

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2007-2006-AIR-E **TCEQ ID:** RN100219252 **CASE NO.:** 35108  
**RESPONDENT NAME:** Huntsman Petrochemical Corporation

<b>ORDER TYPE:</b>		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<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> Huntsman Port Neches, 6001 Highway 366, Port Neches, Jefferson County</p> <p><b>TYPE OF OPERATION:</b> Petrochemical plant</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2008-0466-AIR-E and 2008-0664-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 June 2, 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. Aaron Houston, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8784;  Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171  <b>Respondent:</b> Mr. Steven Barre, Site Manager, Huntsman Petrochemical Corporation, 6001 Highway 366, Port Neches, Texas 77651  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> October 9 through 11 and November 1 through 2, 2007</p> <p><b>Date of NOV/NOE Relating to this Case:</b> November 28, 2007 (NOE)</p> <p><b>Background Facts:</b> These were routine investigations.</p> <p><b>AIR</b></p> <p>1) Failure to prevent unauthorized emissions which occurred on August 18, 2007. Specifically, 316 pounds ("lbs") of ethylene and 2.0 lbs of ethylene oxide were released from F-4 Argon Vent. F-4 Argon Vent is not an authorized emissions point. The upset condition was caused by a waste gas feed valve to the incinerator being left open; the increase in waste gas pressure opened the F-4 Regenerator and Argon Vents. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), New Source Review ("NSR") Permit 5972A, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-1320, General Terms and Conditions ("GTC"), and SC 13A].</p> <p>2) Failure to properly report an unauthorized emissions event [30 TEX. ADMIN. CODE §§ 101.201(a)(1) and 122.143(4), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), and FOP O-1322, GTC, and SC 2F].</p> <p>3) Failure to prevent unauthorized emissions which occurred on August 20, 2007. Specifically, 294.12 lbs of volatile</p>	<p><b>Total Assessed:</b> \$29,482</p> <p><b>Total Deferred:</b> \$0  <input type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$14,741</p> <p><b>Total Paid to General Revenue:</b> \$14,741</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>Findings Orders Justification:</b> Human health has been exposed to pollutants which exceed levels that are protective.</p>	<p><b>Ordering Provisions:</b></p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Implement procedures designed to prevent emissions events that occurred on August 18, August 20, and May 9, 2007, due to a same or similar cause; and</p> <p>ii. Implement procedures designed to ensure all constituents which exceeded a reportable quantity are identified and included within the designated reporting period.</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.</p>

organic compounds ("VOCs") (propylene and propylene oxide) were released without authorization from POFLARE due to the C-F5-005 Compressor trip. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 20160, SC 1, and FOP O-1322, GTC, and SC 17A].

4) Failure to prevent unauthorized emissions which occurred on May 9, 2007. Specifically, 7,658 lbs of propylene oxide was released from tank T-O-136 pressure release valves ("PRVs"). PRVs are not an authorized emissions point. Several contracted workers experienced nausea as a result of this emissions event. The emissions event was caused due to improper use of the pig trap and a lack of pressure monitoring during the operation. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 20160, and FOP O-1322, GTC, and SC 17].

Additional ID No(s): JE0052V



Attachment A  
Docket Number: 2007-2006-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** Huntsman Petrochemical Corporation

**Payable Penalty Amount:** Twenty Nine Thousand Four Hundred Eighty-Two Dollars (\$29,482)

**SEP Amount:** Fourteen Thousand Seven Hundred Forty-One Dollars (\$14,741)

**Type of SEP:** Pre-approved

**Third-Party Recipient:** Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Clean School Buses

**Location of SEP:** Jefferson County

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

**1. Project Description**

A. Project

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

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

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

B. Environmental Benefit

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



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

C. Minimum Expenditure

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

**2. Performance Schedule**

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

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

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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



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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

**TCEQ**

<b>DATES</b>	Assigned	3-Dec-2007	Screening	13-Dec-2007	EPA Due	
	PCW	14-Jan-2008				

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

<b>CASE INFORMATION</b>			
Enf./Case ID No.	35108	No. of Violations	4
Docket No.	2007-2006-AIR-E	Order Type	Findings
Media Program(s)	Air	Enf. Coordinator	Aaron Houston
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

## Penalty Calculation Section

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

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

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

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

Notes: Penalty enhancement due to: eight (8) NOVs with same or similar violations, five (5) NOVs for unrelated violations, three (3) Agreed Orders containing a denial of liability, seven (7) Agreed Orders without a denial of liability. Penalty reduction for three (3) letters of intended audits.

**Culpability**   Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

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

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

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

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

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

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL**  Reduction **Adjustment**

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

Notes:

No deferral is recommended for Findings Orders.

**PAYABLE PENALTY**

**Screening Date** 13-Dec-2007

**Docket No.** 2007-2006-AIR-E

**PCW**

**Respondent** Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

**Case ID No.** 35108

PCW Revision November 6, 2007

**Reg. Ent. Reference No.** RN100219252

**Media [Statute]** Air

**Enf. Coordinator** Aaron Houston

**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)	8	40%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	7	175%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 282%

>> **Repeat Violator (Subtotal 3)**

No

**Adjustment Percentage (Subtotal 3)** 0%

>> **Compliance History Person Classification (Subtotal 7)**

Average Performer

**Adjustment Percentage (Subtotal 7)** 0%

>> **Compliance History Summary**

**Compliance History Notes**

Penalty enhancement due to: eight (8) NOVs with same or similar violations, five (5) NOVs for unrelated violations, three (3) Agreed Orders containing a denial of liability, seven (7) Agreed Orders without a denial of liability. Penalty reduction for three (3) letters of intended audits.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 282%

<b>Screening Date</b> 13-Dec-2007	<b>Docket No.</b> 2007-2006-AIR-E	<b>PCW</b>												
<b>Respondent</b> Huntsman Petrochemical Corporation		<i>Policy Revision 2 (September 2002)</i>												
<b>Case ID No.</b> 35108		<i>PCW Revision November 6, 2007</i>												
<b>Reg. Ent. Reference No.</b> RN100219252														
<b>Media [Statute]</b> Air														
<b>Enf. Coordinator</b> Aaron Houston														
<b>Violation Number</b> <input type="text" value="1"/>														
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), New Source Review ("NSR") Permit 5972A, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-1320, General Terms and Conditions ("GTC"), and SC 13A													
<b>Violation Description</b>	Failed to prevent unauthorized emissions which occurred on August 18, 2007, from 3:22 a.m. until 5:05 a.m. (Incident No. 96142). Specifically, 316 pounds ("lbs") of ethylene and 2.0 lbs of ethylene oxide were released from F-4 Argon Vent. F-4 Argon Vent is not an authorized emissions point. The upset condition was caused by a waste gas feed valve to the incinerator being left open; the increase in waste gas pressure opened the F-4 Regenerator and Argon Vents. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.													
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>												
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>														
<b>OR</b>	<b>Harm</b>													
	Release    Major    Moderate    Minor													
	Actual <input type="text"/> <input type="text"/> <input type="text" value="x"/>	<b>Percent</b> <input type="text" value="25%"/>												
Potential <input type="text"/> <input type="text"/> <input type="text"/>														
<b>&gt;&gt; Programmatic Matrix</b>														
	Falsification    Major    Moderate    Minor													
	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<b>Percent</b> <input type="text" value="0%"/>												
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.													
	<b>Adjustment</b>	<input type="text" value="\$7,500"/>												
		<input type="text" value="\$2,500"/>												
<b>Violation Events</b>														
	<b>Number of Violation Events</b> <input type="text" value="1"/>	<input type="text" value="1"/> <b>Number of violation days</b>												
<i>mark only one with an x</i>	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text" value="x"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text" value="x"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$2,500"/>
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input type="text" value="x"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text"/>													
	One quarterly event is recommended.													
<b>Economic Benefit (EB) for this violation</b>														
<b>Statutory Limit Test</b>														
<b>Estimated EB Amount</b>	<input type="text" value="\$197"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$9,550"/>												
	<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$9,550"/>													

