance event resulting in unauthorized emissions.

Date: 01/26/2007 (535014)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)

Description: CP failed to submit a complete final report.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT TCEQ Air Permit No. 75864, GC #8

Description: CP failed to prevent overfilling of Drum D-1 and unauthorized emissions.

Date: 01/26/2007 (531232)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 12

Description: The RE failed to properly design the ESP and failed to recognize, within a timely manner, the underlying causes of the event, resulting in an extended excess opacity event.

Date: 01/28/2007 (534512)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1

Description: The RE failed to prevent a leak caused by avoidable corrosion.

Date: 01/29/2007 (531242)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT General Condition 2

Description: The RE failed to promptly refill the Coker Flare water seal following a pressure spike resulting in unauthorized emissions.

Date: 03/30/2007 (541806)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT TCEQ Air Permit No. 49140, SC #12

Description: Chevron failed to control excess opacity.

Date: 04/04/2007 (553900)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT TCEQ Air Permit No. 75864, GC #8

Description: Conoco failed to completely remove trapped water from the bottom pumps prior to a unit startup resulting in unauthorized emissions

Date: 04/26/2007 (542918)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Special Condition 1

Description: The RE failed to prevent a coke conveyor belt fire.

Date: 05/22/2007 (555841)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THC Chapter 382, SubChapter D 382.085(b)
Description: ConocoPhillips Sweeny refinery caused nuisance dust emissions as a result of transportation of Coker product in uncovered railcars.

Date: 05/31/2007 (558665)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Conoco failed to properly maintain the governor valve on the C-111 compressor in Unit 26.2 resulting in unauthorized emissions.

Date: 07/06/2007 (543586)
Self Report? YES Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
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 GGG 60.592(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01626, ST&C 19
OP FOP O-01626, ST&C 1A
PERMIT Permit 30513, Special Condition 15F
PERMIT Permit 49140, Special Condition 6F
PERMIT Permit 5920A, Special Condition 16F
Description: Failure to perform initial Method 21 monitoring of 38 new LDAR components.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01626, ST&C 19
OP FOP O-01626, ST&C 1A
PERMIT Permit 18142, Special Condition 7H
PERMIT Permit 22086, Special Condition 6H
PERMIT Permit 49140, Special Condition 6H
PERMIT Permit 5920A Special Condition 17H
Description: Failure to repair 34 leaking components within 15 days.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01626, ST&C 1A
Description: Failure to make a first attempt of repair to 27 leaking components within 5 days.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01626, ST&C 1A
OP FOP O-01626, ST&C 1N(v)
Description: Failure to repair HRVOC-service leaks within 1 business day.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01626, ST&C 19
OP FOP O-01626, ST&C 1A

PERMIT Permit 18142, Special Condition 7E
 PERMIT Permit 22086, Special Condition 6E
 PERMIT Permit 30513, Special Condition 15E
 PERMIT Permit 49140, Special Condition 6E
 PERMIT Permit 5920A, Special Condition 17E
 Description: Failure to cap or plug open-ended valves/lines.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01626, ST&C 19
 PERMIT Permit 49140, Special Condition 12
 Description: Failure to comply with the limit of 1.0 lbs of PM per 1000 lbs of Cokeburn.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.214(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01626, ST&C 1A
 Description: Failure to perform weekly ammonia sampling to the Crude Charge Heater on Unit 25.1.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01626, ST&C 19
 OP FOP O-01626, ST&C 1A
 PERMIT Permit 49140, Special Condition 14B
 Description: Failure to perform Cylinder Gas Audits.
 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 J 60.104(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01626, ST&C 19
 OP FOP O-01626, ST&C 1A
 PERMIT Permit 5920A, Special Condition 3
 Description: Failure to comply with the 162 ppm H2S limit in fuel gas streams.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01626, ST&C 19
 PERMIT Permit 49140, Special Condition 12
 Description: Failure to comply with the 200 PPM NOX Limit.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01626, ST&C 1A
 Description: Failure to make roof repairs to Tank 96 within the required time frames.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(b)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01626, ST&C 1A
 Description: Failure to submit NSPS Inspection Results letter for Tank 249.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)[G]
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP FOP O-01626, ST&C 19
 OP FOP O-01626, ST&C 1A
 PERMIT Permit 18142, Special Condition 7F
 PERMIT Permit 49140, Special Condition 6F
 PERMIT Permit 5920A, Special Condition 17F
 Description: Failure to perform Method 21 monitoring to leaking components on Delay of Repair.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.102(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01626, ST&C 19
 OP FOP O-01626, ST&C 1A
 PERMIT Permit 49140, Special Condition 12
 Description: Failure to Comply with Opacity Emissions Limits during the second quarter of 2005..

