

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0079-AIR-E TCEQ ID: RN100211879 CASE NO.: 35205

RESPONDENT NAME: Shell Chemical 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: Shell Oil Deer Park, 5900 Highway 225 East, Deer Park, 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 twelve pending enforcement actions regarding this facility location, Docket Nos. 2006-0328-MLM-E, 2006-0974-AIR-E, 2006-1744-MLM-E, 2006-1733-AIR-E, 2006-2187-AIR-E, 2007-0121-AIR-E, 2007-0837-AIR-E, 2007-1218-AIR-E, 2007-1472-AIR-E, 2007-1789-AIR-E, 2007-2001-AIR-E, and 2008-0283-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 May 12, 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. Roshondra Lowe, Enforcement Division, Enforcement Team 5, MC R-12, (713) 767-3553; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Steve Hansen, Environmental Affairs Manager, Shell Chemical LP, 5900 Highway 225 East, Deer Park, Texas 77536 Mr. Aamir Farid, General Manager, Shell Chemical LP, 5900 Highway 225 East, Deer Park, Texas 77536 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: November 15, 2007</p> <p>Date of NOV/NOE Relating to this Case: December 19, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failure to prevent unauthorized emissions. Specifically, 1,326.72 pounds ("lbs") of Volatile Organic Compounds ("VOCs") were released into the atmosphere due to the pressure control valve being left in a closed position after maintenance. The emissions event occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, the Respondent failed to meet the demonstration for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit No. 3179, Special Condition No. 6].</p>	<p>Total Assessed: \$10,000</p> <p>Total Deferred: \$2,000 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$4,000</p> <p>Total Paid to General Revenue: \$4,000</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant on January 17, 2008:</p> <p>a. Revised the Phenol Production Unit No. 2 procedure DEPH05G (for the start-up of the Dephenolation Unit) to explicitly identify the fill rate for the extractor; and</p> <p>b. Revised the Phenol Production Unit No. 2 procedure DEPH05E (for the start-up of the Dephenolation Unit) to verify that the pressure control valve on the Dephenolation Extractor Vessel V-8283 is open.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

Additional ID No(s): HG0659W

Attachment A
Docket Number: 2008-0079-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Shell Chemical LP

Payable Penalty Amount: Eight Thousand Dollars (\$8,000)

SEP Amount: Four Thousand Dollars (\$4,000)

Type of SEP: Pre-approved

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

Location of SEP: Harris 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 Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*.

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

DATES	Assigned	2-Jan-2008	Screening	9-Jan-2008	EPA Due	15-Sep-2008
	PCW	17-Jan-2008				

RESPONDENT/FACILITY INFORMATION	
Respondent	Shell Chemical LP
Reg. Ent. Ref. No.	RN100211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	35205	No. of Violations	1
Docket No.	2008-0079-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	Roshondra Lowe
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 331% Enhancement **Subtotals 2, 3, & 7**

Notes: Penalty enhanced due to 30 NOVs for same or similar violations, 12 NOVs for unrelated issues, 29 unrelated effluent discharge violations, five 1660-style Agreed Orders with denial of liability, two Findings Orders without a denial of liability, and one Court Order. Penalty reduction due to an EMS, participation in a voluntary pollution reduction program, 48 Notices of Audits and nine disclosures submitted.

Culpability No 0% Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 10% Reduction **Subtotal 5**

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		(mark with x)

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

Total EB Amounts 0% Enhancement* **Subtotal 6**
 *Capped at the Total EB \$ Amount
Approx. Cost of Compliance

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: **Final Penalty Amount**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 9-Jan-2008

Docket No. 2008-0079-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 35205

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	30	150%
	Other written NOVs	41	82%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	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)	48	-48%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	9	-18%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	Yes	-5%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 331%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhanced due to 30 NOVs for same or similar violations, 12 NOVs for unrelated issues, 29 unrelated effluent discharge violations, five 1660-style Agreed Orders with denial of liability, two Findings Orders without a denial of liability, and one Court Order. Penalty reduction due to an EMS, participation in a voluntary pollution reduction program, 48 Notices of Audits and nine disclosures submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 331%

Screening Date 9-Jan-2008	Docket No. 2008-0079-AIR-E	PCW		
Respondent Shell Chemical LP	<small>Policy Revision 2 (September 2002)</small>			
Case ID No. 35205	<small>PCW Revision November 6, 2007</small>			
Reg. Ent. Reference No. RN100211879				
Media [Statute] Air				
Enf. Coordinator Roshondra Lowe				
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Air Permit No. 3179, Special Condition No. 6			
Violation Description	<p>Failed to prevent unauthorized emissions. Specifically, 1,326.72 pounds ("lbs") of Volatile Organic Compounds ("VOCs") were released into the atmosphere due to the pressure control valve being left in a closed position after maintenance. The emissions event occurred on August 9, 2007 and lasted twelve hours and seventeen minutes.</p> <p>Since the emissions event was avoidable, the Respondent failed to meet the demonstration for an affirmative defense in 30 Tex. Admin. Code § 101.222.</p>			
Base Penalty		\$10,000		
>> Environmental, Property and Human Health Matrix				
Harm				
Release	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			25%	
>> 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 in the Houston-Galveston-Brazoria nonattainment area has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of health or environmental receptors as a result of this violation.			
Adjustment		\$7,500		
		\$2,500		
Violation Events				
Number of Violation Events	1	Number of violation days	1	
<small>mark only one with an x</small>	daily	<input type="text"/>	Violation Base Penalty	\$2,500
	monthly	<input type="text"/>		
	quarterly	<input checked="" type="text" value="x"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
One quarterly event is recommended.				
Economic Benefit (EB) for this violation			Statutory Limit Test	
Estimated EB Amount	\$77	Violation Final Penalty Total	\$10,525	
This violation Final Assessed Penalty (adjusted for limits)			\$10,000	

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 35205
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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)	\$3,500	9-Aug-2007	17-Jan-2008	0.4	\$77	n/a	\$77

Notes for DELAYED costs

Estimated cost to implement measures designed to ensure that the pressure control valve on the Dephenolation Extractor Vessel is re-opened after maintenance activities. Date required based on the date of the emissions event. Final date based on date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$3,500

TOTAL

\$77

Compliance History

Customer/Respondent/Owner-Operator: CN601405145 Shell Chemical LP Classification: Rating: 2.26
 Regulated Entity: RN100211879 SHELL OIL DEER Classification: AVERAGE Site Rating: 4.03