## Economic Benefit Worksheet

**Respondent:** Huntsman Petrochemical Corporation  
**Case ID No.:** 35108  
**Reg. Ent. Reference No.:** RN100219252  
**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	\$5,000	18-Aug-2007	31-May-2008	0.8	\$197	n/a	\$197
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 of training personnel in the proper operation of the F-4 Regenerator Unit. Date required is the date of the emissions event and the final date is the estimated date corrective actions will be completed.

**Avoided Costs**

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

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

**Notes for AVOIDED costs**

<b>Approx. Cost of Compliance</b>	\$5,000	<b>TOTAL</b>	\$197
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**Screening Date** 13-Dec-2007

**Docket No.** 2007-2006-AIR-E

**PCW**

**Respondent** Huntsman Petrochemical Corporation

*Policy Revision 2 (September 2002)*

**Case ID No.** 35108

*PCW Revision November 6, 2007*

**Reg. Ent. Reference No.** RN100219252

**Media [Statute]** Air

**Enf. Coordinator** Aaron Houston

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code §§ 101.201(a)(1) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP O-1322, GTC, and SC 2F

**Violation Description** Failed to properly report an unauthorized emissions event. The Respondent failed to submit an initial notification of a reportable emissions event involving emissions from the POFLARE due to the C-F5-005 Compressor trip. (Incident No. 96143). The Respondent failed to submit initial notification for reportable emissions of propylene and propylene oxide.

**Base Penalty**

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

**>> Programmatic Matrix**

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	<input type="text" value="1%"/>

At least 70% of the requirement was met.

**Adjustment**

**Violation Events**

Number of Violation Events  Number of violation days

*mark only one with an x*

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

**Violation Base Penalty**

One single 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** Huntsman Petrochemical Corporation  
**Case ID No.** 35108  
**Reg. Ent. Reference No.** RN100219252  
**Media Air**  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

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

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$2,000	20-Aug-2007	31-May-2008	0.8	\$78	n/a	\$78
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 of training personnel in properly reporting all emissions that meet or exceed a reportable quantity. Date required is the date of the emissions event and the final date is the estimated date corrective actions will be completed.

**Avoided Costs**

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$78

**Screening Date** 13-Dec-2007

**Docket No.** 2007-2006-AIR-E

**PCW**

**Respondent** Huntsman Petrochemical Corporation

*Policy Revision 2 (September 2002)*

**Case ID No.** 35108

*PCW Revision November 6, 2007*

**Reg. Ent. Reference No.** RN100219252

**Media [Statute]** Air

**Enf. Coordinator** Aaron Houston

**Violation Number**

**Rule Cite(s)**

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 20160, SC 1, FOP O-1322, GTC, and SC 17A

**Violation Description**

Failed to prevent unauthorized emissions which occurred on August 20, 2007, from 11:45 a.m. through 12:45 p.m. (Incident No. 96143). Specifically, 294.12 lbs of volatile organic compounds ("VOCs") (propylene and propylene oxide) were released without authorization from POFLARE due to the C-F5-005 Compressor trip. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

**Base Penalty**

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

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

**>> Programmatic Matrix**

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

**Matrix Notes**

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

**Adjustment**

**Violation Events**

Number of Violation Events  Number of violation days

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

**Violation Base Penalty**

**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** Huntsman Petrochemical Corporation  
**Case ID No.** 35108  
**Reg. Ent. Reference No.** RN100219252  
**Media Air**  
**Violation No.** 3

<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	\$5,000	20-Aug-2007	31-May-2008	0.8	\$13	\$260	\$273
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	\$5,000	20-Aug-2007	31-May-2008	0.8	\$195	n/a	\$195
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs** Estimated cost for equipment and training related to the cause of this emissions event. Date required is the date of the emissions event and the final date is the estimated date corrective actions will be completed.

**Avoided Costs**

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

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

**Notes for AVOIDED costs**

<b>Approx. Cost of Compliance</b>	\$10,000	<b>TOTAL</b>	\$468
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**Screening Date** 13-Dec-2007

**Docket No.** 2007-2006-AIR-E

**PCW**

**Respondent** Huntsman Petrochemical Corporation

*Policy Revision 2 (September 2002)*

**Case ID No.** 35108

*PCW Revision November 6, 2007*

**Reg. Ent. Reference No.** RN100219252

**Media [Statute]** Air

**Enf. Coordinator** Aaron Houston

**Violation Number**

**Rule Cite(s)**  
30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 20160, and FOP O-1322, GTC, and SC 17

**Violation Description**

Failed to prevent unauthorized emissions which occurred on May 9, 2007, from 10:00 a.m. until 12:00 p.m. (Incident No. 90961). Specifically, 7,658 lbs of propylene oxide was released from tank T-O-136 pressure release valves ("PRVs"). PRVs are not an authorized emissions point. Several contracted workers experienced nausea as a result of this emissions event. The emissions event was caused due to improper use of the pig trap and a lack of pressure monitoring during the operation. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

**Base Penalty**

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

OR

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

**Percent**

**>> Programmatic Matrix**

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

**Percent**

**Matrix Notes**

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of this violation.

**Adjustment**

**Violation Events**

Number of Violation Events

Number of violation days

*mark only one with an x*

daily	<input checked="" type="checkbox"/>
monthly	<input type="checkbox"/>
quarterly	<input type="checkbox"/>
semiannual	<input type="checkbox"/>
annual	<input type="checkbox"/>
single event	<input type="checkbox"/>

**Violation Base Penalty**

One daily 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** Huntsman Petrochemical Corporation  
**Case ID No.** 35108  
**Reg. Ent. Reference No.** RN100219252  
**Media Air**  
**Violation No.** 4

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

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

**Delayed Costs**

Equipment	\$5,000	9-May-2007	31-May-2008	1.1	\$18	\$354	\$372
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	\$5,000	9-May-2007	31-May-2008	1.1	\$266	n/a	\$266
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for equipment and training related to the cause of this emissions event. Date required is the date of the emissions event and the final date is the estimated date corrective actions will be completed.