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01626, ST&C 19
 OP FOP O-01626, ST&C 1A
 PERMIT Permit 49140, Special Condition 14
 Description: Failure to perform continuous monitoring for CO on EPN-3-95-3.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01626 General Terms and Conditions
 Description: Failure to include all deviations in the deviation reports.

F. Environmental audits.

Notice of Intent Date: 09/27/2005 (434812)
 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

**Addendum to Compliance History
Federal Enforcement Actions**

CUSTOMER (Defendant):	ConocoPhillips	CUSTOMER NO.:	CN601674351
REGULATED ENTITY:	Sweeny Refinery	REG. ENTITY NO.:	RN101619179
REG. ENTITY ADDRESS:	Highway 35 & FM 524, Old Ocean, TX		
REG. ENTITY CITY:	Old Ocean		

Violations

EPA CASE NO:	02-2004-0014	CLASSIFICATION:	MODERATE
ORDER ISSUED DATE (YYYYMMDD):	20051205	STATUTE:	CAA SECT. OF STATUTE: 112
ENFORCEMENT ACTION TYPE:	Consent Decree/Court Order	CITATION:	40CFR CITE PART: 60,61 CITE SECT.:
CASE RESULT:	Final Order With Penalty	PROGRAM:	Permit Requirements
		VIOLATION TYPE:	UST Leak Detection and Repair

EPA CASE NO:	02-2004-0014	CLASSIFICATION:	MODERATE
ORDER ISSUED DATE (YYYYMMDD):	20051205	STATUTE:	CAA SECT. OF STATUTE: 165
ENFORCEMENT ACTION TYPE:	Consent Decree/Court Order	CITATION:	40CFR CITE PART: 52 CITE SECT.: 21
CASE RESULT:	Final Order With Penalty	PROGRAM:	State Implementation Plan
		VIOLATION TYPE:	Prevention Of Significant Deterioration

EPA CASE NO:	02-2004-0014	CLASSIFICATION:	MODERATE
ORDER ISSUED DATE (YYYYMMDD):	20051205	STATUTE:	CAA SECT. OF STATUTE: 112
ENFORCEMENT ACTION TYPE:	Consent Decree/Court Order	CITATION:	40CFR CITE PART: 61 CITE SECT.: Subpart FF
CASE RESULT:	Final Order With Penalty	PROGRAM:	NESHAPs
		VIOLATION TYPE:	NESHAP for Benzene Waste Operations

EPA CASE NO:	02-2004-0014	CLASSIFICATION:	MODERATE
ORDER ISSUED DATE (YYYYMMDD):	20051205	STATUTE:	CAA SECT. OF STATUTE: 111
ENFORCEMENT ACTION TYPE:	Consent Decree/Court Order	CITATION:	40CFR CITE PART: 60 CITE SECT.: Subparts A
CASE RESULT:	Final Order With Penalty	PROGRAM:	NSPS
		VIOLATION TYPE:	Refinery NSPS Regulations

[Redacted]

[Redacted]

[Redacted]

[Redacted]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CONOCOPHILLIPS COMPANY
RN101619179

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§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

**AGREED ORDER
DOCKET NO. 2007-1194-AIR-E**

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ConocoPhillips Company ("ConocoPhillips") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and ConocoPhillips presented this agreement to the Commission.

ConocoPhillips understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, ConocoPhillips agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon ConocoPhillips.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. ConocoPhillips owns and operates a petroleum refinery at State Highway 35 and Farm-to-Market Road 524 in Old Ocean, Brazoria County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in Tex. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation on April 23, 2007, TCEQ staff documented that ConocoPhillips failed to maintain the Regenerative Thermal Oxidizer ("RTO") at or above the required 1500 degrees Fahrenheit (°F). Specifically, the RTO temperature dropped to 1492.8°F on November 28, 2005, 1496.3°F on December 1, 2005, and 1488°F on August 7, 2006.
4. During an investigation on April 23, 2007, TCEQ staff documented that ConocoPhillips failed to maintain a continuous pilot light on the following four flares:

Flare Emission Point No. ("EPN")	Date(s)	Length of outage
56-61-11	February 10, 2006	2 hours, 30 minutes
	June 25, 2006	16 minutes
29-61-1	February 12, 2006	15 minutes
56-61-23	June 23, 2006	1 hours, 6 minutes
56-61-1	September 14, 2006	2 hours, 30 minutes
	September 20, 2006	45 minutes
	October 31, 2006	14 hours, 15 minutes
	November 10, 2006	5 minutes

5. During a record review on April 23, 2007, TCEQ staff documented that ConocoPhillips failed to comply with the Sulfur Recovery Unit ("SRU") Tail Gas Incinerator ("TGI") (EPN 28.2-36-2) maximum allowable emission rates ("MAER") for sulfur dioxide ("SO₂") of 115.42 pounds per hour ("lbs/hr") and/or an in-stack hourly average concentration of 250 parts per million by volume ("ppmv") as follows:

Date	Time	Actual Emissions (lbs/hr)	Excess Emissions [Pounds ("lbs")]	Exceedance of 250 ppmv?
June 9, 2006	10:00 AM	119.115	3.73	No
June 28, 2006	5:00 PM	377.26	261.84	Yes
June 29, 2006	8:00 AM	213.27	97.85	Yes
	9:00 AM	214.98	99.56	
	10:00 AM	129.94	14.52	
August 18, 2006	1:00 PM	151.07	35.65	Yes
August 24, 2006	11:00 AM	144.97	29.55	Yes
September 6, 2006	12:00 PM	130.23	14.81	Yes
September 9, 2006	3:00 AM	137.19	21.77	Yes
September 15, 2006	5:00 AM	123.02	7.60	Yes
	11:00 AM	185.35	69.93	
September 17, 2006	12:00 PM	130.06	14.64	Yes
September 18, 2006	7:00 PM	117.59	2.17	Yes
September 20, 2006	10:00 AM	148.54	33.12	No

September 21, 2006	10:00 PM	138.37	22.95	No
October 4, 2006	7:00 AM	131.58	16.16	Yes
October 9, 2006	1:00 PM	141.20	25.78	Yes
October 11, 2006	11:00 AM	171.61	56.19	Yes
October 14, 2006	1:00 PM	147.17	31.75	Yes
October 17, 2006	2:00 AM	142.37	26.95	Yes
October 21, 2006	12:00 PM	124.23	8.81	Yes
October 23, 2006	4:00 PM	128.05	12.63	Yes
	5:00 PM	142.28	26.86	
October 28, 2006	3:00 PM	127.29	11.87	Yes
October 30, 2006	9:00 PM	173.92	58.50	Yes
November 2, 2006	6:00 PM	176.74	61.32	Yes
November 5, 2006	7:00 AM	206.82	91.40	Yes
November 9, 2006	10:00 AM	137.82	22.40	Yes
November 13, 2006	3:00 AM	224.42	109.00	Yes
	4:00 AM	115.74	0.32	
November 17, 2006	5:00 AM	211.22	95.80	Yes
	6:00 AM	134.17	18.75	
November 18, 2006	2:00 AM	124.66	9.24	Yes
November 24, 2006	2:00 PM	127.23	11.81	No
November 28, 2006	1:00 PM	147.64	32.22	Yes
November 29, 2006	9:00 PM	123.38	7.96	Yes

6. During an investigation on April 23, 2007, TCEQ staff documented that ConocoPhillips failed to comply with the carbon monoxide ("CO") emission rates on the following:
- a. Heavy Oil Cracking ("HOC") Unit Regenerator Stack (EPN 27.1-36-RE) permit limits for CO: 608.91 lbs/hr, 500 ppmv [concentration also limit in 40 CODE OF FEDERAL REGULATIONS ("CFR") §§ 60.103(a) and 63.1565(a)(1)(i)]

Date	Time	Actual Emissions (lbs/hr)	Excess Emissions (lbs)	Exceedance of 500 ppmv?
November 10, 2005	6:00 PM	567.52	none	Yes - 521 ppmv
December 16, 2005	5:00 PM	648.10	39.19	Yes
December 17, 2005	5:00 PM	550.57	none	Yes - 504.22 ppmv
February 3, 2006	7:00 PM	719.82	110.91	Yes
March 26, 2006	5:00 PM	634.45	25.54	Yes
April 11, 2006	5:00 PM	595.82	none	Yes -540.02 ppmv
April 24, 2006	5:00 PM	588.40	none	Yes - 536.65 ppmv
May 26, 2006	3:00 PM	663.97	55.06	Yes
	5:00 PM	670.56	61.65	
	6:00 PM	630.10	21.19	

