

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER** Page 1 of 2  
**DOCKET NO.:** 2007-2001-AIR-E **TCEQ ID:** RN100211879 **CASE NO.:** 35107  
**RESPONDENT NAME:** Deer Park Refining Limited Partnership

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> AIR	<input 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><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Shell Oil Deer Park, 5900 Highway 225, Deer Park, Harris County</p> <p><b>TYPE OF OPERATION:</b> Refinery</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There are twelve additional 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, 2008-0079-AIR-E, and 2008-0283-AIR-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on May 12, 2008. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768  <b>TCEQ Enforcement Coordinator:</b> Mr. Thomas Jecha, Enforcement Division, Enforcement Team 3, MC 149, (512) 239-2576; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171  <b>Respondent:</b> Mr. Steve Hansen, Manager of Regulatory Affairs, Deer Park Refining Limited Partnership, 5900 Highway 225, Deer Park, Texas, 77536  Mr. Aamir Farid, General Manager, Deer Park Refining Limited Partnership, 5900 Highway 225, Deer Park, Texas, 77536  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> November 8, 2007</p> <p><b>Date of NOV/NOE Relating to this Case:</b> December 4, 2007 (NOE)</p> <p><b>Background Facts:</b> This was a routine record review.</p> <p><b>AIR</b></p> <p>Failed to prevent unauthorized emissions. Specifically, 2,725 pounds ("lbs") of +C5 hydrocarbon, 353 lbs of benzene, 32 lbs of ethylbenzene, 64 lbs of toluene, and 32 lbs of xylene were released during a September 12, 2007 emissions event that continued for 24 hours. Since this emissions event was avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.715(a), Air Flexible Permit No. 21262, Special Condition No. 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p>	<p><b>Total Assessed:</b> \$10,000</p> <p><b>Total Deferred:</b> \$2,000  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$4,000</p> <p><b>Total Paid to General Revenue:</b> \$4,000</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. Refurbished or replaced the Corrugated Plate Interceptor ("CPI") sump pumps on September 27, 2007; and</p> <p>b. Modified the preventative maintenance procedure to include the monthly field verification of the operability of inlet flow diversion valves to CPIs on January 31, 2008.</p> <p><b>Ordering Provisions:</b></p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. By December 31, 2008, implement measures designed to prevent recurrence of emissions due to the same cause as the September 12, 2007 emissions event (Incident No. 97371); and</p> <p>b. Within 15 days after the completion of the measures in Ordering Provision 2.a., submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance.</p>

Additional ID No(s): HG0659W

Attachment A  
Docket Number: 2007-2001-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** Deer Park Refining Limited Partnership  
**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.



Deer Park Refining Limited Partnership  
Agreed Order – Attachment A

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.





Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision June 26, 2007

<b>DATES</b>	Assigned	10-Dec-2007	Screening	13-Dec-2007	EPA Due	30-Aug-2008
	PCW	14-Dec-2007				

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	Deer Park Refining Limited Partnership		
Reg. Ent. Ref. No.	RN100211879		
Facility/Site Region	12-Houston	Major/Minor Source	Major

<b>CASE INFORMATION</b>				
Enf./Case ID No.	35107	No. of Violations	1	
Docket No.	2007-2001-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Thomas Jecha	
Multi-Media		EC's Team	EnforcementTeam 3	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** Subtotal 1 \$2,500

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

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

**Compliance History** 337% Enhancement Subtotals 2, 3, & 7 \$8,425

Notes: Enhancement for five 1660 agreed orders, two findings orders, one court order with denial of liability, 30 same or similar NOV's, and 44 non-similar NOV's of which 30 are self-reported effluent violations. Penalty reduction for 48 Notice of Audits, nine disclosures of violations, participation in a voluntary pollution reduction program, and an environmental management system in place for one year or more.

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

Notes: The Respondent does not meet the culpability criteria.