**Avoided Costs**

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$638

## Compliance History

Customer/Respondent/Owner-Operator:	CN600632848	Huntsman Petrochemical Corporation	Classification: AVERAGE	Rating: 6.86
Regulated Entity:	RN100219252	HUNTSMAN PORT NECHES	Classification: AVERAGE	Site Rating: 40.52

ID Number(s):			
	AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0052V
	AIR OPERATING PERMITS	PERMIT	1320
	AIR OPERATING PERMITS	PERMIT	2286
	AIR OPERATING PERMITS	PERMIT	2287
	AIR OPERATING PERMITS	PERMIT	2288
	AIR OPERATING PERMITS	PERMIT	1322
	AIR OPERATING PERMITS	PERMIT	1327
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008076846
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30029
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	35486
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	40711
	AIR NEW SOURCE PERMITS	REGISTRATION	71975
	AIR NEW SOURCE PERMITS	REGISTRATION	71986
	AIR NEW SOURCE PERMITS	PERMIT	51889
	AIR NEW SOURCE PERMITS	PERMIT	51736
	AIR NEW SOURCE PERMITS	PERMIT	52715
	AIR NEW SOURCE PERMITS	PERMIT	54551
	AIR NEW SOURCE PERMITS	PERMIT	54550
	AIR NEW SOURCE PERMITS	PERMIT	53515
	AIR NEW SOURCE PERMITS	PERMIT	54565
	AIR NEW SOURCE PERMITS	PERMIT	55077
	AIR NEW SOURCE PERMITS	REGISTRATION	55261
	AIR NEW SOURCE PERMITS	PERMIT	53808
	AIR NEW SOURCE PERMITS	REGISTRATION	75754
	AIR NEW SOURCE PERMITS	REGISTRATION	75597
	AIR NEW SOURCE PERMITS	REGISTRATION	76018
	AIR NEW SOURCE PERMITS	REGISTRATION	75748
	AIR NEW SOURCE PERMITS	REGISTRATION	76383
	AIR NEW SOURCE PERMITS	PERMIT	54935
	AIR NEW SOURCE PERMITS	REGISTRATION	55753
	AIR NEW SOURCE PERMITS	REGISTRATION	70023
	AIR NEW SOURCE PERMITS	REGISTRATION	70024
	AIR NEW SOURCE PERMITS	REGISTRATION	56738
	AIR NEW SOURCE PERMITS	REGISTRATION	56737
	AIR NEW SOURCE PERMITS	PERMIT	56390
	AIR NEW SOURCE PERMITS	REGISTRATION	56243
	AIR NEW SOURCE PERMITS	REGISTRATION	70571
	AIR NEW SOURCE PERMITS	REGISTRATION	70781
	AIR NEW SOURCE PERMITS	REGISTRATION	70858
	AIR NEW SOURCE PERMITS	REGISTRATION	71038
	AIR NEW SOURCE PERMITS	REGISTRATION	71506
	AIR NEW SOURCE PERMITS	REGISTRATION	71126
	AIR NEW SOURCE PERMITS	REGISTRATION	71130
	AIR NEW SOURCE PERMITS	REGISTRATION	70726
	AIR NEW SOURCE PERMITS	PERMIT	53551
	AIR NEW SOURCE PERMITS	PERMIT	54057
	AIR NEW SOURCE PERMITS	PERMIT	52313
	AIR NEW SOURCE PERMITS	PERMIT	52318
	AIR NEW SOURCE PERMITS	PERMIT	56077
	AIR NEW SOURCE PERMITS	PERMIT	56073
	AIR NEW SOURCE PERMITS	REGISTRATION	72336
	AIR NEW SOURCE PERMITS	PERMIT	54328
	AIR NEW SOURCE PERMITS	PERMIT	70011
	AIR NEW SOURCE PERMITS	PERMIT	52583
	AIR NEW SOURCE PERMITS	PERMIT	54219
	AIR NEW SOURCE PERMITS	PERMIT	53979
	AIR NEW SOURCE PERMITS	REGISTRATION	72310
	AIR NEW SOURCE PERMITS	PERMIT	52531
	AIR NEW SOURCE PERMITS	PERMIT	54231

AIR NEW SOURCE PERMITS	PERMIT	54570
AIR NEW SOURCE PERMITS	PERMIT	54234
AIR NEW SOURCE PERMITS	PERMIT	53005
AIR NEW SOURCE PERMITS	REGISTRATION	72329
AIR NEW SOURCE PERMITS	REGISTRATION	71751
AIR NEW SOURCE PERMITS	REGISTRATION	73102
AIR NEW SOURCE PERMITS	REGISTRATION	72802
AIR NEW SOURCE PERMITS	PERMIT	52077
AIR NEW SOURCE PERMITS	PERMIT	54881
AIR NEW SOURCE PERMITS	PERMIT	50360
AIR NEW SOURCE PERMITS	REGISTRATION	73927
AIR NEW SOURCE PERMITS	REGISTRATION	73665
AIR NEW SOURCE PERMITS	REGISTRATION	73663
AIR NEW SOURCE PERMITS	PERMIT	72907
AIR NEW SOURCE PERMITS	REGISTRATION	73601
AIR NEW SOURCE PERMITS	REGISTRATION	73956
AIR NEW SOURCE PERMITS	PERMIT	74236
AIR NEW SOURCE PERMITS	REGISTRATION	74511
AIR NEW SOURCE PERMITS	REGISTRATION	74362
AIR NEW SOURCE PERMITS	REGISTRATION	74296
AIR NEW SOURCE PERMITS	REGISTRATION	74096
AIR NEW SOURCE PERMITS	REGISTRATION	74838
AIR NEW SOURCE PERMITS	REGISTRATION	75203
AIR NEW SOURCE PERMITS	REGISTRATION	75183
AIR NEW SOURCE PERMITS	REGISTRATION	75202
AIR NEW SOURCE PERMITS	REGISTRATION	74849
AIR NEW SOURCE PERMITS	REGISTRATION	74851
AIR NEW SOURCE PERMITS	REGISTRATION	75064
AIR NEW SOURCE PERMITS	REGISTRATION	76932
AIR NEW SOURCE PERMITS	REGISTRATION	76510
AIR NEW SOURCE PERMITS	REGISTRATION	76627
AIR NEW SOURCE PERMITS	REGISTRATION	76732
AIR NEW SOURCE PERMITS	REGISTRATION	76950
AIR NEW SOURCE PERMITS	REGISTRATION	77129
AIR NEW SOURCE PERMITS	REGISTRATION	77217
AIR NEW SOURCE PERMITS	REGISTRATION	77327
AIR NEW SOURCE PERMITS	REGISTRATION	78199
AIR NEW SOURCE PERMITS	REGISTRATION	79036
AIR NEW SOURCE PERMITS	REGISTRATION	78974
AIR NEW SOURCE PERMITS	PERMIT	44055
AIR NEW SOURCE PERMITS	PERMIT	44123
AIR NEW SOURCE PERMITS	PERMIT	44124
AIR NEW SOURCE PERMITS	PERMIT	44125
AIR NEW SOURCE PERMITS	PERMIT	44164
AIR NEW SOURCE PERMITS	PERMIT	44165
AIR NEW SOURCE PERMITS	PERMIT	44034
AIR NEW SOURCE PERMITS	PERMIT	44295
AIR NEW SOURCE PERMITS	PERMIT	44434
AIR NEW SOURCE PERMITS	PERMIT	44454
AIR NEW SOURCE PERMITS	PERMIT	44555
AIR NEW SOURCE PERMITS	PERMIT	44556
AIR NEW SOURCE PERMITS	PERMIT	44561
AIR NEW SOURCE PERMITS	PERMIT	44694
AIR NEW SOURCE PERMITS	PERMIT	44812
AIR NEW SOURCE PERMITS	PERMIT	45089
AIR NEW SOURCE PERMITS	PERMIT	45090
AIR NEW SOURCE PERMITS	PERMIT	45094
AIR NEW SOURCE PERMITS	PERMIT	45198
AIR NEW SOURCE PERMITS	PERMIT	45277
AIR NEW SOURCE PERMITS	PERMIT	45278
AIR NEW SOURCE PERMITS	PERMIT	45644
AIR NEW SOURCE PERMITS	PERMIT	45569
AIR NEW SOURCE PERMITS	PERMIT	45664
AIR NEW SOURCE PERMITS	PERMIT	45663
AIR NEW SOURCE PERMITS	PERMIT	46059
AIR NEW SOURCE PERMITS	PERMIT	46088
AIR NEW SOURCE PERMITS	PERMIT	42324
AIR NEW SOURCE PERMITS	PERMIT	46489
AIR NEW SOURCE PERMITS	PERMIT	46604

