

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2007-2025-AIR-E TCEQ ID: RN102018322 CASE NO.: 35122
RESPONDENT NAME: Chevron Phillips Chemical Company LP

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Chevron Phillips Pasadena Plastics Complex, 1400 Jefferson Street, Pasadena, Harris County</p> <p>TYPE OF OPERATION: Chemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0792-AIR-E and 2008-0271-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on June 2, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Trina Grieco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. John Hellstrom, Environmental Superintendent, Chevron Phillips Chemical Company LP, P.O. Box 792, Pasadena, Texas 77501 Mr. Van G. Long, General Manager, Manufacturing, Chevron Phillips Chemical Company LP, P.O. Box 792, Pasadena, Texas 77501 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 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 Relating to this Case: November 27, 2007</p> <p>Date of NOV/NOE Relating to this Case: December 4, 2007 (NOE)</p> <p>Background Facts: This was a routine record review.</p> <p>AIR</p> <p>Failed to conduct initial compliance testing within 60 days after achieving the maximum production rate at which the affected plant will be operated. Specifically, the initial compliance test for the Solid Peroxide Hopper Vent (EPN No. 761) should have been completed by July 14, 2006, but was not conducted until March 13, 2007 [30 TEX. ADMIN. CODE § 101.20(1), 40 CODE OF FEDERAL REGULATIONS § 60.8(a), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$4,300</p> <p>Total Deferred: \$860 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$3,440</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent completed the required initial compliance testing for the Solid Peroxide Hopper Vent (EPN No. 761) on March 13, 2007.</p>

Additional ID No(s): HG0566H



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

DATES	Assigned	10-Dec-2007	Screening	17-Dec-2007	EPA Due	30-Aug-2008
	PCW	17-Dec-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Chevron Phillips Chemical Company LP
Reg. Ent. Ref. No.	RN102018322
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	35122	No. of Violations	1
Docket No.	2007-2025-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	Trina Grieco
Multi-Media		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$2,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	97% Enhancement	Subtotals 2, 3, & 7	\$2,425
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Notes
The penalty was enhanced due to eleven previous non-similar NOVs, one previous court order with a denial of liability, and three previous 1660-style agreed orders. The penalty was reduced due to seven notices of intent and four DOVs.

Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes
The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply	25% Reduction	Subtotal 5	\$625
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	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes
The Respondent returned to compliance on March 13, 2007, which was before the NOE dated December 4, 2007.

Total EB Amounts	\$199	0% Enhancement*	Subtotal 6	\$0
Approx. Cost of Compliance	\$6,000	<i>*Capped at the Total EB \$ Amount</i>		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$4,300
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$4,300
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$4,300
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DEFERRAL	20% Reduction	Adjustment	-\$860
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$3,440
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Screening Date 17-Dec-2007

Docket No. 2007-2025-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 2 (September 2002)

Case ID No. 35122

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Trina Grieco

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	11	22%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
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)	7	-7%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	4	-8%
<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) 97%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The penalty was enhanced due to eleven previous non-similar NOVs, one previous court order with a denial of liability, and three previous 1660-style agreed orders. The penalty was reduced due to seven notices of intent and four DOVs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 97%

Screening Date	17-Dec-2007	Docket No.	2007-2025-AIR-E	PCW
Respondent	Chevron Phillips Chemical Company LP			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	35122			<i>PCW Revision November 6, 2007</i>
Reg. Ent. Reference No.	RN102018322			
Media [Statute]	Air			
Enf. Coordinator	Trina Grieco			
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 101.20(1), 40 Code of Federal Regulations § 60.8(a), and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to conduct initial compliance testing within 60 days after achieving the maximum production rate at which the affected plant will be operated. Specifically, the initial compliance test for the Solid Peroxide Hopper Vent (EPN No. 761) should have been completed by July 14, 2006, but was not conducted until March 13, 2007.			
		Base Penalty	\$10,000	

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0%
Potential					

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
		x			Percent 25%
Matrix Notes	The Respondent failed to meet 100% of the rule requirement.				