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

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

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

**Total EB Amounts** \$130 0% Enhancement\* Subtotal 6 \$0  
 Approx. Cost of Compliance \$2,000 \*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** Final Subtotal \$10,925

**OTHER FACTORS AS JUSTICE MAY REQUIRE** Adjustment \$0

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

Notes:

**Final Penalty Amount** \$10,925

**STATUTORY LIMIT ADJUSTMENT** Final Assessed Penalty \$10,000

**DEFERRAL** 20% Reduction Adjustment -\$2,000

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** \$8,000

**Screening Date** 13-Dec-2007

**Docket No.** 2007-2001-AIR-E

**PCW**

**Respondent** Deer Park Refining Limited Partnership

Policy Revision 2 (September 2002)

**Case ID No.** 35107

PCW Revision June 26, 2007

**Reg. Ent. Reference No.** RN100211879

**Media [Statute]** Air

**Enf. Coordinator** Thomas Jecha

**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	44	88%
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)** 337%

>> **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**

Enhancement for five 1660 agreed orders, two findings orders, one court order with denial of liability, 30 same or similar NOVs, and 44 non-similar NOVs of which 30 are self-reported effluent violations. Penalty reduction for 48 Notice of Audits, nine disclosures of violations, participation in a voluntary pollution reduction program, and an environmental management system in place for one year or more.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 337%

**Screening Date** 13-Dec-2007

**Docket No.** 2007-2001-AIR-E

**PCW**

**Respondent** Deer Park Refining Limited Partnership

Policy Revision 2 (September 2002)

**Case ID No.** 35107

PCW Revision June 26, 2007

**Reg. Ent. Reference No.** RN100211879

**Media [Statute]** Air

**Enf. Coordinator** Thomas Jecha

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code § 116.715(a), Air Flexible Permit No. 21262 Special Condition No.1, and Tex. Health & Safety Code § 382.085(b)

**Violation Description**

Failed to prevent unauthorized emissions. Specifically, 2,725 pounds ("lbs") of +C5 hydrocarbon, 353 lbs of benzene, 32 lbs of ethylbenzene, 64 lbs of toluene, and 32 lbs of xylene were released during a September 12, 2007 emissions event that continued for 24 hours. Since this emissions event was avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

**Base Penalty**

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

OR

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

**Percent**

**>> Programmatic Matrix**

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

**Percent**

Matrix Notes

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

**Adjustment**

**Violation Events**

Number of Violation Events

Number of violation days

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

**Violation Base Penalty**

One quarterly event is recommended.

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent** Deer Park Refining Limited Partnership  
**Case ID No.** 35107  
**Reg. Ent. Reference No.** RN100211879  
**Media Air**  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$2,000	12-Sep-2007	31-Dec-2008	1.3	\$130	n/a	\$130
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs**  
 Estimated cost to implement procedures to prevent and repair problems associated with damaged signal tubing for the CPI sump inlet valve, which led to the September 12, 2007 emissions event. The date required is the emissions event date and the final date is the estimated compliance date.

**Avoided Costs**

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

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

**Notes for AVOIDED costs**

<b>Approx. Cost of Compliance</b>	\$2,000	<b>TOTAL</b>	\$130
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# Compliance History

Customer/Respondent/Owner-Operator:	CN602641664	Deer Park Refining Limited Partnership	Classification: AVERAGE	Rating: 3.85
Regulated Entity:	RN100211879	SHELL OIL DEER PARK	Classification: AVERAGE	Site Rating: 4.03
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	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	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	EPA ID	PSDTX815
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 NUMBER	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	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	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
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	84538
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	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 # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780

Location: 5900 HWY 225 E, DEER PARK, TX, 77536 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 02, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 10, 2002 to December 10, 2007

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

Name: Thomas Jecha Phone: 512 239 2576

### Site Compliance History Components

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

Shell Chemical LP

Shell Oil Company

Deer Park Refining Limited  
Partnership

Shell Oil Company

Equilon Enterprises LLC

06/10/2004

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

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

**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 2%.

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 ppmv.

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 Butene, 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 hour.

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 caused a freeway closure.