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT	HG0659W
	AIR OPERATING PERMITS	PERMIT	1669
	AIR OPERATING PERMITS	PERMIT	1668
	AIR OPERATING PERMITS	PERMIT	1940
	AIR OPERATING PERMITS	PERMIT	1941
	AIR OPERATING PERMITS	PERMIT	1942
	AIR OPERATING PERMITS	PERMIT	1943
	AIR OPERATING PERMITS	PERMIT	1945
	AIR OPERATING PERMITS	PERMIT	1946
	AIR OPERATING PERMITS	PERMIT	1947
	AIR OPERATING PERMITS	PERMIT	1948
	AIR OPERATING PERMITS	PERMIT	2108
	AIR OPERATING PERMITS	PERMIT	3179
	WASTEWATER	PERMIT	WQ0000402000
	WASTEWATER	PERMIT	TPDES0004863
	WASTEWATER	PERMIT	TX0004863
	WASTEWATER	PERMIT	WQ0000403000
	WASTEWATER	PERMIT	TPDES0004871
	AIR NEW SOURCE PERMITS	PERMIT	3180
	AIR NEW SOURCE PERMITS	PERMIT	21262
	AIR NEW SOURCE PERMITS	REGISTRATION	54895
	AIR NEW SOURCE PERMITS	REGISTRATION	55312
	AIR NEW SOURCE PERMITS	REGISTRATION	76382
	AIR NEW SOURCE PERMITS	REGISTRATION	75524
	AIR NEW SOURCE PERMITS	REGISTRATION	55730
	AIR NEW SOURCE PERMITS	REGISTRATION	55869
	AIR NEW SOURCE PERMITS	REGISTRATION	76315
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
	AIR NEW SOURCE PERMITS	PERMIT	70613
	AIR NEW SOURCE PERMITS	PERMIT	48912
	AIR NEW SOURCE PERMITS	PERMIT	56476
	AIR NEW SOURCE PERMITS	PERMIT	56496
	AIR NEW SOURCE PERMITS	PERMIT	70903
	AIR NEW SOURCE PERMITS	PERMIT	71223
	AIR NEW SOURCE PERMITS	REGISTRATION	71567
	AIR NEW SOURCE PERMITS	PERMIT	54061
	AIR NEW SOURCE PERMITS	PERMIT	50548
	AIR NEW SOURCE PERMITS	PERMIT	52565
	AIR NEW SOURCE PERMITS	PERMIT	52089
	AIR NEW SOURCE PERMITS	PERMIT	52088
	AIR NEW SOURCE PERMITS	PERMIT	50388
	AIR NEW SOURCE PERMITS	PERMIT	50423
	AIR NEW SOURCE PERMITS	PERMIT	70612
	AIR NEW SOURCE PERMITS	REGISTRATION	74572
	AIR NEW SOURCE PERMITS	REGISTRATION	75045
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX961
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
	AIR NEW SOURCE PERMITS	REGISTRATION	77284
	AIR NEW SOURCE PERMITS	REGISTRATION	76699
	AIR NEW SOURCE PERMITS	REGISTRATION	77952
	AIR NEW SOURCE PERMITS	REGISTRATION	76265
	AIR NEW SOURCE PERMITS	REGISTRATION	78839
	AIR NEW SOURCE PERMITS	REGISTRATION	78864
	AIR NEW SOURCE PERMITS	REGISTRATION	78624
	AIR NEW SOURCE PERMITS	REGISTRATION	78816
	AIR NEW SOURCE PERMITS	PERMIT	6949
	AIR NEW SOURCE PERMITS	PERMIT	7855
	AIR NEW SOURCE PERMITS	PERMIT	9856

AIR NEW SOURCE PERMITS	PERMIT	11177
AIR NEW SOURCE PERMITS	PERMIT	12152
AIR NEW SOURCE PERMITS	PERMIT	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	PERMIT	13713
AIR NEW SOURCE PERMITS	PERMIT	16429
AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	7621
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	PERMIT	10888
AIR NEW SOURCE PERMITS	PERMIT	11096
AIR NEW SOURCE PERMITS	PERMIT	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	PERMIT	12829
AIR NEW SOURCE PERMITS	PERMIT	13678
AIR NEW SOURCE PERMITS	PERMIT	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	PERMIT	9505
AIR NEW SOURCE PERMITS	PERMIT	15262
AIR NEW SOURCE PERMITS	PERMIT	15365
AIR NEW SOURCE PERMITS	PERMIT	15499
AIR NEW SOURCE PERMITS	PERMIT	15940
AIR NEW SOURCE PERMITS	PERMIT	18209
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	18738
AIR NEW SOURCE PERMITS	PERMIT	18768
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	PERMIT	23273
AIR NEW SOURCE PERMITS	PERMIT	24096
AIR NEW SOURCE PERMITS	PERMIT	24874
AIR NEW SOURCE PERMITS	PERMIT	26368
AIR NEW SOURCE PERMITS	PERMIT	27598
AIR NEW SOURCE PERMITS	PERMIT	29597
AIR NEW SOURCE PERMITS	PERMIT	32282
AIR NEW SOURCE PERMITS	PERMIT	33524
AIR NEW SOURCE PERMITS	PERMIT	34230
AIR NEW SOURCE PERMITS	PERMIT	34358
AIR NEW SOURCE PERMITS	PERMIT	35243
AIR NEW SOURCE PERMITS	PERMIT	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	96
AIR NEW SOURCE PERMITS	PERMIT	97
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	747
AIR NEW SOURCE PERMITS	PERMIT	748
AIR NEW SOURCE PERMITS	PERMIT	920
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3177
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A

AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4406
AIR NEW SOURCE PERMITS	PERMIT	4596
AIR NEW SOURCE PERMITS	PERMIT	4933

AIR NEW SOURCE PERMITS	PERMIT	41920
AIR NEW SOURCE PERMITS	PERMIT	41875
AIR NEW SOURCE PERMITS	PERMIT	42221
AIR NEW SOURCE PERMITS	PERMIT	42573
AIR NEW SOURCE PERMITS	PERMIT	42512
AIR NEW SOURCE PERMITS	PERMIT	43605
AIR NEW SOURCE PERMITS	PERMIT	42118
AIR NEW SOURCE PERMITS	PERMIT	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	PERMIT	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	PERMIT	47575
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION #	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION	PERMIT	WDW172
UNDERGROUND INJECTION	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE	REGISTRATION	32780
WASTEWATER LICENSING	LICENSE	WQ0000402000
WATER LICENSING	LICENSE	1010320
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION #	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780

Location: 5900 Hwy 225 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: January 03, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 02, 2003 to January 02, 2008

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

Name: Roshondra Lowe Phone: (713) 767-3553

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Y
2. Has there been a (known) change in ownership of the site during the compliance period?
3. If Yes, who is the current owner? Shell Deer Park Refining Company

Shell
Chemical
Shell
Deer
Park

4. if Yes, who was/were the prior owner(s)?

Shell Oil Company
Equilon

5. When did the change(s) in ownership occur?

06/10/2004

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: 06/12/2003

ADMINORDER 2002-0478-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Part 61, Subpart V 61.242-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 4 PERMIT
Description: Failure to install redundant valves or end caps on open ended lines.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(1)(i)

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

Description: Failure to adjust monitoring schedule to monthly from quarterly when leak rate exceeds

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.120

40 CFR Part 63, Subpart G 63.114(a)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT
Description: Failure to install a temperature monitoring device in the gas stream immediately before and after the catalyst bed.

Classification: Moderate

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

Rqmt Prov: SC 8(A) PERMIT
Description: Failure to operate incinerator H9200 at a VOC outlet concentration of less than 20

Effective Date: 08/30/2004

ADMINORDER 2003-1321-AIR-E

Classification: Major

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

Rqmt Prov: MAERT PERMIT
Description: Failed to comply with the permitted limit established in the MAERT of Air Permit No. 9334 for benzene. Specifically, Shell failed to prevent the unauthorized emission of benzene at the ACU Tank Farm, Tank D-371, for a period of 58 minutes on April 28, 2003. The permitted benzene limit for Tank D-371 is 0.45 lbs/hour.

Effective Date: 09/26/2004

ADMINORDER 2004-0101-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 113, SubChapter C 113.120

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct flare performance testing in accordance with 40 CFR 63.11 within 180 days of startup or rule applicability.

Effective Date: 08/20/2005

ADMINORDER 2004-0867-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.224(11)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(c)

Description: Failure to conduct compliance testing for the PHenol-3 BIF and submit recertification of compliance within three years of the previous certification.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.224(14)

Description: Failure to cease the burning of waste in the Phenol-3 BIF on October 12, 2003.

Effective Date: 02/20/2006

ADMINORDER 2005-0765-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 116, SubChapter G 116.721(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to obtain control emissions from an emissions event that occurred on December 21, 2000 at the Coker Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)

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

Description: Failed to submit a complete final report for a reportable emissions event which occurred at the Coker Unit on December 21, 2000.