AIR NEW SOURCE PERMITS	PERMIT	46791
AIR NEW SOURCE PERMITS	PERMIT	47011
AIR NEW SOURCE PERMITS	PERMIT	47039
AIR NEW SOURCE PERMITS	PERMIT	47065
AIR NEW SOURCE PERMITS	PERMIT	47066
AIR NEW SOURCE PERMITS	PERMIT	47422
AIR NEW SOURCE PERMITS	PERMIT	47555
AIR NEW SOURCE PERMITS	PERMIT	47513
AIR NEW SOURCE PERMITS	PERMIT	47577
AIR NEW SOURCE PERMITS	PERMIT	47887
AIR NEW SOURCE PERMITS	PERMIT	48001
AIR NEW SOURCE PERMITS	PERMIT	48178
AIR NEW SOURCE PERMITS	PERMIT	48176
AIR NEW SOURCE PERMITS	PERMIT	47939
AIR NEW SOURCE PERMITS	PERMIT	49247
AIR NEW SOURCE PERMITS	PERMIT	49429
AIR NEW SOURCE PERMITS	PERMIT	49295
AIR NEW SOURCE PERMITS	PERMIT	49493
AIR NEW SOURCE PERMITS	PERMIT	49615
AIR NEW SOURCE PERMITS	PERMIT	50109
AIR NEW SOURCE PERMITS	PERMIT	50328
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0052V
AIR NEW SOURCE PERMITS	PERMIT	647B
AIR NEW SOURCE PERMITS	PERMIT	4508A
AIR NEW SOURCE PERMITS	PERMIT	5807A
AIR NEW SOURCE PERMITS	PERMIT	5952A
AIR NEW SOURCE PERMITS	PERMIT	5972A
AIR NEW SOURCE PERMITS	PERMIT	7761
AIR NEW SOURCE PERMITS	PERMIT	11824
AIR NEW SOURCE PERMITS	PERMIT	12276
AIR NEW SOURCE PERMITS	PERMIT	12800
AIR NEW SOURCE PERMITS	PERMIT	12599
AIR NEW SOURCE PERMITS	PERMIT	12951
AIR NEW SOURCE PERMITS	PERMIT	13091
AIR NEW SOURCE PERMITS	PERMIT	13377
AIR NEW SOURCE PERMITS	PERMIT	16909
AIR NEW SOURCE PERMITS	PERMIT	19823
AIR NEW SOURCE PERMITS	PERMIT	20134
AIR NEW SOURCE PERMITS	PERMIT	20160
AIR NEW SOURCE PERMITS	PERMIT	20485
AIR NEW SOURCE PERMITS	PERMIT	23141
AIR NEW SOURCE PERMITS	PERMIT	23568
AIR NEW SOURCE PERMITS	PERMIT	29516
AIR NEW SOURCE PERMITS	PERMIT	31443
AIR NEW SOURCE PERMITS	PERMIT	32823
AIR NEW SOURCE PERMITS	PERMIT	33285
AIR NEW SOURCE PERMITS	PERMIT	36646
AIR NEW SOURCE PERMITS	PERMIT	36453
AIR NEW SOURCE PERMITS	PERMIT	36831
AIR NEW SOURCE PERMITS	PERMIT	39725
AIR NEW SOURCE PERMITS	PERMIT	40103
AIR NEW SOURCE PERMITS	PERMIT	40375
AIR NEW SOURCE PERMITS	PERMIT	40374
AIR NEW SOURCE PERMITS	PERMIT	40527
AIR NEW SOURCE PERMITS	PERMIT	40804
AIR NEW SOURCE PERMITS	PERMIT	41444
AIR NEW SOURCE PERMITS	PERMIT	41301
AIR NEW SOURCE PERMITS	PERMIT	41757
AIR NEW SOURCE PERMITS	PERMIT	42103
AIR NEW SOURCE PERMITS	PERMIT	42153
AIR NEW SOURCE PERMITS	PERMIT	42348
AIR NEW SOURCE PERMITS	PERMIT	42526
AIR NEW SOURCE PERMITS	PERMIT	42154
AIR NEW SOURCE PERMITS	PERMIT	42458
AIR NEW SOURCE PERMITS	PERMIT	42720
AIR NEW SOURCE PERMITS	PERMIT	43143
AIR NEW SOURCE PERMITS	AFS NUM	4824500006
AIR NEW SOURCE PERMITS	REGISTRATION	79296
AIR NEW SOURCE PERMITS	REGISTRATION	79198

AIR NEW SOURCE PERMITS	REGISTRATION	79800
AIR NEW SOURCE PERMITS	REGISTRATION	79529
AIR NEW SOURCE PERMITS	REGISTRATION	80149
AIR NEW SOURCE PERMITS	REGISTRATION	80390
AIR NEW SOURCE PERMITS	REGISTRATION	80171
AIR NEW SOURCE PERMITS	REGISTRATION	80169
AIR NEW SOURCE PERMITS	REGISTRATION	80328
AIR NEW SOURCE PERMITS	REGISTRATION	79939
AIR NEW SOURCE PERMITS	REGISTRATION	80702
AIR NEW SOURCE PERMITS	REGISTRATION	81531
AIR NEW SOURCE PERMITS	REGISTRATION	81415
AIR NEW SOURCE PERMITS	REGISTRATION	83113
AIR NEW SOURCE PERMITS	REGISTRATION	82543
AIR NEW SOURCE PERMITS	PERMIT	82488
AIR NEW SOURCE PERMITS	REGISTRATION	82922
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50055
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30029
STORMWATER	PERMIT	TXR15EV47

Location: 6001 HIGHWAY 366, PORT NECHES, TX, 77651 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: December 05, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 05, 2002 to December 05, 2007

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

Name: Aaron T. Houston Phone: 409-899-8784

**Site Compliance History Components**

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

**Components (Multimedia) for the Site :**

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

Effective Date: 03/07/2003 ADMINORDER 2002-0511-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: GC8 PERMIT  
SC1 PERMIT  
Description: Failure to maintain volatile organic compounds below the MAERT limit.  
Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: SC10 PERMIT  
Description: Failure to properly repair leaking components by the end of the next process unit shutdown.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to properly repair leaking components by the end of the next process unit shutdown.  
Effective Date: 04/25/2003 ADMINORDER 2002-1026-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC11 PERMIT

Description: Failure to perform daily monitoring of the Volatile Organic Compound concentration.