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 unspiciated 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	12/17/2002	(16626)
2	12/19/2002	(13703)
3	12/23/2002	(157770)
4	12/23/2002	(15106)
5	12/30/2002	(157725)
6	12/31/2002	(13462)
7	01/09/2003	(19750)
8	01/10/2003	(20830)
9	01/13/2003	(246531)
10	01/24/2003	(17948)
11	01/27/2003	(157729)
12	01/28/2003	(157774)
13	02/05/2003	(23703)
14	02/10/2003	(157684)
15	02/12/2003	(24287)
16	02/13/2003	(22044)
17	02/20/2003	(10139)
18	02/24/2003	(157683)
19	02/24/2003	(22731)
20	02/28/2003	(157734)
21	03/25/2003	(157687)
22	03/31/2003	(10812)
23	03/31/2003	(157737)
24	04/03/2003	(19124)
25	04/23/2003	(157693)
26	04/29/2003	(157742)
27	05/09/2003	(26339)
28	05/10/2003	(450832)
29	05/11/2003	(26340)
30	05/22/2003	(157697)
31	05/27/2003	(157746)
32	05/30/2003	(36614)
33	06/05/2003	(29924)
34	06/16/2003	(114383)
35	06/24/2003	(157701)
36	06/25/2003	(157750)
37	06/26/2003	(60695)
38	06/28/2003	(33595)
39	07/23/2003	(284079)
40	07/23/2003	(295231)
41	07/25/2003	(157705)
42	07/25/2003	(157709)
43	08/06/2003	(114294)
44	08/12/2003	(148558)
45	08/23/2003	(36650)
46	08/26/2003	(295233)
47	08/29/2003	(149848)
48	09/22/2003	(295235)
49	09/25/2003	(295217)
50	10/22/2003	(249626)
51	10/23/2003	(295219)
52	10/27/2003	(295237)
53	10/28/2003	(252341)
54	11/21/2003	(295220)
55	11/26/2003	(295238)
56	11/30/2003	(248256)
57	12/17/2003	(295221)
58	12/23/2003	(295239)
59	01/02/2004	(257380)
60	01/02/2004	(252698)

61	01/04/2004	(251319)
62	01/14/2004	(254260)
63	01/21/2004	(252556)
64	01/22/2004	(295240)
65	01/26/2004	(295222)
66	01/28/2004	(261052)
67	02/23/2004	(248995)
68	02/23/2004	(432673)
69	02/27/2004	(295223)
70	03/16/2004	(295208)
71	03/24/2004	(295225)
72	03/31/2004	(260311)
73	04/16/2004	(256199)
74	04/21/2004	(295209)
75	04/23/2004	(295226)
76	05/19/2004	(256196)
77	05/19/2004	(295206)
78	05/19/2004	(295211)
79	05/25/2004	(268601)
80	05/25/2004	(295228)
81	05/25/2004	(266874)
82	05/26/2004	(273578)
83	06/03/2004	(270210)
84	06/09/2004	(272409)
85	06/18/2004	(271341)
86	06/18/2004	(270854)
87	06/21/2004	(295213)
88	06/23/2004	(352010)
89	07/14/2004	(260134)
90	07/22/2004	(352011)
91	07/26/2004	(352004)
92	08/11/2004	(288458)
93	08/11/2004	(288745)
94	08/11/2004	(287418)
95	08/11/2004	(287399)
96	08/16/2004	(279252)
97	08/16/2004	(279239)
98	08/23/2004	(352012)
99	08/24/2004	(352003)
100	08/24/2004	(352005)
101	08/31/2004	(272715)
102	08/31/2004	(267451)
103	08/31/2004	(268068)
104	08/31/2004	(292677)
105	09/07/2004	(292099)
106	09/22/2004	(352013)
107	09/30/2004	(287575)
108	10/04/2004	(352006)
109	10/18/2004	(335028)
110	10/20/2004	(352007)
111	10/20/2004	(352014)
112	11/11/2004	(289756)
113	11/12/2004	(290146)
114	11/12/2004	(288819)
115	11/22/2004	(285617)
116	11/22/2004	(352015)
117	11/23/2004	(352008)
118	11/29/2004	(339553)
119	12/05/2004	(268602)
120	12/10/2004	(338725)
121	12/11/2004	(341292)
122	12/11/2004	(342406)
123	12/11/2004	(342558)
124	12/14/2004	(341177)
125	12/14/2004	(342547)
126	12/15/2004	(340217)
127	12/17/2004	(339115)
128	12/20/2004	(352016)