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$199	Violation Final Penalty Total \$4,300
This violation Final Assessed Penalty (adjusted for limits) \$4,300	

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
 Case ID No. 35122
 Reg. Ent. Reference No. RN102018322
 Media Air
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$6,000	14-Jul-2006	13-Mar-2007	0.7	\$199	n/a	\$199
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for an initial compliance test for the atmospheric vent (EPN No. 761). Date required is the date the testing should have been completed. Final date is the date testing was completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$6,000

TOTAL

\$199

Compliance History

Customer/Respondent/Owner-Operator:	CN600303614 Chevron Phillips Chemical Company LP	Classification: AVERAGE	Rating: 3.03
Regulated Entity:	RN102018322 CHEVRON PHILLIPS PASADENA PLASTICS COMPLEX	Classification: AVERAGE	Site Rating: 2.15
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010312
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	40426
	WASTEWATER	PERMIT	WQ0000815000
	WASTEWATER	PERMIT	TPDES0007552
	WASTEWATER	PERMIT	TX0007552
	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0566H
	AIR OPERATING PERMITS	PERMIT	1315
	AIR OPERATING PERMITS	PERMIT	2645
	AIR OPERATING PERMITS	PERMIT	2645
	AIR NEW SOURCE PERMITS	PERMIT	52681
	AIR NEW SOURCE PERMITS	PERMIT	5832
	AIR NEW SOURCE PERMITS	PERMIT	10304
	AIR NEW SOURCE PERMITS	PERMIT	10817
	AIR NEW SOURCE PERMITS	PERMIT	12106
	AIR NEW SOURCE PERMITS	PERMIT	4437A
	AIR NEW SOURCE PERMITS	PERMIT	5562A
	AIR NEW SOURCE PERMITS	PERMIT	34088
	AIR NEW SOURCE PERMITS	PERMIT	33830
	AIR NEW SOURCE PERMITS	PERMIT	45235
	AIR NEW SOURCE PERMITS	PERMIT	46704
	AIR NEW SOURCE PERMITS	PERMIT	48185
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0566H
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX808
	AIR NEW SOURCE PERMITS	AFS NUM	4820100048
	AIR NEW SOURCE PERMITS	PERMIT	N006M1
	AIR NEW SOURCE PERMITS	PERMIT	71225
	AIR NEW SOURCE PERMITS	REGISTRATION	72449
	AIR NEW SOURCE PERMITS	REGISTRATION	76403
	AIR NEW SOURCE PERMITS	REGISTRATION	78131
	AIR NEW SOURCE PERMITS	REGISTRATION	77818
	AIR NEW SOURCE PERMITS	REGISTRATION	78988
	AIR NEW SOURCE PERMITS	REGISTRATION	81390
	AIR NEW SOURCE PERMITS	REGISTRATION	79318
	AIR NEW SOURCE PERMITS	REGISTRATION	81052
	AIR NEW SOURCE PERMITS	REGISTRATION	80596
	AIR NEW SOURCE PERMITS	REGISTRATION	81261
	AIR NEW SOURCE PERMITS	PERMIT	81437
	AIR NEW SOURCE PERMITS	REGISTRATION	81237
	AIR NEW SOURCE PERMITS	REGISTRATION	81327
	AIR NEW SOURCE PERMITS	REGISTRATION	82306
	AIR NEW SOURCE PERMITS	REGISTRATION	83465
	AIR NEW SOURCE PERMITS	REGISTRATION	83182
	AIR NEW SOURCE PERMITS	REGISTRATION	83025
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008098725
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30038
	WATER LICENSING	LICENSE	1010312
	ON SITE SEWAGE FACILITY	PERMIT	1010598
Location:	1400 JEFFERSON ST, PASADENA, TX, 77506	Rating Date: September 01 07 Repeat Violator: NO	
TCEQ Region:	REGION 12 - HOUSTON		
Date Compliance History Prepared:	December 17, 2007		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	December 17, 2002 to December 17, 2007		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	Lindsey Jones	Phone:	512-239-4930

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? | Yes |
| 3. If Yes, who is the current owner? | Chevron Phillips Chemical Company LP
Phillips Chemical Company |
| 4. If Yes, who was/were the prior owner(s)? | ConocoPhillips Company |
| 5. When did the change(s) in ownership occur? | 01/24/2003 |

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: 08/13/2004

ADMINORDER 2004-0032-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(6)
5C THC Chapter 382, SubChapter A, 382.085(b)

Rqmt Prov: 4437, PS-TX-808, N014M1, SC 3B and 16A PERMIT

Description: Failed to maintain records with complete data demonstrating compliance with the proper monitoring of valves in volatile organic compound ("VOC") service in Polyethylene Plant #8 ("PE8").