Classification: Moderate

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

Rqmt Prov: SC11 PERMIT

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

Classification: Moderate

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

Rqmt Prov: SC24 PERMIT

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

Effective Date: 06/12/2003

ADMINORDER 1998-1481-MLM-E

Classification: Moderate

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

Rqmt Prov: OR 1 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)  
30 TAC Chapter 335, SubChapter C 335.69(a)(3)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.100  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(e)(3)(i)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

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

Classification: Moderate

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

5C THC Chapter 382, SubChapter A 382.085

Rqmt Prov: SC1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(1)(i)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 116, SubChapter B 116.115(a)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-5(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SP 2 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Minor

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

Rqmt Prov: sc12 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 10 PERMIT

SC 111 PERMIT

SC 2A PERMIT

Description: Failure to route vapors from the degassing and/or cleaning of VOCs from transport vessels at the tank-car cleaning rack to a control device until a turnover or at least four vapor volumes.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 11I PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 11I PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

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

Rqmt Prov: SC 6 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)  
30 TAC Chapter 335, SubChapter C 335.69(a)(3)  
30 TAC Chapter 335, SubChapter C 335.69(d)(2)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(a)

Description: Failed to properly label hazardous waste containers.

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
40 CFR Part 60, Subpart VV 60.482-6  
5C THC Chapter 382, SubChapter A 382.085(a)

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

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC6C PERMIT

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

Classification: Moderate

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

Rqmt Prov: GC7 PERMIT

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

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.0518(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SP 2(A) PERMIT

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

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.0518(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.7(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.11(d)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 2A PERMIT

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

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 16 PERMIT

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

Classification: Moderate

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

Rqmt Prov: SC 12 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

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

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset that occurred at the E-4 Unit on March 12, 2000.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: SC1 PERMIT  
Description: Allowed the release of ammonia emissions to the atmosphere without authorization on March 12, 2000.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset at the C-4 Unit that began on 1/10/00.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: SC1 PERMIT  
Description: Allowed the release of 1,3-butadiene and VOC emissions to the atmosphere without authorization on January 10-11, 2000.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.7(b)(1)(D)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to report the duration of a maintenance event which occurred when the A-3 Unit was shut down on January 17, 2000. The shut down report submitted January 13, 2000 failed to include the estimated duration of the event.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: SC 1 PERMIT  
Description: Allowed the release of 1,3-butadiene and VOC emissions to the atmosphere from the A-3 Unit without authorization on January 17, 2000.  
Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)  
Rqmt Prov: OR 1 PERMIT  
Description: Failed to ensure that the stormwater and all its systems of collection, treatment, and disposal were properly operated and maintained by allowing oil to collect in and near the banks of the unlined PV-9 Pond near the G-6 and F-6 Units.  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(b)  
Description: Failed to notify the TCEQ of the locations of approximately 20 storage points for containers of nonhazardous waste oil throughout the Plant.  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
30 TAC Chapter 335, SubChapter E 335.112(a)(8)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174  
Description: Failed to perform weekly inspections on a railcar containing Polyblend.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(B)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: SC1 PERMIT  
Description: Released approximately 1382 pounds of unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: SC1 PERMIT  
SC6c PERMIT  
Description: Failed to limit visible emissions from a process gas flare to five minutes in any two-hour period from Flare 1 and Flare 2 at the Cracked Gas Compressor Unit on April 21, 2000.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 10 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 1,3-butadiene from leaking from the S4E53 Exchanger at Cooling Tower 3 at the C4 Unit during an upset that began on 11/5/00.

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

Description: Exceeded the maximum allowable emission rate for ammonia.

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

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

Classification: Minor

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

Description: Failed to include the estimated duration of a reportable upset in an upset notification concerning a benzene leak from Cooling Tower No. 4 at the A3 Unit in the Oxides and Olefins Plant that began on 11/6/00.

Classification: Moderate

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

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

Rqmt Prov: SC1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

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

Rqmt Prov: Not specified PERMIT

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

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

Rqmt Prov: Not specified PERMIT

Description: Exceeded permitted limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

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

Rqmt Prov: Not specified PERMIT

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

Effective Date: 06/12/2003

ADMINORDER 2001-0349-AIR-E

Classification: Moderate

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

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

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

Effective Date: 06/13/2004

ADMINORDER 2003-0650-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

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

Rqmt Prov: 20485 Special Conditions No. 5 PERMIT

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

Effective Date: 08/20/2006

ADMINORDER 2006-0107-AIR-E

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: Permit 5952A SC 1 PA

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

Classification: Minor

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

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

Description: Failure to properly notify the Beaumont Region Office of a reportable emissions event for Incident 69694.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 19823, SPECIAL CONDITION 1 PERMIT  
Description: Failure to prevent ethylene emissions during Incident 69694.  
Effective Date: 09/21/2006 ADMINORDER 2006-0399-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: No. 16909 PERMIT  
Description: Failure to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 20485 PERMIT  
O-01327 OP  
Description: Failure to meet the minimum net heating value requirement during the compliance test conducted on June 8, 2005, which should be greater than 11.2MJ/scm. Results of the compliance test show a minimum net heating value of 10.23MJ/scm.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: Permit 5952A, SC 1 PERMIT  
Description: Failure to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to report an emissions event within 24 hours after discovery.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: No. 16909/ Special Condition 1 PERMIT  
Description: Failure to prevent unauthorized emissions.  
Effective Date: 12/02/2006 ADMINORDER 2005-0926-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 20485 PERMIT  
Description: Failure to maintain VOC limit less than 2.0 ppmw in C4 Cooling Tower.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 20485 PERMIT  
Description: Failure to maintain an emission rate below the allowable limit.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: 647B/MAERT PERMIT  
Description: Failure to prevent unauthorized ammonia emissions from the E7 Cooling Tower.. A8c2All  
Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 113, SubChapter C 113.730  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to conduct HON sampling and analysis following an approved method.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 20160 PERMIT  
Description: Failure to repair leaking exchanger in the PO/MTBE cooling water system during unit shutdown.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 1:00 p.m. on September 16, 2003 at the MTBE Drying Column Overhead Line.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20160/General Condition 8 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/SC17 OP

20160/GC 8 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 20160, GC8 PERMIT

O-01322, SC17 OP

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/SC 17 OP

5972A/SC 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 5952A, SC1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 5952/ SC 1 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 19823, SC1 PERMIT

20160, GC8 PERMIT

5972A, SC1 PERMIT

O-01322, SC17 OP

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 5952A, SC1 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 5952A, SC1 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/ SC 15 OP

5897A/ SC1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 20485, SC1 PERMIT

O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions on January 15, 2004 of 12 lbs of VOCs and 18 lbs of 1,3-Butadiene from the North Unit of the C4/MTBE/Butadiene Units, and 3 lbs of NOx and 19 lbs of CO from the Butadiene Unit of the C4 Plant to the North/South Flare (EPN UWN1, UW6R1).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1327/ SC15 OP

20485/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 163.46 lbs of VOCs on August 20, 2003 and 302.658 lbs of VOCs on February 20, 2004 from the tank hatch of Tank 77.