129	12/21/2004	(342546)
130	12/27/2004	(352009)
131	12/28/2004	(290091)
132	12/28/2004	(338893)
133	12/29/2004	(342425)
134	12/30/2004	(342431)
135	12/30/2004	(344374)
136	12/30/2004	(344491)
137	01/04/2005	(288475)
138	01/04/2005	(285114)
139	01/04/2005	(288902)
140	01/04/2005	(342600)
141	01/04/2005	(293105)
142	01/05/2005	(289527)
143	01/05/2005	(288541)
144	01/06/2005	(344370)
145	01/06/2005	(344373)
146	01/06/2005	(289146)
147	01/07/2005	(288436)
148	01/09/2005	(289381)
149	01/10/2005	(286434)
150	01/10/2005	(287676)
151	01/10/2005	(279219)
152	01/20/2005	(381814)
153	01/24/2005	(381811)
154	01/26/2005	(342583)
155	01/31/2005	(342585)
156	02/01/2005	(342419)
157	02/22/2005	(350798)
158	02/22/2005	(381812)
159	02/23/2005	(371820)
160	03/22/2005	(381813)
161	03/23/2005	(381809)
162	03/28/2005	(381810)
163	04/01/2005	(346780)
164	04/22/2005	(419640)
165	04/22/2005	(419642)
166	04/22/2005	(575179)
167	04/29/2005	(344372)
168	05/03/2005	(373899)
169	05/09/2005	(378729)
170	05/18/2005	(575182)
171	05/25/2005	(380203)
172	06/17/2005	(392662)
173	06/20/2005	(575185)
174	06/21/2005	(419641)
175	06/21/2005	(419643)
176	06/28/2005	(394944)
177	07/06/2005	(398907)
178	07/13/2005	(374690)
179	07/18/2005	(575188)
180	07/18/2005	(379933)
181	07/18/2005	(379934)
182	07/20/2005	(400891)
183	07/21/2005	(400399)
184	07/28/2005	(379300)
185	08/02/2005	(400361)
186	08/03/2005	(399624)
187	08/05/2005	(341201)
188	08/05/2005	(341194)
189	08/05/2005	(341195)
190	08/05/2005	(341198)
191	08/05/2005	(341200)
192	08/10/2005	(403710)
193	08/15/2005	(453221)
194	08/16/2005	(404329)
195	08/16/2005	(404327)
196	08/18/2005	(404406)

197	08/22/2005	(400922)
198	08/22/2005	(575191)
199	08/23/2005	(401945)
200	08/23/2005	(404915)
201	08/25/2005	(405926)
202	08/30/2005	(401403)
203	09/23/2005	(440775)
204	09/23/2005	(440776)
205	09/27/2005	(575193)
206	09/28/2005	(431096)
207	10/04/2005	(405964)
208	10/05/2005	(407310)
209	10/05/2005	(406803)
210	10/05/2005	(431097)
211	10/05/2005	(431095)
212	10/10/2005	(406428)
213	10/24/2005	(468331)
214	10/24/2005	(575195)
215	10/26/2005	(433389)
216	10/28/2005	(405406)
217	11/03/2005	(431819)
218	11/04/2005	(431796)
219	11/04/2005	(431865)
220	11/14/2005	(371956)
221	11/23/2005	(433921)
222	11/23/2005	(575197)
223	11/28/2005	(437043)
224	11/28/2005	(468332)
225	11/30/2005	(437117)
226	12/08/2005	(418800)
227	12/16/2005	(451110)
228	12/21/2005	(575199)
229	12/22/2005	(575200)
230	12/27/2005	(468333)
231	01/24/2006	(451885)
232	01/24/2006	(468334)
233	01/24/2006	(575201)
234	02/16/2006	(454090)
235	02/21/2006	(455170)
236	02/21/2006	(575174)
237	02/21/2006	(454835)
238	02/23/2006	(455872)
239	02/23/2006	(455897)
240	02/23/2006	(439108)
241	02/24/2006	(438342)
242	02/24/2006	(468329)
243	02/25/2006	(456944)
244	02/25/2006	(457085)
245	02/27/2006	(457162)
246	02/27/2006	(456661)
247	02/28/2006	(457143)
248	02/28/2006	(457152)
249	03/03/2006	(455540)
250	03/09/2006	(457675)
251	03/15/2006	(458469)
252	03/17/2006	(451544)
253	03/20/2006	(431859)
254	03/20/2006	(571632)
255	03/21/2006	(575176)
256	03/23/2006	(290016)
257	03/23/2006	(468330)
258	03/28/2006	(405965)
259	04/03/2006	(455004)
260	04/21/2006	(575180)
261	04/24/2006	(449499)
262	04/24/2006	(498125)
263	04/25/2006	(449838)
264	04/26/2006	(455005)