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A, 382.085(b)

Rqmt Prov: 4437A, PSD-TX-808, and N014M1, SC 3B PERMIT

Description: Failed to equip an open-ended line in VOC service with a cap, blind flange, or plug. Specifically, line #86607, located in PE8, was in isobutane service and Chevron Phillips had failed to cap, blind flange, or plug it.

Effective Date: 08/20/2005

ADMINORDER 2005-0054-AIR-E

Classification: Moderate

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

Rqmt Prov: 4437A/PSD-TX-808 and NO14M1, SC #1 PERMIT

Description: Failed to prevent unauthorized emissions during a emissions event occurring on October 31, 2004.

Effective Date: 10/04/2007

ADMINORDER 2007-0380-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)

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

Rqmt Prov: No. 5562A SC #1 PERMIT
SC #4 PERMIT

Description: Failure to keep the pilot flame of the flare lit at all times resulting in unauthorized emissions.

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	01/07/2003	(20640)	63	08/19/2005	(441023)
2	01/10/2003	(21317)	64	08/23/2005	(401929)
3	01/21/2003	(160797)	65	08/24/2005	(405592)
4	02/21/2003	(160755)	66	08/24/2005	(405606)
5	02/21/2003	(160793)	67	08/30/2005	(402188)
6	02/25/2003	(13987)	68	09/20/2005	(441024)
7	03/14/2003	(26722)	69	10/20/2005	(468772)
8	03/20/2003	(160759)	70	11/01/2005	(434973)
9	03/21/2003	(23670)	71	11/14/2005	(468773)
10	04/17/2003	(160764)	72	11/21/2005	(435273)
11	05/16/2003	(160768)	73	12/06/2005	(436442)
12	06/12/2003	(112509)	74	12/08/2005	(431288)
13	06/20/2003	(160772)	75	12/15/2005	(468774)
14	07/15/2003	(160776)	76	12/15/2005	(436679)
15	07/30/2003	(147108)	77	01/17/2006	(468775)
16	08/15/2003	(296448)	78	02/13/2006	(468770)
17	09/17/2003	(296450)	79	02/23/2006	(455835)
18	10/13/2003	(296452)	80	02/23/2006	(454732)
19	10/29/2003	(253103)	81	02/25/2006	(457001)
20	11/18/2003	(296453)	82	02/25/2006	(457002)
21	11/18/2003	(248011)	83	02/25/2006	(457078)
22	12/16/2003	(296454)	84	02/27/2006	(456412)
23	01/20/2004	(296455)	85	02/27/2006	(439397)
24	02/18/2004	(296436)	86	02/28/2006	(457018)
25	03/17/2004	(296438)	87	03/09/2006	(457678)
26	04/22/2004	(296439)	88	03/13/2006	(468771)
27	05/19/2004	(296441)	89	04/19/2006	(498443)
28	06/15/2004	(296443)	90	05/22/2006	(498444)
29	07/20/2004	(296445)	91	05/30/2006	(459873)
30	07/28/2004	(273015)	92	05/30/2006	(459841)
31	08/11/2004	(288841)	93	05/30/2006	(459894)
32	08/11/2004	(288330)	94	06/21/2006	(498445)
33	08/12/2004	(352600)	95	07/21/2006	(520446)
34	08/31/2004	(292520)	96	07/26/2006	(487412)
35	08/31/2004	(291090)	97	08/21/2006	(520447)
36	08/31/2004	(289769)	98	08/31/2006	(457354)
37	09/13/2004	(352601)	99	09/01/2006	(510667)
38	10/15/2004	(352602)	100	09/01/2006	(509366)
39	10/18/2004	(336779)	101	09/01/2006	(510966)
40	10/18/2004	(335178)	102	09/01/2006	(510649)
41	10/19/2004	(335761)	103	09/01/2006	(510533)
42	10/22/2004	(291532)	104	09/01/2006	(509225)
43	11/11/2004	(289969)	105	09/01/2006	(510957)
44	11/17/2004	(352603)	106	09/01/2006	(510915)
45	12/09/2004	(340600)	107	09/01/2006	(510657)
46	12/10/2004	(340319)	108	09/01/2006	(509132)
47	12/16/2004	(352604)	109	09/01/2006	(510660)
48	01/21/2005	(382055)	110	09/01/2006	(510055)
49	01/31/2005	(347753)	111	09/01/2006	(510058)
50	02/14/2005	(349070)	112	09/01/2006	(510423)
51	02/21/2005	(371490)	113	09/01/2006	(510669)
52	02/21/2005	(382053)	114	09/01/2006	(510424)
53	02/28/2005	(347388)	115	09/01/2006	(510425)
54	03/16/2005	(350178)	116	09/01/2006	(510006)
55	03/18/2005	(382054)	117	09/01/2006	(510671)
56	04/05/2005	(375946)	118	09/01/2006	(487774)
57	04/20/2005	(419903)	119	09/01/2006	(509918)
58	05/04/2005	(379604)	120	09/01/2006	(510894)
59	05/19/2005	(419904)	121	09/21/2006	(520448)
60	06/20/2005	(419905)	122	10/20/2006	(544798)
61	07/11/2005	(395099)	123	10/20/2006	(544799)
62	07/20/2005	(441022)	124	11/20/2006	(544800)