Classification: Moderate

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

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

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

Description: Failed to prevent unauthorized emissions to the North/South Flare (EPN UWN6R1/UWS6R1) of 2) 48 lbs of VOC and 17 lbs of 1,3 Butadiene from the MTBE Unit on July 22, 2003, and 3) 173 lbs of VOC, 79 lbs of 1,3 Butadiene, 131 lbs of CO and 13 lbs of NOx from the C4 Plant on February 7, 2004.  
Classification: Minor

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

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

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

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

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

Rqmt Prov: 5807A SC 1 PERMIT

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

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

Rqmt Prov: 5952A SC1 PERMIT

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

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

Rqmt Prov: 5952A SC1 PERMIT

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

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

Rqmt Prov: 29516 General Conditions PERMIT

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

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

Rqmt Prov: 56390 SC1 PERMIT

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

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

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

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

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

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

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

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

Rqmt Prov: 20485 SC 1 PERMIT  
20485/ Attachment A PERMIT  
Description: Failure to comply with an emissions limitation.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT  
20485/ Attachment A PERMIT  
Description: Failure to comply with an emissions limitation.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC1 PERMIT  
20485/ Attachment A PERMIT  
Description: Failure to comply with an emissions limitation.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 Special Condition 1 PERMIT  
20485/ Attachment A PERMIT  
Description: Failure to comply with an emissions limitation.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3.  
A8c1G  
Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(II)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 PERMIT  
Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18  
Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(II)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 PERMIT  
Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3.  
A8c1G  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.  
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to comply with a reporting requirement.  
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to comply with a reporting requirement.  
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 20485, Special Condition 1 PERMIT  
Description: Failure to maintain an emission rate below the allowable emission limit.  
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 19823 Special Condition 1 PERMIT  
O-02288 Special Condition 16 OP  
Description: Failure to maintain an emission rate below the allowable emission limit.  
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(c)  
30 TAC Chapter 101, SubChapter F 101.211(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to submit a timely reports of an emissions events on October 20 and 25, 2004, and March 16,2005.  
Classification: Major

Citation: 5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: Permit 5807A SC 1 PERMIT  
Description: Failure to prevent unauthorized emissions that occurred at the anhydrous ammonia loading area of the E4 Unit; E4 Unit covered by Permit 5807A. Incident 48357.  
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: FOP O-01327, SC 15 OP  
Permit 20486, SC 1 PERMIT  
Description: Failure to comply with the MAERT limits of permit 20485; failure to comply with the conditions of FOP O-01327.  
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: FOP O-01327, SC 15 OP  
Permit 20485, SC 1 PERMIT  
Description: Failure to comply with the emissions limits as specified in Special Condition 1, which references the Maximum Allowable Emissions Rate Table, of TCEQ Permit 20485, and Special Condition 15 of Federal Operating Permit O-01327.  
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to properly report emissions events.  
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to submit an initial notification of an emissions event with 24 hours.  
Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Huntsman failed to properly identify the correct Emission Point Common Name in 57946 final notification.

Classification: Moderate

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

Rqmt Prov: 19823/ SC 1 PERMIT

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

Effective Date: 05/25/2007 ADMINORDER 2006-0902-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit 19823 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit for the Demethanizer Tower Pressure Relief Vent, PRV 2355.

Effective Date: 10/25/2007 ADMINORDER 2007-0360-AIR-E

Classification: Moderate

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

Rqmt Prov: 19823 Special Condition 1 PERMIT

O-02288 Special Condition 16 OP

Description: failed to prevent unauthorized emissions. Specifically, on November 28, 2006, over a period of 5 hours, the South Flare emitted 340.38 pounds ("lbs") of Volatile Organic Compound ("VOC") and 374.86 lbs of carbon monoxide ("CO"). Permit No. 19823 authorizes 32.87 lbs of VOC per hour and 53.59 lbs of CO per hour.

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	12/12/2002	(16651)
2	12/12/2002	(16873)
3	12/13/2002	(16639)
4	12/18/2002	(16658)
5	02/26/2003	(25453)
6	02/26/2003	(25418)
7	02/27/2003	(25223)
8	02/28/2003	(26623)
9	02/28/2003	(26561)
10	03/31/2003	(26570)
11	04/03/2003	(27484)
12	04/03/2003	(26237)
13	04/14/2003	(25395)
14	05/09/2003	(31845)
15	05/12/2003	(29308)
16	06/09/2003	(33422)
17	07/01/2003	(118989)
18	07/08/2003	(24015)
19	07/08/2003	(25046)
20	08/27/2003	(139288)
21	08/29/2003	(119121)
22	10/03/2003	(249924)
23	12/12/2003	(256877)
24	03/30/2004	(262961)
25	03/30/2004	(263046)
26	04/01/2004	(262946)
27	04/01/2004	(262873)
28	04/01/2004	(262956)

29	04/01/2004	(263014)
30	04/01/2004	(263010)
31	04/01/2004	(263588)
32	04/01/2004	(263043)
33	04/01/2004	(262968)
34	04/01/2004	(262879)
35	04/01/2004	(263022)
36	04/01/2004	(263607)
37	04/02/2004	(264437)
38	04/02/2004	(264455)
39	04/02/2004	(263644)
40	04/08/2004	(264474)
41	04/08/2004	(263600)
42	04/08/2004	(263004)
43	04/21/2004	(264467)
44	04/21/2004	(264098)
45	04/21/2004	(264471)
46	04/21/2004	(264092)
47	06/23/2004	(273321)
48	07/16/2004	(270119)
49	08/26/2004	(273402)
50	08/31/2004	(263533)
51	08/31/2004	(285082)
52	09/08/2004	(288721)
53	10/18/2004	(333854)
54	01/11/2005	(343813)
55	01/28/2005	(343967)
56	02/16/2005	(344499)
57	02/16/2005	(344565)
58	02/16/2005	(351061)
59	02/23/2005	(346660)
60	03/08/2005	(346632)
61	03/08/2005	(347207)
62	03/10/2005	(341723)
63	03/31/2005	(373656)
64	04/04/2005	(349319)
65	04/04/2005	(349315)
66	04/05/2005	(349320)
67	04/05/2005	(349133)
68	04/05/2005	(374774)
69	04/15/2005	(375442)
70	04/15/2005	(375452)
71	04/15/2005	(375457)
72	04/21/2005	(373550)
73	04/26/2005	(374614)
74	05/12/2005	(378265)
75	05/12/2005	(378267)
76	05/12/2005	(377634)
77	05/12/2005	(377613)
78	05/12/2005	(377543)
79	05/12/2005	(378487)
80	05/12/2005	(378225)
81	05/18/2005	(377798)
82	05/20/2005	(376583)
83	05/20/2005	(377225)
84	06/14/2005	(379665)
85	06/15/2005	(379607)
86	06/15/2005	(394963)
87	06/17/2005	(380357)
88	07/05/2005	(395675)
89	07/05/2005	(395572)
90	07/06/2005	(397867)
91	07/15/2005	(392774)
92	07/15/2005	(392639)
93	08/02/2005	(401638)
94	08/25/2005	(403293)
95	08/29/2005	(399102)
96	08/31/2005	(381075)