265	04/27/2006	(440023)
266	04/28/2006	(462216)
267	05/10/2006	(266908)
268	05/10/2006	(268067)
269	05/12/2006	(461088)
270	05/17/2006	(461235)
271	05/17/2006	(466235)
272	05/22/2006	(498126)
273	05/22/2006	(575183)
274	05/26/2006	(460174)
275	05/26/2006	(460095)
276	05/26/2006	(460156)
277	05/26/2006	(460637)
278	05/30/2006	(459416)
279	05/30/2006	(460198)
280	05/31/2006	(480622)
281	05/31/2006	(455293)
282	06/12/2006	(455296)
283	06/13/2006	(457735)
284	06/14/2006	(480612)
285	06/15/2006	(449850)
286	06/16/2006	(575186)
287	06/20/2006	(498127)
288	06/21/2006	(467546)
289	06/23/2006	(467537)
290	06/23/2006	(467329)
291	06/28/2006	(467525)
292	06/30/2006	(463111)
293	06/30/2006	(466561)
294	07/10/2006	(482757)
295	07/11/2006	(482755)
296	07/11/2006	(482760)
297	07/11/2006	(482407)
298	07/14/2006	(467608)
299	07/24/2006	(520133)
300	07/24/2006	(575189)
301	07/26/2006	(487301)
302	07/27/2006	(486448)
303	07/31/2006	(482753)
304	08/08/2006	(482747)
305	08/14/2006	(480383)
306	08/16/2006	(392732)
307	08/18/2006	(457259)
308	08/18/2006	(457480)
309	08/22/2006	(575192)
310	08/23/2006	(457432)
311	08/25/2006	(510170)
312	08/28/2006	(479997)
313	08/29/2006	(509957)
314	08/29/2006	(479999)
315	08/30/2006	(509636)
316	08/31/2006	(457283)
317	09/07/2006	(510326)
318	09/22/2006	(575194)
319	09/25/2006	(520134)
320	09/29/2006	(487313)
321	10/04/2006	(510017)
322	10/04/2006	(512388)
323	10/05/2006	(510021)
324	10/05/2006	(512393)
325	10/05/2006	(512392)
326	10/13/2006	(510023)
327	10/23/2006	(575196)
328	10/24/2006	(544406)
329	10/26/2006	(512394)
330	10/27/2006	(515112)
331	10/31/2006	(513138)
332	10/31/2006	(509694)

333	10/31/2006	(343595)
334	11/03/2006	(513228)
335	11/03/2006	(513328)
336	11/06/2006	(515706)
337	11/16/2006	(512687)
338	11/16/2006	(514711)
339	11/21/2006	(517284)
340	11/22/2006	(575198)
341	11/27/2006	(544407)
342	11/30/2006	(379581)
343	12/07/2006	(488023)
344	12/07/2006	(488025)
345	12/07/2006	(487985)
346	12/07/2006	(488004)
347	12/15/2006	(508968)
348	12/21/2006	(534053)
349	12/27/2006	(544408)
350	12/27/2006	(544409)
351	12/29/2006	(343599)
352	01/19/2007	(531892)
353	01/22/2007	(575202)
354	01/31/2007	(537439)
355	01/31/2007	(538238)
356	01/31/2007	(538659)
357	02/17/2007	(532455)
358	02/20/2007	(457345)
359	02/22/2007	(575167)
360	02/22/2007	(575175)
361	02/23/2007	(532463)
362	02/23/2007	(532452)
363	02/27/2007	(532471)
364	03/01/2007	(509707)
365	03/05/2007	(406521)
366	03/21/2007	(575177)
367	03/23/2007	(575168)
368	04/12/2007	(554202)
369	04/19/2007	(575169)
370	04/23/2007	(575181)
371	04/25/2007	(542681)
372	04/25/2007	(532459)
373	04/26/2007	(541475)
374	04/30/2007	(542592)
375	04/30/2007	(542683)
376	05/07/2007	(537121)
377	05/08/2007	(542690)
378	05/09/2007	(467500)
379	05/14/2007	(542697)
380	05/16/2007	(575170)
381	05/18/2007	(542652)
382	05/22/2007	(575184)
383	05/29/2007	(559183)
384	05/30/2007	(560809)
385	06/20/2007	(575171)
386	06/22/2007	(575187)
387	06/25/2007	(563779)
388	06/25/2007	(564308)
389	06/27/2007	(564822)
390	06/27/2007	(564828)
391	07/06/2007	(565610)
392	07/10/2007	(565422)
393	07/20/2007	(575172)
394	07/20/2007	(575173)
395	07/23/2007	(575178)
396	07/23/2007	(575190)
397	08/01/2007	(567841)
398	08/03/2007	(568522)
399	08/13/2007	(571026)
400	08/14/2007	(567884)