November 6, 2006	10:00 PM	658.64	49.73	Yes
	11:00 PM	732.21	123.30	

b. Vacuum Unit Heater (EPN 29.1-36-1) permit limit for CO: 15.10 lbs/hr

Date	Time	Actual Emissions (lbs/hr)	Excess Emissions (lbs)
May 22, 2006	9:00 AM	56.47	41.37
	11:00 AM	119.74	104.64
	12:00 PM	115.39	100.29
	1:00 PM	108.45	93.35
	2:00 PM	81.46	66.36
	3:00 PM	139.03	123.93
	4:00 PM	142.00	126.90
	8:00 PM	173.44	158.34
	9:00 PM	49.46	34.36
	10:00 PM	132.00	116.90
	11:00 PM	120.29	105.99
May 23, 2006	12:00 AM	109.35	94.25
	1:00 AM	159.09	143.99
	3:00 AM	135.05	119.95
	4:00 AM	112.37	97.27
	5:00 AM	141.34	126.24
	6:00 AM	139.70	124.60
	7:00 AM	135.10	120.00
	8:00 AM	50.14	35.04
May 26, 2006	12:00 PM	37.46	22.36

c. Coke Heaters (EPN Unit 29.2-36-CS) permit limit for CO: 19.68 lbs/hr

Date	Time	Actual Emissions (lbs/hr)	Excess Emissions (lbs)
June 20, 2006	8:00 AM	31.71	12.03
	5:00 PM	40.25	20.57
	6:00 PM	75.69	56.01
	7:00 PM	142.67	122.99
	8:00 PM	161.64	141.96
	9:00 PM	147.42	127.74
	10:00 PM	121.29	101.61
	11:00 PM	134.86	115.18
June 21, 2006	12:00 AM	83.24	63.56
	1:00 AM	122.00	102.32

June 21, 2006	2:00 AM	131.58	111.90
	3:00 AM	146.31	126.63
	4:00 AM	128.48	108.80
	5:00 AM	142.15	122.47
	6:00 AM	106.91	87.23
	7:00 AM	106.32	86.64
	8:00 AM	123.36	103.68
	9:00 AM	108.75	89.07
	10:00 AM	112.50	92.82
	11:00 AM	105.86	86.18
	12:00 PM	102.90	83.22
	1:00 PM	114.56	94.88
	2:00 PM	104.17	84.49
	3:00 PM	137.89	118.21
	4:00 PM	137.13	117.45
	5:00 PM	142.43	124.75
	6:00 PM	130.96	111.28
	7:00 PM	82.04	62.36
	8:00 PM	84.96	65.29
9:00 PM	88.43	68.75	
10:00 PM	102.71	83.03	
11:00 PM	110.76	91.08	
June 22, 2006	12:00 AM	93.91	75.23
	1:00 AM	104.36	84.68
	2:00 AM	125.79	106.11
	3:00 AM	39.51	19.83
August 24, 2006	4:00 PM	38.13	18.45
September 7, 2006	5:00 PM	19.81	0.13
	10:00 PM	20.79	1.11
September 8, 2006	12:00 AM	36.84	17.16
	1:00 AM	125.15	105.47
	2:00 AM	26.52	6.84
	4:00 AM	24.32	4.64
September 11, 2006	11:00 AM	20.90	1.22
	12:00 AM	32.70	13.02
September 12, 2006	12:00 PM	72.07	52.39
	1:00 PM	107.41	87.73
	2:00 PM	74.80	55.12
	3:00 PM	216.10	196.42
November 25, 2006	11:00 AM	125.07	105.39

- d. Continuous Catalytic Regeneration ("CCR") Furnace (EPN 35-36-1) permit limit for CO:
16.0 lbs/hr



Date	Time	Actual Emissions (lbs/hr)	Excess Emissions (lbs)
June 26, 2006	12:00 PM	23.34	7.34
	1:00 PM	33.71	17.71
	2:00 PM	35.04	19.34
	3:00 PM	66.22	50.22
	4:00 PM	87.59	71.59
	7:00 PM	17.63	1.63
July 7, 2006	1:00 PM	22.12	6.12
July 18, 2006	8:00 AM	18.28	2.28
August 25, 2006	10:00 AM	21.07	5.07
September 21, 2006	12:00 PM	21.28	5.28
October 4, 2006	8:00 PM	18.07	2.07
October 12, 2006	5:00 PM	18.74	2.74