Effective Date: 02/20/2006

ADMINORDER 2005-0734-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent a power outage at Switchback 6B13 which resulted in unauthorized emissions from the HIPA Flare, HIPA Vent, Benji Vent (PC5500A), and Relief Valves RV0624, RV3033B, and RV0298 on May 9, 2004. Category A.11.i(6).

Classification: Major

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

Rqmt Prov: Also No. 3219, GC #8 PERMIT

Description: Failed to maintain the ratio of hydrogen to acetylene in the converter resulting in the flaring of off-specification product resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on June 17, 2004.

Classification: Major

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

Rqmt Prov: SC #1 PERMIT

Description: Failed to prevent the lifting of Relief Valve RV3033B on the fat acid storage tank (T-75B) on June 27, 2004 which resulted in unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Also No. 3219, GC #8 PERMIT

Description: Failed to maintain steam pressure on the Olefins 2 Unit and operated the Propylene Refrigerator Compressor with a faulty suction/pressure indicating controller resulting in the flaring of off-specification products at the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on September 13, 2004.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR Permit #3173, Special Condition #1 PA

Description: Failed to comply with the maximum allowable emission rates for carbon monoxide, volatile organic compounds ("VOC"), and nitrogen oxides and varied from permit representations for VOC emissions from the IPA Purge Line on September 6, 2004

Classification: Major

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

Rqmt Prov: Also Permit No. 3219, Gen. Condition 8 PERMIT

Description: Failed to control the ammonia concentration in the sour hydrogen feed resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on May 22, 2004. Category A.11.i(6).

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 of a reportable emissions event at the Isopropyl Alcohol (IPA) Unit which occurred on September 6, 2004 within 24 hours of discovery.

Effective Date: 05/12/2006

ADMINORDER 2005-1614-AIR-E

Classification: Moderate

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

Description: Failed to report the December 25, 2004 emissions event within 24 hours of discovery.

Classification: Moderate

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

Rqmt Prov: Permit No 3214, Gen Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 241 lbs of 1, 3-Butadiene, 322 lbs of

1,299 lbs of Pentane, 2,182 lbs of Ethylene, 68 lbs of Benzene and 1,018 lbs of Propylene during a 10 hour and 30 minute emissions event that occurred on December 25, 2004 in the OP3 Unit.

Classification: Moderate

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

Rqmt Prov: General Condition #8 PERMIT

Description: Failed to prevent unauthorized emissions of 686 lbs of 1, 3-Butadiene, 949 lbs of Butene, 1,299 lbs of Pentane, 4,059 lbs of Ethylene and 2,044 lbs of Propylene during a 23 minute emissions event that occurred on February 17, 2005 in the Olefins No. 3 Unit ("OP3").

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Max. Allow. Em. Rate Ta PERMIT

Description: Failed to prevent unauthorized emissions of 1847.7 lbs of Ethylene, 680.70 lbs of Carbon Monoxide, and 87.3 lbs of Nitrogen Monoxide during a 3-hour emissions event that occurred on February 24, 2005 at the Acetylene Converters in the Olefins #2 Unit.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Gen. Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 404 lbs of volatile organic compounds ("VOC") in one hour on January 13, 2005 in the OP2 Unit Elevated Flare. Specifically, 868 lbs of VOCs were released and the VOC maximum allowable emission rate for the flare is 464 lbs per

Effective Date: 08/29/2006

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5

30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of low sulfur diesel fuel and heavy crude oil sludge in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5

30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of natural gas in such concentration and of such duration to interfere with the normal use and enjoyment of property and

Classification: Moderate

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

Rqmt Prov: mact rates PERMIT

Description: Exceeded maximum allowable emission rates for hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Discharged approximately 327 pounds of unspeciated VOC resulting in air contaminants in such concentration and duration so as to interfere with the normal use and enjoyment of property in teh area.

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	01/09/2003	(19750)
2	01/10/2003	(20830)
3	01/13/2003	(246531)
4	01/24/2003	(17948)
5	01/27/2003	(157729)
6	01/28/2003	(157774)
7	02/05/2003	(23703)
8	02/10/2003	(157684)
9	02/12/2003	(24287)
10	02/13/2003	(22044)
11	02/20/2003	(10139)
12	02/24/2003	(157683)
13	02/24/2003	(22731)
14	02/28/2003	(157734)
15	03/25/2003	(157687)
16	03/31/2003	(10812)
17	03/31/2003	(157737)
18	04/03/2003	(19124)
19	04/23/2003	(157693)
20	04/29/2003	(157742)
21	05/09/2003	(26339)
22	05/10/2003	(450832)
23	05/11/2003	(26340)
24	05/22/2003	(157697)
25	05/27/2003	(157746)
26	05/30/2003	(36614)
27	06/05/2003	(29924)
28	06/16/2003	(114383)
29	06/24/2003	(157701)
30	06/25/2003	(157750)
31	06/26/2003	(60695)
32	06/28/2003	(33595)
33	07/23/2003	(284079)
34	07/23/2003	(295231)
35	07/25/2003	(157705)
36	07/25/2003	(157709)
37	08/06/2003	(114294)
38	08/12/2003	(148558)
39	08/23/2003	(36650)
40	08/26/2003	(295233)
41	08/29/2003	(149848)
42	09/22/2003	(295235)
43	09/25/2003	(295217)
44	10/22/2003	(249626)
45	10/23/2003	(295219)
46	10/27/2003	(295237)
47	10/28/2003	(252341)
48	11/21/2003	(295220)
49	11/26/2003	(295238)
50	11/30/2003	(248256)
51	12/17/2003	(295221)
52	12/23/2003	(295239)
53	01/02/2004	(257380)
54	01/02/2004	(252698)
55	01/04/2004	(251319)
56	01/14/2004	(254260)
57	01/21/2004	(252556)
58	01/22/2004	(295240)
59	01/26/2004	(295222)
60	01/28/2004	(261052)

61	02/23/2004	(248995)
62	02/23/2004	(432673)
63	02/27/2004	(295223)
64	03/16/2004	(295208)
65	03/24/2004	(295225)
66	03/31/2004	(260311)
67	04/16/2004	(256199)
68	04/21/2004	(295209)
69	04/23/2004	(295226)
70	05/19/2004	(256196)
71	05/19/2004	(295206)
72	05/19/2004	(295211)
73	05/25/2004	(268601)
74	05/25/2004	(295228)
75	05/25/2004	(266874)
76	05/26/2004	(273578)
77	06/03/2004	(270210)
78	06/09/2004	(272409)
79	06/18/2004	(271341)
80	06/18/2004	(270854)
81	06/21/2004	(295213)
82	06/23/2004	(352010)
83	07/14/2004	(260134)
84	07/22/2004	(352011)
85	07/26/2004	(352004)
86	08/11/2004	(288458)
87	08/11/2004	(288745)
88	08/11/2004	(287418)
89	08/11/2004	(287399)
90	08/16/2004	(279252)
91	08/16/2004	(279239)
92	08/23/2004	(352012)
93	08/24/2004	(352003)
94	08/24/2004	(352005)
95	08/31/2004	(272715)
96	08/31/2004	(267451)
97	08/31/2004	(268068)
98	08/31/2004	(292677)
99	09/07/2004	(292099)
100	09/22/2004	(352013)
101	09/30/2004	(287575)
102	10/04/2004	(352006)
103	10/18/2004	(335028)
104	10/20/2004	(352007)
105	10/20/2004	(352014)
106	11/11/2004	(289756)
107	11/12/2004	(290146)
108	11/12/2004	(288819)
109	11/22/2004	(285617)
110	11/22/2004	(352015)
111	11/23/2004	(352008)
112	11/29/2004	(339553)
113	12/05/2004	(268602)
114	12/10/2004	(338725)
115	12/11/2004	(341292)
116	12/11/2004	(342406)
117	12/11/2004	(342558)
118	12/14/2004	(341177)
119	12/14/2004	(342547)
120	12/15/2004	(340217)
121	12/17/2004	(339115)
122	12/20/2004	(352016)
123	12/21/2004	(342546)