401 08/15/2007 (571883)  
 402 08/17/2007 (571025)  
 403 08/22/2007 (607528)  
 404 09/18/2007 (571877)  
 405 09/19/2007 (572770)  
 406 09/20/2007 (601572)  
 407 09/24/2007 (607529)  
 408 10/12/2007 (560777)  
 409 10/16/2007 (593594)  
 410 10/18/2007 (601573)  
 411 10/25/2007 (596852)  
 412 11/06/2007 (593367)  
 413 11/06/2007 (565492)  
 414 11/15/2007 (597968)  
 415 11/15/2007 (597891)  
 416 11/19/2007 (572257)  
 417 11/19/2007 (599691)  
 418 11/20/2007 (619483)  
 419 11/27/2007 (597446)  
 420 11/30/2007 (608138)  
 421 11/30/2007 (601276)  
 422 12/04/2007 (600886)

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

Date: 12/16/2002 (16626)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(1)

Description: Failure to protect the vent opening on the ground storage tank with a 16-mesh or finer corrosion resistant screen.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(D)

Description: Failure to provide scales for determining the amount of disinfectant used daily.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Description: Failure to seal the wellhead with the use of gaskets or a pliable crack-resistant caulking compound.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Description: Failure to seal the wellhead with the use of gaskets or a pliable crack-resistant caulking compound.

Date: 12/30/2002 (13462)

Self Report? NO Classification: Minor

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

Description: Failure to comply with permitted effluent limits for pH, Oil and Grease, TOC, and BOD.

Date: 12/31/2002 (157729)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)

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

Date: 01/24/2003 (17948)

Self Report? NO Classification: Moderate

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 Classification: Moderate

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

TWC Chapter 26 26.121(a)

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

Date: 06/28/2003 (33595)

Self Report? NO Classification: Moderate

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 Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 09/30/2003 (295219)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 11/30/2003 (295239)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 01/04/2004 (251319)  
 Self Report? NO Classification: Moderate  
 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 alarm from the back up high level  
 alarm system.  
 Date: 01/14/2004 (254260)  
 Self Report? NO Classification: Moderate  
 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  
 supply to the steam turbines driving the large critical compressors.  
 Date: 01/21/2004 (252556)  
 Self Report? NO Classification: Moderate  
 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  
 startup activity.  
 Date: 04/30/2004 (295228)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/30/2004 (352011)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 07/13/2004 (260134)  
 Self Report? NO Classification: 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 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 and PSD-TX-974, GC #8  
 Description: Failure to operate within the permit limits.  
 Date: 08/31/2004 (267451)

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

Self Report? NO Classification: Moderate  
 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 Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 11/22/2004 (285617)

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

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
 Description: Failure to indicate the air contaminants from the flare completely in the final  
 report.  
 Date: 11/30/2004 (352009)

Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 12/14/2004 (340217)

Self Report? NO Classification: Moderate  
 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 Table 1.  
 Date: 12/28/2004 (290091)

Self Report? NO Classification: Moderate  
 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 system.  
 Date: 12/30/2004 (344491)

Self Report? NO Classification: Moderate  
 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 Classification: Moderate  
 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 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 and PSD-TX-974, GC # 8  
 Description: Failure to control hydrate formation in the demethanizer column.  
 Self Report? NO Classification: Moderate  
 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 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT No. 21262 and PSD-TX-928  
 Description: Exceeded permit limits during an avoidable emissions event.  
 Date: 01/09/2005 (289381)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 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 Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 04/29/2005 (344372)  
 Self Report? NO Classification: Moderate  
 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 Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/20/2005 (395120)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT No. 9334, Gen. Condition #8  
 Description: Failure to prevent spill during tank heel transfer.  
 Self Report? NO Classification: 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 Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 07/31/2005 (575191)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 08/17/2005 (404327)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)  
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 110.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)  
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 150.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)  
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 180.  
 Date: 09/30/2005 (468331)  
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 10/10/2005 (406428)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to control emissions.  
 Date: 11/30/2005 (575199)  
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 12/08/2005 (418800)  
 Self Report? NO Classification: Moderate