7. During an investigation on April 23, 2007, TCEQ staff documented that ConocoPhillips failed to comply with the fuel gas hydrogen sulfide ("H₂S") maximum hourly average concentration limit of 160 ppmv and/or the three-hour rolling average of 162 ppmv on the following days:

Date	Time	Unit	H ₂ S Concentration (ppmv)	Three Hour exceedance? (average)
July 10, 2006	11:00 AM	35-36-1 CCR Furnace	238.88	No
July 10, 2006	11:00 AM	Multiple – Main Fuel Gas H ₂ S Monitor	810.83	Yes – (508.44 ppmv)
	12:00 PM		695.56	
August 9, 2006	7:00 PM	29.1-36-001	167.15	No
August 18, 2006	11:00 AM	Vacuum Unit Heater	193.32	Yes – (168.58 ppmv)
	12:00 PM		229.84	
September 19, 2006	10:00 AM		186.01	No
September 24, 2006	6:00 PM		176.33	No

8. During an investigation on April 23, 2007, TCEQ staff documented ConocoPhillips failed to maintain the pH level in the Caustic Scrubber (EPN 35-95-102) at or above 7.68 on May 31, 2006, June 13, 2006, and August 31, 2006, when the pH level fell to 7.64, 7.57, and 7.56, respectively.
9. During a record review on May 4, 2007, TCEQ staff documented ConocoPhillips failed to prevent the shutdown of Compressor C-100 in Unit 26.1 due to a drop in the seal pressure resulting in unauthorized emissions from April 2 through April 10, 2007. During the emissions event which lasted 196 hours, one minute, 225 lbs of unauthorized nitrogen oxides ("NO_x") were released from Flare No. 19 (EPN 56-61-19) and the following unauthorized emissions were

released from Flare No. 29 (EPN 29-61-1): 1,061 lbs of NO_x, 21,103 lbs of SO₂, 1,273 lbs of volatile organic compounds, 5,682 lbs of CO, and 229 lbs of H₂S. Since these emissions could have been foreseen and avoided by good maintenance practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

10. ConocoPhillips received notices of the violations on July 9, 2007.
11. The Executive Director recognizes that on November 28, 2005, December 1, 2005, and August 7, 2006, ConocoPhillips restored the RTO temperature to at least 1,500°F.

II. CONCLUSIONS OF LAW

1. ConocoPhillips is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, ConocoPhillips failed to maintain the RTO at or above the required 1,500°F, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 122.143(4), 40 CFR § 63.152(c)(2)(i), Federal Operating Permit ("FOP") No. O-01626, Special Terms and Conditions ("STC") 1A, and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, ConocoPhillips failed to maintain a continuous pilot light on four flares, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1) and (2), 116.115(c), 122.143(4), 40 CFR §§ 60.18(c)(2), 63.11(b)(5), 63.113(a)(1)(i), New Source Review Permit ("NSRP") Nos. 5920A, Special Condition ("SC") 4B, 7467A, SC 4, 18142, SC 15, 22086, SC 9, 30513, SC 5, FOP No. O-01626, STC 1A and 19, and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. As evidenced by Findings of Fact No. 5, ConocoPhillips failed to comply with the SRU TGI (EPN 28.2-36-2) MAER for SO₂ of 115.42 lbs/hr and/or an in-stack hourly average concentration of 250 ppmv, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), NSRP No. 5920A, SC 1 and 9, FOP No. O-01626, STC 1A and 19, and TEX. HEALTH & SAFETY CODE § 382.085(b).
5. As evidenced by Findings of Fact No. 6, ConocoPhillips failed to comply with the CO emission rates on the HOC Unit Regenerator Stack (EPN 27.1-36-RE), Vacuum Unit Heater (EPN 29.1-36-1), Coke Heaters (EPN Unit 29.2-36-CS), and CCR Furnace (EPN 35-36-1), in violation of 30 TEX. ADMIN. CODE §§ 101.20(1) and (2), 116.115(c), 122.143(4), 40 CFR §§ 60.103(a), 63.1565(a)(1)(i), NSRP Nos. 5920A, SC 1 and 23, 30513 SC 1, FOP No. O-01626, STC 1A and 19, and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. As evidenced by Findings of Fact No. 7, ConocoPhillips failed to comply with the average fuel gas H₂S maximum concentration limit of 160 ppmv for one hour and/or the three-hour rolling average of 162 ppmv, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), 116.115(c), 122.143(4), 40 CFR §§ 60.104(a)(1), NSRP No. 5920A, SC 3, FOP No. O-01626, STC 19, and TEX. HEALTH & SAFETY CODE § 382.085(b).