125	12/20/2006	(544801)	152	03/29/2007	(593187)
126	01/19/2007	(533591)	153	04/09/2007	(554985)
127	01/19/2007	(544802)	154	04/11/2007	(555217)
128	02/15/2007	(544797)	155	04/12/2007	(543119)
129	02/28/2007	(511899)	156	04/19/2007	(575794)
130	02/28/2007	(517808)	157	05/03/2007	(556403)
131	02/28/2007	(533423)	158	05/18/2007	(575795)
132	02/28/2007	(534667)	159	06/04/2007	(600133)
133	02/28/2007	(534237)	160	06/20/2007	(575796)
134	02/28/2007	(511904)	161	06/20/2007	(575798)
135	02/28/2007	(511037)	162	06/25/2007	(532594)
136	02/28/2007	(513207)	163	07/10/2007	(565555)
137	02/28/2007	(511028)	164	07/18/2007	(575797)
138	02/28/2007	(513218)	165	08/06/2007	(567967)
139	02/28/2007	(511029)	166	08/06/2007	(568722)
140	02/28/2007	(534113)	167	08/10/2007	(568098)
141	02/28/2007	(534316)	168	08/16/2007	(601757)
142	02/28/2007	(517813)	169	10/11/2007	(573647)
143	02/28/2007	(511033)	170	10/19/2007	(601755)
144	02/28/2007	(511896)	171	10/19/2007	(601756)
145	02/28/2007	(533202)	172	11/09/2007	(593610)
146	02/28/2007	(517805)	173	11/15/2007	(595395)
147	02/28/2007	(517817)	174	11/16/2007	(595073)
148	02/28/2007	(534666)	175	11/16/2007	(593672)
149	02/28/2007	(513213)	176	11/16/2007	(594702)
150	03/20/2007	(541252)	177	12/04/2007	(597920)
151	03/22/2007	(575793)			

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

Date	02/26/2003	(13987)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
Rqmt Prov:	PA Permit No. 5562A Special Condition 11			
Description:	The product degassing emissions exceeded the maximum limit specified in the permit's special condition 11.			
Date	06/30/2004	(296445)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	08/30/2005	(402188)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT TCEQ Permit #5562A, SC #1 PERMIT TCEQ Permit #5562A, SC #4			
Description:	Failed to maintain a flame on flare tip.			
Date	11/01/2005	(434973)		
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 TCEQ Flexible Permit #4437A			
Description:	Chevron failed to prevent a Halon release in the fire suppression system.			
Date	08/31/2006	(457354)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)			
Rqmt Prov:	PERMIT 5562A, SC 7E OP O-02645, ST&C 11			
Description:	Failure to cap or plug 2 open-ended lines.			