124	12/27/2004	(352009)
125	12/28/2004	(290091)
126	12/28/2004	(338893)
127	12/29/2004	(342425)
128	12/30/2004	(342431)
129	12/30/2004	(344374)
130	12/30/2004	(344491)
131	01/04/2005	(288475)
132	01/04/2005	(285114)
133	01/04/2005	(288902)
134	01/04/2005	(342600)
135	01/04/2005	(293105)
136	01/05/2005	(289527)
137	01/05/2005	(288541)
138	01/06/2005	(344370)
139	01/06/2005	(344373)
140	01/06/2005	(289146)
141	01/07/2005	(288436)
142	01/09/2005	(289381)
143	01/10/2005	(286434)
144	01/10/2005	(287676)
145	01/10/2005	(279219)
146	01/20/2005	(381814)
147	01/24/2005	(381811)
148	01/26/2005	(342583)
149	01/31/2005	(342585)
150	02/01/2005	(342419)
151	02/22/2005	(350798)
152	02/22/2005	(381812)
153	02/23/2005	(371820)
154	03/22/2005	(381813)
155	03/23/2005	(381809)
156	03/28/2005	(381810)
157	04/01/2005	(346780)
158	04/22/2005	(419640)
159	04/22/2005	(419642)
160	04/22/2005	(575179)
161	04/29/2005	(344372)
162	05/03/2005	(373899)
163	05/09/2005	(378729)
164	05/18/2005	(575182)
165	05/25/2005	(380203)
166	06/17/2005	(392662)
167	06/20/2005	(575185)
168	06/21/2005	(419641)
169	06/21/2005	(419643)
170	06/28/2005	(394944)
171	07/06/2005	(398907)
172	07/13/2005	(374690)
173	07/18/2005	(575188)
174	07/18/2005	(379933)
175	07/18/2005	(379934)
176	07/20/2005	(400891)
177	07/21/2005	(400399)
178	07/28/2005	(379300)
179	08/02/2005	(400361)
180	08/03/2005	(399624)
181	08/05/2005	(341201)
182	08/05/2005	(341194)
183	08/05/2005	(341195)
184	08/05/2005	(341198)
185	08/05/2005	(341200)
186	08/10/2005	(403710)

187	08/15/2005	(453221)
188	08/16/2005	(404329)
189	08/16/2005	(404327)
190	08/18/2005	(404406)
191	08/22/2005	(400922)
192	08/22/2005	(575191)
193	08/23/2005	(401945)
194	08/23/2005	(404915)
195	08/25/2005	(405926)
196	08/30/2005	(401403)
197	09/23/2005	(440775)
198	09/23/2005	(440776)
199	09/27/2005	(575193)
200	09/28/2005	(431096)
201	10/04/2005	(405964)
202	10/05/2005	(407310)
203	10/05/2005	(406803)
204	10/05/2005	(431097)
205	10/05/2005	(431095)
206	10/10/2005	(406428)
207	10/24/2005	(468331)
208	10/24/2005	(575195)
209	10/26/2005	(433389)
210	10/28/2005	(405406)
211	11/03/2005	(431819)
212	11/04/2005	(431796)
213	11/04/2005	(431865)
214	11/14/2005	(371956)
215	11/23/2005	(433921)
216	11/23/2005	(575197)
217	11/28/2005	(437043)
218	11/28/2005	(468332)
219	11/30/2005	(437117)
220	12/08/2005	(418800)
221	12/16/2005	(451110)
222	12/21/2005	(575199)
223	12/22/2005	(575200)
224	12/27/2005	(468333)
225	01/24/2006	(451885)
226	01/24/2006	(468334)
227	01/24/2006	(575201)
228	02/16/2006	(454090)
229	02/21/2006	(455170)
230	02/21/2006	(575174)
231	02/21/2006	(454835)
232	02/23/2006	(455872)
233	02/23/2006	(455897)
234	02/23/2006	(439108)
235	02/24/2006	(438342)
236	02/24/2006	(468329)
237	02/25/2006	(456944)
238	02/25/2006	(457085)
239	02/27/2006	(457162)
240	02/27/2006	(456661)
241	02/28/2006	(457143)
242	02/28/2006	(457152)
243	03/03/2006	(455540)
244	03/09/2006	(457675)
245	03/15/2006	(458469)
246	03/17/2006	(451544)
247	03/20/2006	(431859)
248	03/20/2006	(571632)
249	03/21/2006	(575176)

250	03/23/2006	(290016)
251	03/23/2006	(468330)
252	03/28/2006	(405965)
253	04/03/2006	(455004)
254	04/21/2006	(575180)
255	04/24/2006	(449499)
256	04/24/2006	(498125)
257	04/25/2006	(449838)
258	04/26/2006	(455005)
259	04/27/2006	(440023)
260	04/28/2006	(462216)
261	05/10/2006	(266908)
262	05/10/2006	(268067)
263	05/12/2006	(461088)
264	05/17/2006	(461235)
265	05/17/2006	(466235)
266	05/22/2006	(498126)
267	05/22/2006	(575183)
268	05/26/2006	(460174)
269	05/26/2006	(460095)
270	05/26/2006	(460156)
271	05/26/2006	(460637)
272	05/30/2006	(459416)
273	05/30/2006	(460198)
274	05/31/2006	(480622)
275	05/31/2006	(455293)
276	06/12/2006	(455296)
277	06/13/2006	(457735)
278	06/14/2006	(480612)
279	06/15/2006	(449850)
280	06/16/2006	(575186)
281	06/20/2006	(498127)
282	06/21/2006	(467546)
283	06/23/2006	(467537)
284	06/23/2006	(467329)
285	06/28/2006	(467525)
286	06/30/2006	(463111)
287	06/30/2006	(466561)
288	07/10/2006	(482757)
289	07/11/2006	(482755)
290	07/11/2006	(482760)
291	07/11/2006	(482407)
292	07/14/2006	(467608)
293	07/24/2006	(520133)
294	07/24/2006	(575189)
295	07/26/2006	(487301)
296	07/27/2006	(486448)
297	07/31/2006	(482753)
298	08/08/2006	(482747)
299	08/14/2006	(480383)
300	08/16/2006	(392732)
301	08/18/2006	(457259)
302	08/18/2006	(457480)
303	08/22/2006	(575192)
304	08/23/2006	(457432)
305	08/25/2006	(510170)
306	08/28/2006	(479997)
307	08/29/2006	(509957)
308	08/29/2006	(479999)
309	08/30/2006	(509636)
310	08/31/2006	(457283)
311	09/07/2006	(510326)
312	09/22/2006	(575194)