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 001 in 03/05.  
 Date: 02/23/2006 (439108)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PA 3219 AND PSD-TX-974  
 Description: Exceeded permit limits during an avoidable emissions event.  
 Date: 02/27/2006 (438342)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failed to control unauthorized emissions.  
 Date: 04/04/2006 (455004)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PA NSR Permit #3173, Special Condition #1  
 Description: Failure to control unauthorized emissions for Incident #64365.  
 Date: 05/17/2006 (461235)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)  
 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 Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP 1668, Special Condition 1A  
 Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.  
 Self Report? NO Classification: Moderate

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 Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1946, Special Condition 1A  
 OP 1946, Special Condition 21  
 PERMIT 3216, Special Condition 6E  
 PERMIT 3218, Special Condition 8E

Description: Nine OELs in HT2; 2 OELs in CIPX

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 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 Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)

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 Classification: Moderate

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

Rqmt Prov: OP 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 Classification: Moderate

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

Rqmt Prov: OP 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 Classification: Moderate

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

Rqmt Prov: PERMIT No. 3219 and PSD-TX-974 MAERT

Description: Failure to prevent an operator error resulting in unauthorized emissions.

Date: 06/15/2006 (457735)

Self Report? NO Classification: Moderate

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

Rqmt Prov: 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 unauthorized emissions.

Date: 06/16/2006 (510170)

Self Report? NO Classification: 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 Classification: Moderate  
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 Column, V-613.  
Date: 06/30/2006 (520133)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 07/14/2006 (467608)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: PERMIT No 3219 MAERT  
Description: Failure to prevent unauthorized emissions during decoking of furnace FOL170.  
Date: 07/31/2006 (440775)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 07/31/2006 (575192)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 08/18/2006 (457259)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
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 Classification: 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 Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)  
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 Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
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 IPACRUFE; 1 OEL in HPLANTFE

Self Report? NO Classification: 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 Classification: Minor

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

Rqmt Prov: OP 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 Classification: Moderate

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 Classification: Moderate

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

Rqmt Prov: OP 1948, Special Condition 1H(iv)

Description: Failure to repair Component No. 200706 in IPACRUFE within seven days

Self Report? NO Classification: 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

Date: 08/28/2006 (479997)

Self Report? NO Classification: Moderate

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 days

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 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 Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: 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 Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)  
 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 PYR3FUG

Self Report? NO Classification: Moderate  
 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 Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)  
 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 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 9334, Special Condition 7  
 OP O-1943, Special Condition 17  
 Description: Incomplete records of furnace firing rates for the ACU furnace, EPN H902

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)  
 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 date of May 2005

Self Report? NO Classification: 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 Classification: 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 16, 2005

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter 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 Classification: 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 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 48912, Special Condition 5  
 OP O-2108, Special Condition 15  
 Description: Failure to analyze wastewater for isobutyraldehyde

Self Report? NO Classification: Moderate  
 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 separators NAPI and SAPI

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2)  
 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 Classification: Moderate  
 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 Flare, EPN A1301  
 Date: 11/03/2006 (513328)

Self Report? NO Classification: 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 Classification: Minor  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP FOP #O-01669, Special Condition #1A  
 Description: Failure to record the daily visual observations of flare per 30 TAC 111.111(a)(4)(A)(ii).

Self Report? NO Classification: Moderate  
 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 Classification: Minor

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

Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).

Date: 11/30/2006 (544408)

Self Report? YES Classification: Moderate

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

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

Date: 12/31/2006 (544409)

Self Report? YES Classification: Moderate

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

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

Date: 02/23/2007 (532452)

Self Report? NO Classification: 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 61.246(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 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 Classification: Minor

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

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-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 TAC115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP O-01946, Special Condition 21  
PA NSR Permit 3216, Special Condition 5

Description: 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 Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(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 Classification: Minor

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

Rqmt Prov: OP FOP O-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 January 23, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter 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 Classification: Moderate

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 Classification: 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 60.113b(b)(1)  
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 Classification: Moderate