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 5562A, SC 8F OP O-02645, ST&C 11		
Description:	Failure to monitor valves due to components being deleted from database.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02645, ST&C 3(A)(iv)(4)		
Description:	Failure to conduct daily flare inspection for visible emissions during daylight hours.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 5562A, SC 4A PERMIT 7602A, SC 3 OP O-02645, ST&C 1A		
Description:	Failure to maintain minimum heat input to flare.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02645, ST&C 3(A)(iv)(3)		
Description:	Failure to record quarterly opacity observations.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.781(g)(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to record monitoring data into database within 7 days.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02645, ST&C 1A		
Description:	Failure to limit the number of Difficult-to-Monitor components to less than 3% of the total component count.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02645, ST&C 1A		
Description:	Failure to conduct monthly monitor on 20 valves.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 7602A, SC 6K OP O-02645, ST&C 11		
Description:	Failure to conduct quarterly monitoring on 9 flanges bolted to valves.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02645, ST&C 2F		
Description:	Failure to record 24 emission events.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 106, SubChapter K 106.263(g)(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to maintain records of Startup, Shutdown, and Maintenance (SSM) activities.		
Date	03/29/2007 (593187)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)		
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE		

Date 04/30/2007 (575795)

Self Report? YES Classification: Moderate

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

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

Date 05/31/2007 (575796)

Self Report? YES Classification: Moderate

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

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

Date 06/26/2007 (532594)

Self Report? NO Classification: Minor

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

Description: Failure to report the delay of repair of fugitive components, and car seal deviations in a timely manner in deviation reports (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP FOP O-01315 SC 10
PA NSR 4437A SC 8B

Description: Failure to maintain filter equipment in good working order on nine (9) different occasions from October 1, 2005 through May 14, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP O-01315 SC 10
PA NSR 4437A SC 8B(3)

Description: Failure to record monthly visual inspections of filter equipment on 23 occasions from January 1 through March 31, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP O-01315 SC 10
PA NSR 4437A SC 8B(2)

Description: Failure to record quarterly visual inspections of filter equipment on 42 occasions from January 1 through March 31, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP O-01315 SC 10
PA NSR 4437A SC 8B(5)

Description: Failure to maintain filter equipment in stock as required from January 15 through August 2, 2006. (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 10
OP FOP O-01315 SC 1A
PA NSR 4437A SC 7A

Description: Failure to operate flares 216, 308, and 408 without visible emissions on April 20, 2006 and again on June 28, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 1A

Description: Failure to conduct weekly walkthrough inspections on 35 occasions from February 20 through September 23, 2006 for three pumps in light liquid service and HRVOC service (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 10
OP FOP O-01315 SC 1A
PA NSR 4437A SC 3(E)
PA NSR 4437A SC 5(E)

Description: Failure to equip lines in VOC service with caps/plugs from November 15, 2004 through September 27, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP FOP O-01315 SC 10
PA NSR 4437A SC 8

Description: Failure to meet Special Condition 8 of NSR Permit 4437A from November 11, 2004 through September 30 2006 (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 10
OP FOP O-01315 SC 1A
PA NSR 4437A SC 7A

Description: Failure to operate flare 216 with a heat value of 300 Btu/scf from January 7 through January 12, 2006 and again from January 19 through January 21, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(d)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 1A

Description: Failure to equip vent streams subject to New Source Performance Standards subpart DDD with car seals and monitor them as required (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to properly monitor new valves, flanges and connectors within 30 days of putting them in HRVOC service (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 10
OP FOP O-01315 SC 1A
PA NSR 4437A SC 3
PA NSR 4437A SC 5

Description: Failure to conduct quarterly monitoring of valves in HRVOC service from January 1, 2006 through March 31, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 1.G.(v)

Description: Failure to repair components in HRVOC service within the required 7-day time frame (NSR 4437A; FOP O-01315).