97	09/09/2005	(404606)
98	11/03/2005	(419194)
99	11/16/2005	(434314)
100	12/05/2005	(398736)
101	12/05/2005	(431206)
102	12/06/2005	(437343)
103	12/06/2005	(437334)
104	12/06/2005	(437338)
105	12/16/2005	(437133)
106	01/27/2006	(437989)
107	01/27/2006	(450224)
108	01/27/2006	(451827)
109	01/30/2006	(438965)
110	02/22/2006	(456022)
111	02/22/2006	(456036)
112	02/22/2006	(455947)
113	02/22/2006	(455838)
114	02/22/2006	(456099)
115	02/27/2006	(454550)
116	02/28/2006	(457553)
117	02/28/2006	(457561)
118	02/28/2006	(457516)
119	03/30/2006	(456815)
120	03/30/2006	(458616)
121	03/30/2006	(453754)
122	03/30/2006	(458485)
123	03/30/2006	(458020)
124	03/31/2006	(458673)
125	04/07/2006	(455375)
126	04/07/2006	(454572)
127	04/07/2006	(458321)
128	04/07/2006	(459162)
129	04/26/2006	(461473)
130	05/01/2006	(463769)
131	05/04/2006	(464589)
132	05/26/2006	(465414)
133	06/22/2006	(465864)
134	07/31/2006	(487611)
135	08/17/2006	(481936)
136	08/23/2006	(485023)
137	08/31/2006	(449989)
138	08/31/2006	(486891)
139	08/31/2006	(454082)
140	08/31/2006	(487767)
141	09/11/2006	(488579)
142	09/19/2006	(513278)
143	09/20/2006	(511947)
144	09/20/2006	(511204)
145	09/25/2006	(509094)
146	09/25/2006	(497536)
147	09/25/2006	(488474)
148	10/10/2006	(513527)
149	10/25/2006	(515506)
150	10/25/2006	(515822)
151	10/25/2006	(515478)
152	10/30/2006	(511240)
153	11/08/2006	(515666)
154	11/13/2006	(517041)
155	11/13/2006	(517036)
156	11/15/2006	(517191)
157	11/15/2006	(514399)
158	11/16/2006	(515790)
159	11/27/2006	(518436)
160	11/28/2006	(517675)
161	11/28/2006	(516609)
162	11/30/2006	(516090)
163	12/04/2006	(533060)
164	12/12/2006	(533440)

165 12/15/2006 (531666)  
 166 12/28/2006 (488675)  
 167 12/29/2006 (456006)  
 168 01/17/2007 (531872)  
 169 02/08/2007 (535487)  
 170 02/20/2007 (535145)  
 171 02/21/2007 (537271)  
 172 02/23/2007 (540396)  
 173 02/23/2007 (534486)  
 174 02/23/2007 (537684)  
 175 02/26/2007 (540551)  
 176 03/19/2007 (539598)  
 177 03/20/2007 (539695)  
 178 03/20/2007 (539462)  
 179 04/09/2007 (541905)  
 180 04/20/2007 (541289)  
 181 04/21/2007 (533084)  
 182 04/26/2007 (537371)  
 183 04/27/2007 (543604)  
 184 04/30/2007 (543451)  
 185 05/16/2007 (555268)  
 186 05/31/2007 (543792)  
 187 06/14/2007 (558239)  
 188 06/14/2007 (557996)  
 189 06/14/2007 (557699)  
 190 06/14/2007 (561265)  
 191 06/26/2007 (543284)  
 192 07/12/2007 (515129)  
 193 07/30/2007 (558200)  
 194 09/21/2007 (570656)  
 195 09/21/2007 (570457)  
 196 09/27/2007 (570470)  
 197 11/12/2007 (600643)  
 198 11/27/2007 (597280)  
 199 11/27/2007 (597203)  
 200 11/27/2007 (598101)  
 201 11/28/2007 (597647)  
 202 11/28/2007 (600001)  
 203 12/03/2007 (597429)  
 204 12/04/2007 (560147)

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

Date: 05/09/2003 (31845)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 Rqmt Prov: PERMIT 20485  
 Description: Failure to maintain the Maximum Allowable Emission Rate Table (MAERT) limit of 170 pounds per hour (lb/hr) for Boilers 1 and 2 (EPN UW6BB1&2) for Carbon Monoxide (CO).  
 Date: 10/03/2003 (249924)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to provide the basis used for determining the quantity of air contaminants emitted during an emissions event.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to maintain an emission rate below an allowable emission limit.  
 Date: 06/23/2004 (273321)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 113, SubChapter C 113.110  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 20485, SC 2D  
 PERMIT 20485, SC 3  
 Description: Failure to properly operate the South Flare on May 3, 2004.

Date: 01/12/2005 (343813)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 63, Subpart H 63.167  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: OP Permit O-02286, SC 1D  
Description: Failure to maintain all VOC lines equipped with a capped end, blind flange, or double blocked valve at the T-E3-147 Tank and the Pump Out Line 56.

Date: 04/01/2005 (373656)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to prevent visible emissions.

Date: 08/23/2006 (485023)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 5807A  
OP O-02287  
Description: Failure to maintain the daily production limit for the E4 Unit as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)(F)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02287  
Description: Failure to continuously collect and maintain pilot monitoring data, as required by 30 TAC 122.144(1) and 40 CFR 60.7(f), and reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02287  
Description: Failure to analyze quarterly cooling water samples using Method 624 as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 19823  
PERMIT 5807A  
OP O-02287  
OP O-02288  
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Units: O-02287 - 5 components (Component Numbers 03968, 05771, 06097, 07502 and 07824) in E4FUG; O-02288 - 1 component (Component Number 0228) in A3FUG.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 647B  
OP O-02287  
Description: Failure to maintain the hourly production limit for Morpholine as reported in the Deviation Report for FOP O-02287 covering July 21, 2004 to January 19, 2005.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02287  
Description: Failure to submit a notification within ten days following installation of the replacement facility as reported in the Deviation Report for FOP O-02287 covering

July 20, 2005 to January 19, 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 647B  
OP O-02287

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

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 29516  
OP O-02288

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.703(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(d)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

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

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02288

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

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02288

Description: Failure to submit a Form PI-7 within 10 days following the addition of fugitive components as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 29516  
OP O-02288

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

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 19823  
OP O-02288

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(6)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288  
 Description: Failure to submit one 40 CFR Part 61, Subpart FF quarterly report for Unit PROA3VW and one 40 CFR Part 60, Subparts NNN/RRR semiannual report for applicable facilities within 30 days after the end of the applicable reporting period of December 31, 2005 as reported in the Deviation Report for FOP O-02288.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 16909  
 PERMIT 19823  
 OP O-02288

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

Date: 11/13/2006 (517041)

Self Report? NO Classification: Moderate

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

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

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

Date: 11/13/2006 (517036)

Self Report? NO Classification: Moderate

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

Description: Failure to maintain the liner in the secondary containment.

Self Report? NO Classification: Moderate

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

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

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

Self Report? NO Classification: Moderate

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

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

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

Self Report? NO Classification: Moderate

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

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

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

Self Report? NO Classification: Moderate

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

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

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

Date: 01/18/2007 (531872)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)

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

Description: Failure to have cap and plugs installed on open-ended lines.  
Self Report? NO Classification: Moderate

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

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

Description: Failure to submit the annual compliance certification for FOP O-01322 in a timely manner.  
Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-01322 SC 10A  
OP O-01322 SC 1A

Description: Failure to maintain records of daily calibration of continuous monitors and failure to continuously monitor due to failed calibrations.  
Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations.  
Self Report? NO Classification: Moderate

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

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

Description: Failure to submit a required semiannual report.  
Self Report? NO Classification: Moderate

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

Description: Failure to maintain records of weekly pump and flange check.  
Date: 02/26/2007 (534486)  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

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

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service at the C4 Plant.  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 115, SubChapter B 115.136(a)(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)  
5C THC Chapter 382, SubChapter D 382.085(b)