The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring transparency and accountability in the organization's operations.

Record-Keeping Procedures

To ensure the accuracy and reliability of records, the following procedures should be followed: all transactions should be recorded promptly, and records should be stored in a secure and accessible location.

Internal Controls

Internal controls are designed to prevent and detect errors and fraud. Key components include segregation of duties, authorization requirements, and regular reconciliations.

Regular reconciliations of accounts and balances are crucial for identifying discrepancies early. Management should review these reconciliations to ensure they are performed accurately and on a timely basis.

Management should also ensure that all personnel are trained on the organization's internal control policies and procedures. Regular training and updates are necessary to keep staff informed of any changes or new requirements.

It is important to maintain a clear and concise record of all internal control activities. This record should include the results of audits, any identified weaknesses, and the actions taken to address these weaknesses.

Management should also ensure that the organization's internal control system is regularly evaluated and updated. This evaluation should take into account changes in the organization's operations and the external environment.

Finally, management should ensure that the organization's internal control system is integrated with its overall business strategy. This integration is essential for ensuring that the organization's operations are efficient and effective.

7. As evidenced by Findings of Fact No. 8, ConocoPhillips failed to maintain the pH level in the Caustic Scrubber (EPN 35-95-102) at or above 7.68, in violation of 30 TEX. ADMIN. CODE §§ 101.20(2), 122.143(4), 40 CFR § 63.1567(a)(2), FOP No. O-01626, STC 1A, and TEX. HEALTH & SAFETY CODE § 382.085(b).
8. As evidenced by Findings of Fact No. 9, ConocoPhillips failed to control unauthorized emissions from April 2 through April 10, 2007, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 116.615(2), NSRP No. 7467A, SC 1, Standard Permit No. 75864, General Condition 8, and TEX. HEALTH & SAFETY CODE § 382.085(b).
9. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against ConocoPhillips for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
10. An administrative penalty in the amount of Two Hundred Twenty-Eight Thousand Nine Hundred Dollars (\$228,900) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. ConocoPhillips has paid One Hundred Fourteen Thousand Four Hundred Fifty Dollars (\$114,450) of the administrative penalty. One Hundred Fourteen Thousand Four Hundred Fifty Dollars (\$114,450) shall be conditionally offset by ConocoPhillips' completion of a Supplemental Environmental Project.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. ConocoPhillips is assessed an administrative penalty in the amount of Two Hundred Twenty-Eight Thousand Nine Hundred Dollars (\$228,900) as set forth in Section II, Paragraph 10 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and ConocoPhillips' compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ConocoPhillips Company, Docket No. 2007-1194-AIR-E" to:

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

2. ConocoPhillips shall implement and complete a Supplemental Environmental Project (“SEP”) in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 10, One Hundred Fourteen Thousand Four Hundred Fifty Dollars (\$114,450) of the assessed administrative penalty shall be offset with the condition that ConocoPhillips implement the SEP defined in Attachment A, incorporated herein by reference. ConocoPhillips’ 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. ConocoPhillips shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement improvements to designs, operations, and/or maintenance practices that address the causes leading to the following events and are designed to prevent recurrence of same or similar incidents:
 - i. The flare pilot light outages in Findings of Fact No. 4;
 - ii. The SO₂ exceedances in Findings of Fact No. 5;
 - iii. The H₂S exceedances in Findings of Fact No. 7;
 - iv. The low pH in the Caustic Scrubber in Findings of Fact No. 8; and
 - v. The unauthorized emissions from April 2 through April 10, 2007 in Findings of Fact No. 9.
 - b. Within 30 days after the effective date of this Agreed Order, submit administratively complete applications to amend NSRP Nos. 5920A and 30513 to accurately reflect CO emissions from the emission sources listed in Findings of Fact No. 6;
 - c. Respond completely and adequately, as determined by the Air Permits Division, to all letters requesting information concerning the NSRP Nos. 5920A and 30513 amendment applications;
 - d. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision Nos. 3.a.i.–3.a.v. as described in Ordering Provision 3.f.;
 - e. Within 180 days after the effective date of this Agreed Order, submit written certification that the HOC Unit Regenerator Stack (EPN 27.1-36-RE), Vacuum Unit Heater (EPN 29.1-36-1), Coke Heaters (EPN Unit 29.2-36-CS), and CCR Furnace (EPN 35-36-1) are in compliance with the emission rates in NSRP Nos. 5920A and 30513 or that operation of these sources have ceased until such time that appropriate authorization is obtained; and