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP FOP O-01315 SC 1.G.(v)
Description: Failure to monitor components in HRVOC service by April 1, 2006 (NSR 4437A; FOP O-01315).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 1.G.(v)
Description: Failure to monitor a difficult to monitor valve in HRVOC service from January 1, 2005 through June 29, 2006 (NSR 4437A; FOP O-01315).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 10
PA NSR 4437A SC 16D
Description: Failure to meet Special Condition 16D of NSR Permit 4437A from December 10, 2005 (NSR 4437A; FOP O-01315).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 10
PA NSR 4437A SC 19
Description: Failure to meet Special Condition 19 of NSR Permit 4437A (NSR 4437A; FOP O-01315).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 10
PA NSR 4437A SC 20
Description: Failure to analyze off-gas sample for 2 weeks (NSR 4437A; FOP O-01315).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 1.G.(v)
Description: Failure to operate its polyethylene/polypropylene units within the HRVOC operational parameters on February 14, 2006, May 14, 2006, June 15, 2006, August 15, 2006, and August 17, 2006 (NSR 4437A; FOP O-01315).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-01315 SC 3A(i)
Description: Failure to operate filter equipment below 20% opacity on fourteen (14) different occasions from March 29 through August 30, 2006 (NSR 4437A; FOP O-01315).

Date 11/09/2007 (593610)

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 4473A, Special Condition 1
Description: Failure to prevent unauthorized emissions

Date 11/16/2007 (594702)

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. 4473A, Special Condition 1
Description: Failure to prevent unauthorized emissions

F. Environmental audits.

Notice of Intent Date: 04/21/2004 (274332)
Disclosure Date: 07/29/2004

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter E

Description: Tank D5-0104, used to store ignitable hazardous wastes, does not meet the technical requirements for use as a less than 90-day storage tank

Notice of Intent Date: 12/06/2004 (347380)

Disclosure Date: 04/28/2005

Viol. Classification: Minor

Citation: 5C THC Chapter 382, SubChapter A

Description: Failed to properly calculate the off-gas VOC cap maximum hourly flow rate, a higher hourly emission rate (70.97 lbs/hr) than required (48.74 lbs/hr), in the table for the 2002 permit amendment. The TCEQ issued the 20002 permit amendment without revising the hourly emission rate (38.36 lbs/hr) from the previous MAERT to

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter D

Description: Failed to accurately represent the emissions to the flares in the 2002 amendment to permit 4437A, in the 5562A K-Resin and Neohexene permit and in the 2003 emissions inventory.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K

Description: Failed to accurately represent emissions from the Polypropylene plant finishing section in the March 2005 PBR submittal to construct Improved Stickiness Technology and Ethylene Recovery in the Polypropylene GPH Unit.

Disclosure Date: 05/06/2005

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G

Description: emissions from Polypropylene unit to the flare contain chemical species that were not represented or are speciated differently than originally represented in the 2002 amendment to permit 4437A

Disclosure Date: 07/07/2005

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G

Description: Emission data indicate that the Polyethylene 6, 7 and 8 finishing units emit chemical species that were either not represented or were speciated differently than originally represented in the 2002 amendment to permit 4437A and in the 2003 and 2004 emissions inventory.

Disclosure Date: 10/07/2005

Viol. Classification: Moderate

Rqmt Prov: PERMIT Air New Source Permit 5562A

Description: Review of emission data using extractive sampling and a portable flow meter indicate that the K-Resin finishing units emit chemical species that were either not represented or were speciated differently than originally represented in the 2003 amendment to permit 5562A and in the 2003 and 2004 emissions inventory.

Viol. Classification: Moderate

Rqmt Prov: PERMIT Air New Source Permit 4437A

Description: Review of emission data using extractive sampling and a portable flow meter indicate that the Polyethylene 6, 7, and 8 finishing units emit chemical species that were either not represented or were speciated differently than originally represented in the 2002 amendment to permit 4437A and in the 2003 and 2004 emissions

Notice of Intent Date: 01/21/2005 (349869)

Disclosure Date: 03/31/2005

Viol. Classification: Minor

Citation: 40 CFR Chapter 136, SubChapter D, PT 136

Description: OIL AND GREASE SAMPLES NOT COLLECTED DIRECTLY INTO GLASS JAR

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F

Description: FLARE EMISSIONS DUE TO MAINTENANCE WERE IMPROPERLY TRACKED, RESULTING IN 485 UNAUTHORIZED RELEASES

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F

Description: ONE EMISSIONS EVENT MISCLASSIFIED AS AUTHORIZED MAINTENANCE ACTIVITY, NOT REPORTED

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B

Description: HAZARDOUS WASTE MANIFESTS INCORRECT

Viol. Classification: Minor

Citation: 40 CFR Chapter 268, SubChapter I, PT 268, SubPT A

Description: FIVE LAND BANS ASSOCIATED WITH HAZARDOUS WASTE MANIFESTS DID NOT INCLUDE PROPER WASTE CODE

Notice of Intent Date: 07/19/2006 (490223)

Disclosure Date: 12/15/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A

Description: Failure to run duplicate pH readings for the compliance samples.