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).  
 Date: 02/27/2007 (532471)  
 Self Report? NO Classification: Moderate  
 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 Classification: 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 Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
 Date: 02/28/2007 (575177)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
 Date: 03/31/2007 (575169)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
 Date: 04/30/2007 (575170)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
 Date: 05/14/2007 (542697)  
 Self Report? NO Classification: 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 Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
 Date: 05/31/2007 (575187)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/30/2007 (575172)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
 Date: 07/31/2007 (575173)  
 Self Report? YES Classification: Moderate  
 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 Classification: 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 Classification: Moderate  
 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: 09/30/2007 (601573)  
 Self Report? YES Classification: Moderate  
 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 116.110(a)  
 Description: Failed to authorize emissions from rail car cleaning.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.10  
 Description: Failed to report emissions from EPN Carclean in emissions inventory.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter F 115.541  
 Description: Failed to justify control efficiency of railcar cleaning CAS.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter F 115.546  
 Description: Failed to keep records of CAS breakthrough monitoring.  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(4)(C)(iii)  
 Description: failed to submit compliance plan with application  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter F 115.541  
 Description: failed to process tank cars with partial vapor pressure of  $\geq 0.5$  psia through properly operating control system  
 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 (263886)  
 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 115.116(a)  
 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 115.136(a)(1)

30 TAC Chapter 115, SubChapter B 115.136(a)(4)

Description: records not available for daily sampling/analysis results for vapor pressure of the wastewater streams  
proccsed 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 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(5)

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: 40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.3(b)(2)

30 TAC Chapter 335, SubChapter A 335.1(59)

Description: Failure to characterize a process water stream from a leaking economizer, which contained K022 waste.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(b)

30 TAC Chapter 335, SubChapter R 335.504

30 TAC Chapter 335, SubChapter R 335.511

30 TAC Chapter 335, SubChapter R 335.513

30 TAC Chapter 335, SubChapter C 335.62

Description: Failure to characterize wastewater treatment plant residues carrying the K022 waste code.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.2(b)

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 305.62

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 113.320  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(d)(5)

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 equipment in light crude service

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

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 GGG 60.590(a)(3)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(b)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)

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 101.10(b)  
30 TAC Chapter 101, SubChapter A 101.10(c)  
30 TAC Chapter 101, SubChapter A 101.10(d)  
30 TAC Chapter 101, SubChapter A 101.10(e)  
40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30(a)

Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.100  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)

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 report was submitted

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.320  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(l)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(f)(1)(ii)

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 113.110  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(6)

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 requirements

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)

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 61.347(a)(1)(i)(A)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(b)

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 63.105(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(d)

Description: failed to meet requirements for maintenance/start-up/shutdown related activities

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110

Description: incorporation by reference of 40 CFR 63 Subpart F (SOCMI MACT standard)

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

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: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

30 TAC Chapter 335, SubChapter C 335.69

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 hazardous waste (D002, D018).

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-359

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 113.120

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)

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).

N/A

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  
DEER PARK REFINING LIMITED  
PARTNERSHIP  
RN100211879**

§  
§  
§  
§  
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§

**BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2007-2001-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 Deer Park Refining Limited Partnership ("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 Respondent appear before the Commission and together stipulate that:

1. The Respondent owns a refinery at 5900 Highway 225 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 9, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.



6. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent 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.
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:
  - a. Refurbished or replaced the Corrugated Plate Interceptor ("CPI") sump pumps on September 27, 2007; and
  - b. Modified the preventative maintenance procedure to include the monthly field verification of the operability of inlet flow diversion valves to CPIs on January 31, 2008.
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 of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), Air Flexible Permit No. 21262, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on November 8, 2007. Specifically, 2,725 pounds ("lbs") of +C5 hydrocarbon, 353 lbs of benzene, 32 lbs of ethylbenzene, 64 lbs of toluene, and 32 lbs of xylene were released during a September 12, 2007 emissions event that continued for 24 hours. Since this emissions event was avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.



### 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: Deer Park Refining Limited Partnership, Docket No. 2007-2001-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 Supplemental Environmental Project ("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. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. By December 31, 2008, implement measures designed to prevent recurrence of emissions due to the same cause as the September 12, 2007 emissions event (Incident No. 97371); and
  - b. Within 15 days after the completion of the measures in Ordering Provision 3.a., submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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



The certification shall be submitted to:

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

with a copy to:

Air Section, Manager  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Avenue, Suite H  
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the



Deer Park Refining Limited Partnership

DOCKET NO. 2007-2001-AIR-E

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Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.



## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

*John S. Sullivan*  
For the Executive Director

6/18/08  
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

03/03/2008  
Date

AAMIR FARID  
Name (Printed or typed)  
Authorized Representative of  
Deep Park Refining Limited Partnership

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: 2007-2001-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** Deer Park Refining Limited Partnership  
**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.