313	09/25/2006	(520134)
314	09/29/2006	(487313)
315	10/04/2006	(510017)
316	10/04/2006	(512388)
317	10/05/2006	(510021)
318	10/05/2006	(512393)
319	10/05/2006	(512392)
320	10/13/2006	(510023)
321	10/23/2006	(575196)
322	10/24/2006	(544406)
323	10/26/2006	(512394)
324	10/27/2006	(515112)
325	10/31/2006	(513138)
326	10/31/2006	(509694)
327	10/31/2006	(343595)
328	11/03/2006	(513228)
329	11/03/2006	(513328)
330	11/06/2006	(515706)
331	11/16/2006	(512687)
332	11/16/2006	(514711)
333	11/21/2006	(517284)
334	11/22/2006	(575198)
335	11/27/2006	(544407)
336	11/30/2006	(379581)
337	12/07/2006	(488023)
338	12/07/2006	(488025)
339	12/07/2006	(487985)
340	12/07/2006	(488004)
341	12/15/2006	(508968)
342	12/21/2006	(534053)
343	12/27/2006	(544408)
344	12/27/2006	(544409)
345	12/29/2006	(343599)
346	01/19/2007	(531892)
347	01/22/2007	(575202)
348	01/31/2007	(537439)
349	01/31/2007	(538238)
350	01/31/2007	(538659)
351	02/17/2007	(532455)
352	02/20/2007	(457345)
353	02/22/2007	(575167)
354	02/22/2007	(575175)
355	02/23/2007	(532463)
356	02/23/2007	(532452)
357	02/27/2007	(532471)
358	03/01/2007	(509707)
359	03/05/2007	(406521)
360	03/21/2007	(575177)
361	03/23/2007	(575168)
362	04/12/2007	(554202)
363	04/19/2007	(575169)
364	04/23/2007	(575181)
365	04/25/2007	(542681)
366	04/25/2007	(532459)
367	04/26/2007	(541475)
368	04/30/2007	(542592)
369	04/30/2007	(542683)
370	05/07/2007	(537121)
371	05/08/2007	(542690)
372	05/09/2007	(467500)
373	05/14/2007	(542697)
374	05/16/2007	(575170)
375	05/18/2007	(542652)

376	05/22/2007	(575184)
377	05/29/2007	(559183)
378	05/30/2007	(560809)
379	06/20/2007	(575171)
380	06/22/2007	(575187)
381	06/25/2007	(563779)
382	06/25/2007	(564308)
383	06/27/2007	(564822)
384	06/27/2007	(564828)
385	07/06/2007	(565610)
386	07/10/2007	(565422)
387	07/20/2007	(575172)
388	07/20/2007	(575173)
389	07/23/2007	(575178)
390	07/23/2007	(575190)
391	08/01/2007	(567841)
392	08/03/2007	(568522)
393	08/13/2007	(571026)
394	08/14/2007	(567884)
395	08/15/2007	(571883)
396	08/17/2007	(571025)
397	08/22/2007	(607528)
398	09/18/2007	(571877)
399	09/19/2007	(572770)
400	09/20/2007	(601572)
401	09/24/2007	(607529)
402	10/12/2007	(560777)
403	10/16/2007	(593594)
404	10/18/2007	(601573)
405	10/25/2007	(596852)
406	11/06/2007	(593367)
407	11/06/2007	(565492)
408	11/15/2007	(597968)
409	11/15/2007	(597891)
410	11/19/2007	(572257)
411	11/19/2007	(599691)
412	11/27/2007	(597446)
413	11/30/2007	(608138)
414	11/30/2007	(601276)
415	12/04/2007	(600886)
416	12/20/2007	(610419)

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

Date:	01/24/2003	(17948)	
Self Report?		NO	CI Modera
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(10) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)		
Description:	Failure to identify cause of the event and failure to comply with TCEQ Air Permit 3219.		
Date:	01/31/2003	(157683)	
Self Report?		YES	CI Modera
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:	06/28/2003	(33595)	
Self Report?		NO	CI Modera
Citation:	5C THC Chapter 382, SubChapter A 382.085(a)		
Description:	Failed to prevent an emissions release by good design, operation, and maintenance practices.		
Date:	07/31/2003	(157709)	
Self Report?		YES	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		

Description: Failure to meet the limit for one or more permit parameter
 Date: 09/30/2003 (295219)
 Self Report? YES CI Modera
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 11/30/2003 (295239)
 Self Report? YES CI Modera
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 01/04/2004 (251319)
 Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT TCEQ AIR PERMIT #19849, SC #1
 Description: Shell allowed 237 lbs of unauthorized emissions of mesityl oxide
 (a highly irritating ketone, which overflowed Tank T-40-16 due to
 an inaccurate level indicator and failure to respond to a high level
 Date: 01/14/2004 (254260)
 Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT TCEQ AIR PERMIT #3219, SC #4
 Description: Main induced-draft fan on Boiler H-8610 shut down when
 governor seized due to dirty oil (inadequate attention to the
 status of the oil). The (large) boiler tripped on loss of the fan.
 Two olefin plants were shut down due to insufficient steam
 Date: 01/21/2004 (252556)
 Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 Rqmt Prov: PERMIT TCEQ AIR PERMIT #21262, SC #1
 Description: Shell damaged the lube oil pump for the Recycle Gas Compr.
 Either possible root cause (failure to prime the pump or
 improperly installing the new motive screws) avoidably damaged
 those screws. Shell failed to control SO2 emissions during a
 Date: 04/30/2004 (295228)
 Self Report? YES CI Modera
 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: 06/30/2004 (352011)
 Self Report? YES CI Modera
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 07/13/2004 (260134)
 Self Report? NO CI Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ AIR PERMIT #920, SC #1
 Description: Failure to report an emissions event in a timely manner.
 Date: 08/31/2004 (272715)

Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC #8
 Description: Failure to operate within the permit limits.
 Date: 08/31/2004 (267451)

Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 21262 and PSD-TX-928
 Description: Failure to prevent unauthorized emissions.
 Date: 09/22/2004 (335028)

Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)	
Description:	Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.	
Date:	09/30/2004 (352007)	
Self Report?	YES	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	11/22/2004 (285617)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT No. 3219 and PSD-TX-974, GC #8	
Description:	Failure to operate within the permit limits.	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(7)	
Description:	Failure to indicate the air contaminants from the flare completely	
Date:	11/30/2004 (352009)	
Self Report?	YES	CI Modera
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:	12/14/2004 (340217)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(4) 30 TAC Chapter 305, SubChapter F 305.125(5) TWC Chapter 26 26.121(a)(1)	
Description:	Failure to prevent the unauthorized discharge of untreated or partially treated process, sanitary, balast, and utility wastewaters through outfall 008. The permittee is authorized to discharge storm water and fire water only to outfall 008. See attached	
Date:	12/28/2004 (290091)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT No. 3219 and PSD-TX-974, GC #8	
Description:	Failure to avoid loss of cooling in the PRC surface condensate	
Date:	12/30/2004 (344491)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PA Permit #21262/PSD-TX-928, SC#1	
Description:	Failure to control emissions.	
Date:	12/30/2004 (344374)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PA Permit #s:21262,PSD-TX-928, SC #1	
Description:	Failure to Control Emissions	
Date:	01/04/2005 (342600)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)	
Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b) PERMIT No. 3219 and PSD-TX-974, GC # 8	
Description:	Failure to control hydrate formation in the demethanizer column.	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)	
Description:	Failure to report emissions event in a timely manner.	
Date:	01/07/2005 (288436)	

Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT No. 21262 and PSD-TX-928	
Description:	Exceeded permit limits during an avoidable emissions event.	
Date:	01/09/2005 (289381)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT TCEQ Air Permit #3219 and PSD-TX-974	
Description:	Exceeded permit limits during an avoidable emissions event.	
Date:	03/31/2005 (419640)	
Self Report?	YES	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	04/29/2005 (344372)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description:	Failure to control emissions.	
Date:	05/31/2005 (575185)	
Self Report?	YES	CI Modera
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:	06/20/2005 (395120)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT No. 9334, Gen. Condition #8	
Description:	Failure to prevent spill during tank heel transfer.	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A) 30 TAC Chapter 101, SubChapter F 101.201(b)(8)	
Description:	Failure to submit an emissions event in a timely manner.	
Date:	07/31/2005 (419643)	
Self Report?	YES	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	07/31/2005 (575191)	
Self Report?	YES	CI Modera
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:	08/17/2005 (404327)	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 117, SubChapter B 117.206(e)(2)	
Description:	Failure to maintain ammonia emissions below 10ppm on furnace	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 117, SubChapter B 117.206(e)(2)	
Description:	Failure to maintain ammonia emissions below 10ppm on furnace	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 117, SubChapter B 117.206(e)(2)	
Description:	Failure to maintain ammonia emissions below 10ppm on furnace	
Date:	09/30/2005 (468331)	
Self Report?	YES	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	10/10/2005 (406428)	
Self Report?	NO	CI Modera

Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description:	Failure to control emissions.	
Date:	11/30/2005	(575199)
Self Report?	YES	CI Modera
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:	12/08/2005	(418800)
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
Description:	Failure to maintain compliance with the effluent permit limits. Effluent violations were reported for ammonia-nitrogen at outfall 104 in 07/05 and for calcium, nickel and fecal coliform at outfall	
Date:	02/23/2006	(439108)
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PA 3219 AND PSD-TX-974	
Description:	Exceeded permit limits during an avoidable emissions event.	
Date:	02/27/2006	(438342)
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description:	Failed to control unauthorized emissions.	
Date:	04/04/2006	(455004)
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PA NSR Permit #3173, Special Condition #1	
Description:	Failure to control unauthorized emissions for Incident #64365.	
Date:	05/17/2006	(461235)
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP 1946, Special Condition 15H OP 1946, Special Condition 1A	
Description:	Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP 1668, Special Condition 1A	
Description:	Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 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 A 382.085(b)	
Rqmt Prov:	OP 1668, Special Condition 1A PERMIT 3219, Special Conditions 5 and 6	
Description:	Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions .	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242- 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP 1946, Special Condition 1A OP 1946, Special Condition 21	

PERMIT 3216, Special Condition 6E

Description: PERMIT 3218, Special Condition 8E
 Self Report? NO CI Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18576, Special Condition 7E
 OP 1946, Special Condition 1A
 OP 1946, Special Condition 21
 Description: Failure to seal 18 OELs in IRU.
 Self Report? NO CI Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
 Rqmt Prov: OP 1946, Special Condition 1A
 OP 1946, Special Condition 21
 PERMIT 3217, Special Condition 3E
 Description: Failure to seal OELs in BD3.
 Self Report? NO CI Modera
 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 1946, Special Condition 21
 PERMIT 3216, Special Condition 1
 PERMIT 3216, Special Condition 5
 Description: Furnaces FOL-601 and FOL-602 exceeded the permitted
 maximum hourly firing rates.
 Self Report? NO CI Modera
 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 1946, Special Condition 21
 PERMIT 3216, Special Conditions 1 and 4
 Description: The fuel gas used by Furnaces FOL601, FOL602, FOL603 and
 FOL604 exceeded the permitted maximum H2S concentration.
 Date: 05/31/2006 (455293)
 Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT No. 3219 and PSD-TX-974 MAERT
 Description: Failure to prevent an operator error resulting in unauthorized
 Date: 06/15/2006 (457735)
 Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 9334 MAERT
 Description: Failure to prevent a leak from a line that was bent beyond its
 minimum flex radius creating a weak point that resulted in
 Date: 06/16/2006 (510170)
 Self Report? NO CI Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT Self-reporting Requirements
 Description: Using unapproved self-generated Discharge Monitoring Report
 (DMR) forms to report monitoring results.
 Date: 06/28/2006 (467525)
 Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT #21262, Special Condition #1

Description: Failure to prevent overpressure of Secondary Debutanizer
 Date: 06/30/2006 (520133)
 Self Report? YES CI Modera
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 07/14/2006 (467608)

Self Report? NO CI Modera
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No 3219 MAERT

Description: Failure to prevent unauthorized emissions during decoking of
 Date: 07/31/2006 (440775)
 Self Report? YES CI Modera
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 07/31/2006 (575192)
 Self Report? YES CI Modera
 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: 08/18/2006 (457259)
 Self Report? NO CI Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 266, SC 7E
 PERMIT 3985A, SC 7E
 OP O-01947, Special Condition 13
 OP O-01947, Special Condition 1A
 Description: 3 OELs in SITEFE and 1 OEL in WRACKFE
 Date: 08/23/2006 (457432)

Self Report? NO CI Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 1A
 Description: Components associated with Tank F-347 and Tank F-349 were
 not identified as being subject to 40 CFR 63, Subpart H.
 Self Report? NO CI Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13
 OP 1948, Special Condition 1A
 PERMIT 19849, Special Condition 11E
 Description: 10 OELs in MPLANTFE
 Self Report? NO CI Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13
 OP 1948, Special Condition 1A
 PERMIT 1968, Special Condition 3E
 PERMIT 19849, Special Condition 11E
 PERMIT 3173, Special Condition 6E
 Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFEE;
 1 OEL in HPLANTFE

Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(2)(C) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP 1948, Special Condition 13 OP 1948, Special Condition 1A PERMIT 3173, Special Condition 6F	
Description:	Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005	
Self Report?	NO	CI 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 1948, Special Condition 13 PERMIT 19849, Special Condition 7D	
Description:	Failure to inspect Tank T667B by the due date of March 2005	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 106, SubChapter K 106.261(a)(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP 1948, Special Condition 13 PERMIT 3173, Special Condition 1	
Description:	VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.	
Self Report?	NO	CI Modera
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 A 382.085(b)	
Rqmt Prov:	OP 1948, Special Condition 1H(iv)	
Description:	Failure to repair Component No. 200706 in IPACRUFE within	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP 1948, Special Condition 1A	
Description:	Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere (479997)	
Date:	08/28/2006	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 115, SubChapter H 115.782(b)(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT 3219, Special Condition 2I OP O-1668, Special Condition 15 OP O-1668, Special Condition 1H(v)	
Description:	Failure to repair Component No. 64110.P in OP2FUG within 15	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT 3219, Special Condition 2E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A	
Description:	Forty-nine incidences of open-ended lines in OP2FUG	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-	

Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b) PERMIT 3214, Special Condition 5E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A	
Description:	26 OELs in OL3FUG and 4 OELs in PYR3FUG	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT 3214, Special Condition 5E PERMIT 3219, Special Condition 2E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A	
Description:	28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT 3219, Maximum Allowable Emission Rates OP O-1668, Special Condition 15	
Description:	Exceedance of VOC MAER in tpy for the Olefins Flare System	
Date:	08/29/2006	(479999)
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT 9334, Special Condition 15E OP O-1943, Special Condition 17 OP O-1943, Special Condition 1A	
Description:	One OEL in ACUFUG and one OEL in FUGOXU	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT 9334, Special Condition 7 OP O-1943, Special Condition 17	
Description:	Incomplete records of furnace firing rates for the ACU furnace,	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP O-1943, Special Condition 1A	
Description:	Failure to conduct internal inspection of Tank F-361 by the due	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT 9334, Special Condition 8 OP O-1943, Special Condition 17	
Description:	Operation of the East Property Flare with visible emissions	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Description:	Failure to visually inspect Tank G-359 by the due date of August	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	PERMIT 9334, Special Condition 10D OP O-1943, Special Condition 17	

Description: Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359

Self Report? NO CI Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 9334, Special Condition 10D
OP O-1943, Special Condition 17
OP O-1943, Special Condition 1A

Description: Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.

Date: 08/31/2006 (457283)

Self Report? NO CI Modera

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

Rqmt Prov: PERMIT 48912, Special Condition 5
OP O-2108, Special Condition 15

Description: Failure to analyze wastewater for isobutyraldehyde

Self Report? NO CI Modera

Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-2108, Special Condition 1A

Description: Failure to meet the control requirements for VOC water

Self Report? NO CI Modera

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

Rqmt Prov: OP O-2108, Special Condition 1A

Description: Failure to obtain vapor pressure sample from T-1318

Self Report? NO CI Modera

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-2108, Special Condition 1A

Description: Failure to monitor the presence of the pilot flame on the A&S

Date: 11/03/2006 (513328)

Self Report? NO CI Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Shell failed to submit a CAP in a timely manner.