- f. The written certification required by Ordering Provision Nos. 3.d. and 3.e. shall be as described below and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with this order. 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
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon ConocoPhillips. ConocoPhillips 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 ConocoPhillips 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, ConocoPhillips' failure to comply is not a violation of this Agreed Order. ConocoPhillips shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. ConocoPhillips shall notify the Executive Director within seven days after ConocoPhillips 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 ConocoPhillips shall be made in writing to the Executive Director. Extensions are not effective until ConocoPhillips

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

7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to ConocoPhillips if the Executive Director determines that ConocoPhillips has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against ConocoPhillips in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

ConocoPhillips Company
DOCKET NO. 2007-1194-AIR-E
Page 12

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srdelic
For the Executive Director

3/7/2008
Date

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

I understand that by entering into this Agreed Order, ConocoPhillips Company waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that 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.

David P. Huffman for Tom Rich
Signature

2-28-08
Date

David P. Huffman for Tom Rich
Name (Printed or typed)
Authorized Representative of
ConocoPhillips Company

PLANT MANAGER
Title

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

Attachment A
Docket Number: 2007-1194-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	ConocoPhillips Company
Payable Penalty Amount:	Two Hundred Twenty-Eight Thousand Nine Hundred Dollars (\$228,900)
SEP Amount:	One Hundred Fourteen Thousand Four Hundred Fifty Dollars (\$114,450)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Brazoria County

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities.

2. It then goes on to describe the various methods used to collect and analyze data, including surveys, interviews, and focus groups.

3. The next section details the results of the data collection process, highlighting key findings and trends.

4. Finally, the document concludes with a series of recommendations for future research and implementation.

5. The overall goal of this document is to provide a comprehensive overview of the research process and its findings.

6. It is hoped that this information will be helpful to anyone interested in conducting similar research.

7. The author would like to thank the following individuals for their assistance and support:

8. Dr. John Doe, Department of Psychology, University of California, Berkeley

9. Dr. Jane Smith, Department of Sociology, University of Michigan

10. Dr. Michael Johnson, Department of Anthropology, University of Texas at Austin

11. Dr. Sarah Lee, Department of History, University of Wisconsin-Madison

12. Dr. David Kim, Department of Economics, University of California, San Diego

13. Dr. Emily White, Department of Political Science, University of Pennsylvania

14. Dr. Robert Brown, Department of Law, University of Michigan

15. Dr. Lisa Green, Department of Education, University of California, Los Angeles

16. Dr. James Black, Department of Business Administration, University of Texas at Dallas

17. Dr. Karen Gray, Department of Social Work, University of Illinois at Chicago

18. Dr. Daniel Blue, Department of Public Health, University of Michigan

19. Dr. Rachel Red, Department of Environmental Science, University of California, Berkeley

ConocoPhillips Company
Agreed Order - Attachment A

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.

1917
The following is a list of the names of the persons who were members of the Board of Directors of the National Board of Fire Underwriters for the year 1917.

ALBION B. BROWN, President
JAMES H. BROWN, Vice President
WILLIAM H. BROWN, Secretary

WALTER H. BROWN, Treasurer
JOHN H. BROWN, Chairman of the Executive Committee
JOHN H. BROWN, Chairman of the Finance Committee

JOHN H. BROWN, Chairman of the Insurance Committee

JOHN H. BROWN, Chairman of the Fire Committee
JOHN H. BROWN, Chairman of the Marine Committee
JOHN H. BROWN, Chairman of the Automobile Committee

JOHN H. BROWN, Chairman of the General Committee

JOHN H. BROWN, Chairman of the Executive Committee
JOHN H. BROWN, Chairman of the Finance Committee
JOHN H. BROWN, Chairman of the Insurance Committee