Viol. Classification: Minor

Rqmt Prov: PERMIT WQ 00815

Description: Failure to consistently sample Outfall 004.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A

Rqmt Prov: PERMIT WQ 00815

Description: Failure to use a chain of custody form to track exact place, date and time of sample collection or measurement.

Notice of Intent Date: 11/06/2006 (458086)
No DOV Associated

Notice of Intent Date: 12/13/2006 (536530)
No DOV Associated

Notice of Intent Date: 04/17/2007 (558795)
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):
REGULATED ENTITY:
REG. ENTITY ADDRESS:
REG. ENTITY CITY:

CUSTOMER NO.:
REG. ENTITY NO.:

Violations

EPA CASE NO.:	<input type="text" value="06-2002-3720"/>	CLASSIFICATION:	<input type="text" value="MODERATE"/>
ORDER ISSUED DATE (YYYYMMDD):	<input type="text" value="20041230"/>	STATUTE:	<input type="text" value="CAA"/> <input type="text" value="SECT. OF STATUTE: 112R"/>
ENFORCEMENT ACTION TYPE:	<input type="text" value="Consent Decree/Court Order"/>	CITATION:	<input type="text" value="40CFR"/> <input type="text" value="CITE PART: 60"/> <input type="text" value="CITE SECT.: 482-6(A)(2)"/>
CASE RESULT:	<input type="text"/>	PROGRAM:	<input type="text" value="New Source Performance Standards"/>
		VIOLATION TYPE:	<input type="text" value="New Source Performance Standard"/>

EPA CASE NO.:	<input type="text" value="06-2002-3720"/>	CLASSIFICATION:	<input type="text" value="MODERATE"/>
ORDER ISSUED DATE (YYYYMMDD):	<input type="text" value="20041230"/>	STATUTE:	<input type="text" value="CAA"/> <input type="text" value="SECT. OF STATUTE: 111"/>
ENFORCEMENT ACTION TYPE:	<input type="text" value="Consent Decree/Court Order"/>	CITATION:	<input type="text" value="40CFR"/> <input type="text" value="CITE PART: 60"/> <input type="text" value="CITE SECT.: 482-2"/>
CASE RESULT:	<input type="text"/>	PROGRAM:	<input type="text" value="NESHAPs"/>
		VIOLATION TYPE:	<input type="text" value="UST Leak Detection and Repair"/>

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CHEVRON PHILLIPS CHEMICAL
COMPANY LP
RN102018322**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-2025-AIR-E

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a chemical manufacturing plant at 1400 Jefferson Street in Pasadena, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about December 9, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Four Thousand Three Hundred Dollars (\$4,300) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations").

The Respondent has paid Three Thousand Four Hundred Forty Dollars (\$3,440) of the administrative penalty and Eight Hundred Sixty Dollars (\$860) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent completed the required initial compliance testing for the Solid Peroxide Hopper Vent (EPN No. 761) on March 13, 2007.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to conduct initial compliance testing within 60 days after achieving the maximum production rate at which the affected plant will be operated, in violation of 30 TEX. ADMIN. CODE § 101.20(1), 40 CODE OF FEDERAL REGULATIONS § 60.8(a), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on November 27, 2007. Specifically, the initial compliance test for the Solid Peroxide Hopper Vent (EPN No. 761) should have been completed by July 14, 2006, but was not conducted until March 13, 2007.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Chevron Phillips Chemical Company LP, Docket No. 2007-2025-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. 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.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John S. Solis
For the Executive Director

5/21/2008
Date

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

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

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

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

Van G. Long
Signature

3/13/08
Date

Van G. Long
Name (Printed or typed)
Authorized Representative of
Chevron Phillips Chemical Company LP

General Mgr, Manufacturing
Title

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

Handwritten text at the bottom left, possibly a signature or date.

Handwritten text at the bottom right, possibly a signature or date.