Date: 11/14/2006 (512687)

Self Report? NO CI Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP #O-01669, Special Condition #1A

Description: Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)(ii).

Self Report? NO CI Modera

Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP #O-01669, Special Condition #1A
OP FOP #O-01669, Special Condition #1D

Description: Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).

Self Report? NO CI Minor

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

Description: 5C THC Chapter 382, SubChapter A 382.085(b)
 Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC (544408)

Date: 11/30/2006

Self Report? YES CI Modera

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: 12/31/2006 (544409)

Self Report? YES CI Modera

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: 02/23/2007 (532452)

Self Report? NO CI Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)

Rqmt Prov: 5C THC Chapter 382, SubChapter A 382.085(b)
 OP FOP O-01946, Special Condition 1A
 OP FOP O-01946, Special Condition 1M(iv)
 OP FOP O-01946, Special Condition 21
 PA NSR #18576, Special Condition 7H
 PA NSR #3216, Special Condition 6H
 PA NSR #3217, Special Condition 3H

Description: Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).

Self Report? NO CI Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)

Rqmt Prov: 5C THC Chapter 382, SubChapter A 382.085(b)
 OP FOP # O-01946, Special Condition 1A
 OP FOP #O-01946, Special Condition 21
 PA NSR 3216, Special Condition 2
 PA NSR 3218, Special Condition 2

Description: Failure to maintain 94 LDAR components with identification tags as required by 40 CFR 61.242-1(d) as well NSR Permits #3216 and #3218.

Self Report? NO CI Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, RT 60, SubPT VV 60.482-
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H

Rqmt Prov: 5C THC Chapter 382, SubChapter A 382.085(b)
 OP FOP O-01946, Special Condition 1A
 OP FOP O-01946, Special Condition 1M(iv)
 OP FOP O-01946, Special Condition 21
 PA NSR Permit 3215, Special Condition 2E
 PA NSR Permit 3216, Special Condition 2
 PA NSR Permit 3216, Special Condition 6E
 PA NSR Permit 3217, Special Condition 3E
 PA NSR Permit 3218, Special Condition 2
 PA NSR Permit 3218, Special Condition 8E

Description: Failure to cap 57 open-ended valves/lines per 30 TAC 115.352(4). Some of these open-ends are violations of HON, NSPS,

Self Report? NO CI 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-01946, Special Condition 21

Description:	PA NSR Permit 3216, Special Condition 5 Failure to monitor the firing rate of the FOL-601 furnace for 213 hours as required by NSR Permit #3216, Special Condition #5.	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP FOP O-01946, Special Condition 1A OP FOP O-01946, Special Condition 21 PA NSR Permit 3219, Special Condition 4	
Description:	Failure to continuously monitor for the presence of a flare pilot light on the OP3ELFLA unit, on two separate occasions for a total of 156 hours, as required by 40 CFR 60.18(f)(2), 40 CFR 63.11(b)(5), and NSR #3219, SC#4.	
Self Report?	NO	CI 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-01946, Special Condition 21 PA NSR Permit 3216, Special Condition 1	
Description:	Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on	
Self Report?	NO	CI 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 A 382.085(b)	
Rqmt Prov:	OP FOP O-01946, Special Condition 1M(ii)	
Description:	Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP FOP O-01946, Special Condition 1M(ii)	
Description:	Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP FOP O-01946, Special Condition 1A	
Description:	Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP FOP O-01946, Special Condition 28	
Description:	Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c). (532471)	
Date:	02/27/2007	
Self Report?	NO	CI Modera
Citation:	30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter A 382.085(b)	

Rqmt Prov:	OP FOP #O-01947, General Terms & Conditions	
Description:	Failure to submit PCC within 30 days as required.	
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(C) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:	OP FOP #O-01947, General Terms & Conditions	
Description:	Failure to submit a Deviation report within 30 days as required.	
Date:	02/28/2007	(575168)
Self Report?	YES	CI Modera
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:	02/28/2007	(575177)
Self Report?	YES	CI Modera
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:	03/31/2007	(575169)
Self Report?	YES	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	04/30/2007	(575170)
Self Report?	YES	CI Modera
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:	05/14/2007	(542697)
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.211(a)	
Description:	Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.	
Date:	05/31/2007	(575171)
Self Report?	YES	CI Modera
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	(575187)
Self Report?	YES	CI Modera
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:	06/30/2007	(575172)
Self Report?	YES	CI Modera
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	
Description:	TWC Chapter 26 26.121(a) Failure to meet the limit for one or more permit parameter	
Date:	07/31/2007	(575173)
Self Report?	YES	CI Modera
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
Description:	Failure to meet the limit for one or more permit parameter	
Date:	08/29/2007	(543555)
Self Report?	NO	CI Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	OP Title V O-01669, General Terms/Condition	
Description:	failed to submit a permit compliance certification and a deviation report in a timely manner.	
Date:	08/31/2007	(601572)

Self Report?	YES	CI Modera
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
Description:	Failure to meet the limit for one or more permit parameter (601573)	
Date: 09/30/2007		
Self Report?	YES	CI Modera
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)	
Description:	Failure to meet the limit for one or more permit parameter	

F. Environmental audits.

Notice of Intent Date:	12/20/2002	(265131)
Disclosure Date:	06/24/2003	
Viol. Classification:	Major	
Citation:	30 TAC Chapter 116, SubChapter B	
Description:	Failed to authorize emissions from rail car cleaning.	
Viol. Classification:	Moderate	
Citation:	30 TAC Chapter 101, SubChapter A	
Description:	Failed to report emissions from EPN Carclean in emissions inventory.	
Viol. Classification:	Moderate	
Citation:	30 TAC Chapter 115, SubChapter F	
Description:	Failed to justify control efficiency of railcar cleaning CAS.	
Viol. Classification:	Moderate	
Citation:	30 TAC Chapter 115, SubChapter F	
Description:	Failed to keep records of CAS breakthrough monitoring.	
Viol. Classification:	Moderate	
Citation:	30 TAC Chapter 122, SubChapter B	
Description:	failed to submit compliance plan with application	
Viol. Classification:	Moderate	
Citation:	30 TAC Chapter 115, SubChapter F	
Description:	failed to process tank cars with partial vapor pressure of ≥ 0.5 psia through properly operating	
Notice of Intent Date:	01/12/2003	(32908)
No DOV Associated		
Notice of Intent Date:	02/26/2003	(263866)
No DOV Associated		
Notice of Intent Date:	02/26/2003	(29900)
No DOV Associated		
Notice of Intent Date:	04/28/2003	(263686)
No DOV Associated		
Notice of Intent Date:	05/27/2003	(112481)
No DOV Associated		
Notice of Intent Date:	06/13/2003	(251436)
No DOV Associated		
Notice of Intent Date:	06/12/2003	(251440)
Disclosure Date:	09/04/2003	
Viol. Classification:	Moderate	
Citation:	30 TAC Chapter 115, SubChapter B	
Description:	Failure to maintain and compile inspection reports that document all of the elements required by the applicable regulations.	
Notice of Intent Date:	06/19/2003	(397860)
No DOV Associated		
Notice of Intent Date:	08/12/2003	(251504)
No DOV Associated		
Notice of Intent Date:	09/05/2003	(251740)
No DOV Associated		
Notice of Intent Date:	09/05/2003	(251760)
No DOV Associated		
Notice of Intent Date:	10/20/2003	(263020)
No DOV Associated		
Notice of Intent Date:	10/20/2003	(263024)
No DOV Associated		
Notice of Intent Date:	10/20/2003	(263025)
No DOV Associated		
Notice of Intent Date:	10/20/2003	(263029)

No DOV Associated

Notice of Intent Date: 10/20/2003 (263033)
Disclosure Date: 12/07/2004

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B
Description: records not available for daily sampling/analysis results for vapor pressure of the wastewater streams processed by the unit's API separator

Notice of Intent Date: 11/20/2003 (449697)
No DOV Associated

Notice of Intent Date: 02/20/2004 (265126)
No DOV Associated

Notice of Intent Date: 08/06/2004 (334038)
Disclosure Date: 10/12/2004

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F
Rqmt Prov: PERMIT Compliance b. Operational Requirements 1
PERMIT General b.
Description: noncompliance with requirement to maintain all facilities and systems of treatment and control (and related appurtenances)

Notice of Intent Date: 08/06/2004 (334047)
Disclosure Date: 08/26/2004

Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A
40 CFR Chapter 261, SubChapter I, PT 261, SubPT A
Description: Failure to characterize a process water stream from a leaking economizer, which contained

Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C
30 TAC Chapter 335, SubChapter R
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A
Description: Failure to characterize wastewater treatment plant residues carrying the K022 waste code.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A
Description: Improper disposal of K022 WWTP residual solids at a Class 1 non-hazardous waste landfill.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter D
Description: Failure to amend RCRA permit to reflect management of K022 waste.

Viol. Classification: Moderate
Rqmt Prov: PERMIT 1. General b.
Description: discharge of process water to storm water impoundment basins

Notice of Intent Date: 08/27/2004 (334576)
No DOV Associated

Notice of Intent Date: 10/12/2004 (349555)
No DOV Associated

Notice of Intent Date: 10/28/2004 (263123)
No DOV Associated

Notice of Intent Date: 11/11/2004 (349565)
No DOV Associated

Notice of Intent Date: 01/04/2005 (349867)
Disclosure Date: 06/17/2005

Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA
Description: documentation was not readily available to fully demonstrate that a formal refinery maximum achievable control technology applicability determination (ie >5% HAPS) had been made for

Viol. Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A
Description: one New Source Performance Standard (NSPS) notification for Start of Construction and Start of Operation for the CGHT unit could not be located

Viol. Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG
Description: documentation was not readily available to fully demonstrate that the process to determine if a project triggered NSPS "Modification" was being completed for NSPS Subpart GGG compliance

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

Description: 40 CFR Chapter 372, SubChapter J, PT 372, SubPT B
 emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A
 Description: documentation was not readily available to demonstrate the development of a formal startup,
 shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA
 Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability
 determination for miscellaneous process vents
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F
 Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no
 leaks were detected, it is unclear whether there was complete compliance with HON
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF
 Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not
 been performed as required by benzene waste NESHAP regulations
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF
 Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access
 hatches and other openings are properly closed and gasketed had not been performed as
 required by the benzene waste NESHAP regulations
 Notice of Intent Date: 01/06/2005 (349868)
 No DOV Associated
 Notice of Intent Date: 01/05/2005 (371573)
 No DOV Associated
 Notice of Intent Date: 01/27/2005 (350720)
 No DOV Associated
 Notice of Intent Date: 01/27/2005 (350721)
 Disclosure Date: 03/23/2005
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F
 Description: failed to meet requirements for maintenance/start-up/shutdown related activities
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C
 Description: incorporation by reference of 40 CFR 63 Subpart F (SOCMI MACT standard)
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C
 Description: incorporation by reference of 40 CFR 63 Subpart G (SOCMI for Process Vents, Storage Vessels,
 Transfer Operations, and Wastewater MACT standard)
 Notice of Intent Date: 01/27/2005 (350723)
 Disclosure Date: 07/06/2005
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter C
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C
 Description: Equipment associated with a decommissioned cumene unit in the Phenol Acetone Production
 Areas was not properly decontaminated when shut down in 2001. Process vessels, pumps,
 exchangers, and piping contain material that meets the definition of a characteristically
 Notice of Intent Date: 03/02/2005 (375030)
 No DOV Associated
 Notice of Intent Date: 03/02/2005 (375031)
 Disclosure Date: 07/14/2005
 Viol. Classification: Minor
 Rqmt Prov: PERMIT Air New Source Permit No. 9334 SC 10.D
 Description: no notification 30 days in advance of 11/04 seal gap measurement for Aromatics EFR tank G-
 Viol. Classification: Minor
 Rqmt Prov: PERMIT Air New Source Permits
 Description: no notification 30 days in advance of refilling of Solvents IFR tank T140B, Phenol Acetone IFR
 tank D391, Solvents IFR tank F337
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G
 Rqmt Prov: PERMIT Permit 9334 Special Condition 10D

Description:	no 10 yr internal seal inspection of Aromatics IFR tank F-361	
Notice of Intent Date:	04/15/2005	(380864)
No DOV Associated		
Notice of Intent Date:	05/18/2005	(396476)
No DOV Associated		
Notice of Intent Date:	08/22/2005	(434090)
No DOV Associated		
Notice of Intent Date:	08/22/2005	(434095)
No DOV Associated		
Notice of Intent Date:	11/04/2005	(438422)
No DOV Associated		
Notice of Intent Date:	12/02/2005	(451075)
No DOV Associated		
Notice of Intent Date:	01/05/2006	(452942)
No DOV Associated		
Notice of Intent Date:	01/05/2006	(452952)
No DOV Associated		
Notice of Intent Date:	05/22/2006	(454159)
No DOV Associated		
Notice of Intent Date:	04/18/2007	(562595)
No DOV Associated		
Notice of Intent Date:	08/03/2007	(593493)
No DOV Associated		
Notice of Intent Date:	08/24/2007	(594238)
No DOV Associated		
Notice of Intent Date:	09/24/2007	(596731)
No DOV Associated		
Notice of Intent Date:	10/16/2007	(599701)
No DOV Associated		
Notice of Intent Date:	10/15/2007	(599713)
No DOV Associated		

G. Type of environmental management systems (EMSs).

Non 30 TAC ch. 90 Certified,
ISO 14001: 2004 installed
1/12/05, certified 1/19/06

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

Type	Tier	Certification Date
CLEAN TEXAS PROGRAM		12/20/2004

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SHELL CHEMICAL LP
RN100211879**

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§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2008-0079-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 Shell Chemical 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 5900 Highway 225 East in Deer Park, 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 24, 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 Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Shell has paid Four Thousand Dollars (\$4,000) of the administrative penalty and Two Thousand Dollars (\$2,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all

the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Four Thousand Dollars (\$4,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant on January 17, 2008:
 - a. Revised the Phenol Production Unit No. 2 procedure DEPH05G (for the start-up of the Dephenolation Unit) to explicitly identify the fill rate for the extractor; and
 - b. Revised the Phenol Production Unit No. 2 procedure DEPH05E (for the start-up of the Dephenolation Unit) to verify that the pressure control valve on the Dephenolation Extractor Vessel V-8283 is open.
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 prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit No. 3179, Special Condition No. 6, as documented during an investigation conducted on November 15, 2007. Specifically, 1,326.72 pounds ("lbs") of Volatile Organic Compounds ("VOCs") were released into the atmosphere due to the pressure control valve being left in a closed position after maintenance. The emissions event occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, the Respondent failed to meet the demonstration for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Shell Chemical LP, Docket No. 2008-0079-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Four Thousand Dollars (\$4,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this

Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srdelin
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.

Amir Farid
Signature

3/03/2008
Date

AMIR FARID
Name (Printed or typed)
Authorized Representative of
Shell Chemical LP

GENERAL MANAGER
Title

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

Attachment A
Docket Number: 2008-0079-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Shell Chemical LP

Payable Penalty Amount: Eight Thousand Dollars (\$8,000)

SEP Amount: Four Thousand Dollars (\$4,000)

Type of SEP: Pre-approved

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

Location of SEP: Harris 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 Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*.

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