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

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

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to report all instances of deviations.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 20485 Special Condition 3 OP O-01327 Special Condition 15		
Description:	Failure to make the first attempt at repair within five calendar days.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 20485 Special Condition 35(B) PERMIT 20485 Special Condition 8(B) PERMIT 20485 Special Condition 8(C) OP O-01327 Special Condition 15		
Description:	Failure to maintain emission rates below permitted limits.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144(1)(A) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 20485 Special Condition 3 PERMIT 20485 Special Condition 2A OP O-01327 Special Condition 15		
Description:	Failure to maintain records of flare monitors at the South Flare		
Date:	06/27/2007 (543284)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 19823 Special Condition 20 OP FOP 2288 General Terms and Conditions OP FOP 2288 Special Condition 16		
Description:	Failure to conduct stack sampling or fuel analysis for SO2 emissions as required by Permit 19823 Special Condition 20. EIC B(1) MOD 2(A)		
Date:	07/31/2007 (558200)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 01320 Special Condition 13 OP 02288 Special Condition 16 PERMIT 19823 Special Condition 18E PERMIT 36646 Special Condition 8E PERMIT 5952 Special Condition 21E PERMIT 5972A Special Condition 10 PERMIT 5972A Special Condition 17E PERMIT 5972A Special Condition 7		
Description:	Failure to operate without a cap, blind flange, plug, or a second valve installed. C10 cannot be picked.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 01320 Special Condition 13 PERMIT 5972A Special Condition 5A		

Description: Failure to monitor, record and maintain the F-4 Firebox temperature above the permitted limit.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 01320 Special Condition 13  
PERMIT 5972A Special Condition 4

Description: Failure to maintain records of tank pressure.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 01320 Special Condition 13  
PERMIT 5952 Special Condition 12

Description: Failure to monitor, record and maintain the F-6 Firebox temperature above the permitted limit  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 01320 Special Condition 13  
PERMIT 36646 Special Condition 12

Description: Failure to maintain records of monthly monitoring.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.144  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of the daily flare observations.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 02288 Special Condition 16

Description: Failure to monitor NOx, CO and O2 at CG1/UEHK9 and CG2/UEHK10.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 02288 Special Condition 16  
PERMIT 16909 Special Condition 15I

Description: Failure to maintain records.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 02288 Special Condition 16  
PERMIT 19823 Special Condition 14A

Description: Failure to have the cooling tower water sample port installed as required by permit.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 02288 Special Condition 16  
PERMIT 16909 Special Condition 12A  
PERMIT 19823 Special Condition 21D

Description: Failure to monitor and maintain records of daily zero and span of continuous monitors.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 02288 Special Condition 16

Description: PERMIT 19823 Special Condition 10  
 Failure to comply with conditions of a permit.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP 02288 Special Condition 16  
 PERMIT 16909 Special Condition 14  
 Description: Failure to monitor.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 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 D 382.085(b)  
 Rqmt Prov: OP 02288 Special Condition 16  
 PERMIT 19823 Special Condition 10C  
 Description: Failure to operate the flare in a smokeless manner.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: Failure to report all instances of deviations.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP 02288 Special Condition 1 E  
 Description: Failure to maintain the tank opening in a closed position during normal operations  
 on Tank T087.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP 02288 Special Condition 16  
 PERMIT 49247 Special Condition 7  
 Description: Failure to maintain emissions rate below the allowable limit.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(B)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP General Terms and Conditions  
 Description: Failure to submit a semiannual deviation report.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP 01320 Special Condition 15  
 Description: Failure to submit an annual permit compliance certification (ACC) report within 30  
 days of the certification period.  
 Date: 09/27/2007 (570470)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.500  
 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)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.987(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: Failure to limit the frequency of visible smoke emissions from Huntsman's Low  
 Pressure Flare Number (No.) 2.

F. Environmental audits.

Notice of Intent Date: 06/28/2004 (347983)  
 No DOV Associated  
 Notice of Intent Date: 07/22/2004 (334174)  
 No DOV Associated  
 Notice of Intent Date: 11/16/2007 (611106)  
 No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

§  
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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2007-2006-AIR-E

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality (“the Commission” or “TCEQ”) considered this agreement of the parties, resolving an enforcement action regarding Huntsman Petrochemical Corporation (“the Respondent”) under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

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

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

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

### I. FINDINGS OF FACT

1. The Respondent owns and operates a petrochemical plant at 6001 Highway 366 in Port Neches, Jefferson County, Texas (the “Plant”).
2. The Plant consists of one or more sources as defined in the TEX. HEALTH & SAFETY CODE § 382.003(12).



3. During an investigation conducted October 9 through October 11, 2007, TCEQ staff documented an emissions event which occurred on August 18, 2007, from 3:22 a.m. until 5:05 a.m (Incident No. 96142). Specifically, 316 pounds ("lbs") of ethylene and 2.0 lbs of ethylene oxide were released from F-4 Argon Vent. F-4 Argon Vent is not an authorized emissions point. The upset condition was caused by a waste gas feed valve to the incinerator being left open; the increase in waste gas pressure opened the F-4 Regenerator and Argon Vents.
4. During an investigation conducted October 9 through October 11, 2007, TCEQ staff determined that the Respondent failed to properly report an emissions event (Incident No. 96143). The Respondent failed to submit initial notification for reportable emissions of propylene and propylene oxide.
5. During an investigation conducted October 9 through October 11, 2007, TCEQ staff documented an emissions event which occurred on August 20, 2007 (Incident No. 96143). Specifically, 294.12 lbs of volatile organic compounds ("VOCs") (propylene and propylene oxide) were released without authorization from POFLARE due to the C-F5-005 Compressor trip.
6. During an investigation conducted November 1 through November 2, 2007, TCEQ staff documented an emissions event which occurred on May 9, 2007 (Incident No. 90961). Specifically, 7,658 lbs of propylene oxide was released from tank T-O-136 pressure release valves ("PRVs"). PRVs are not an authorized emissions point. Several contracted workers experienced nausea as a result of this emissions event. The emissions event was caused due to improper use of the pig trap and a lack of pressure monitoring during the operation.
7. The Respondent received notice of the violations on December 3, 2007.

## II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review ("NSR") Permit 5972A, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-1320, General Terms and Conditions ("GTC"), and SC 13A. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
3. As evidenced by Findings of Fact No. 4, the Respondent failed to properly report an unauthorized emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP O-1322, GTC, and SC 2F.



4. As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 20160, SC 1, and FOP O-1322, GTC, and SC 17A. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
5. As evidenced by Findings of Fact No. 6, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 20160, and FOP O-1322, GTC, and SC 17. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
6. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
7. An administrative penalty in the amount of Twenty-Nine Thousand Four Hundred Eighty-Two Dollars (\$29,482) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Fourteen Thousand Seven Hundred Forty-One Dollars (\$14,741) of the administrative penalty. Fourteen Thousand Seven Hundred Forty-One Dollars (\$14,741) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

### III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Twenty-Nine Thousand Four Hundred Eighty-Two Dollars (\$29,482) as set forth in Section II, Paragraph 7 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Huntsman Petrochemical Corporation, Docket No. 2007-2006-AIR-E" to:

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



2. The Respondent shall implement and complete a SEP in accordance with the TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 7 above, Fourteen Thousand Seven Hundred Forty-One Dollars (\$14,741) 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 administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order:
    - i. Implement procedures designed to prevent emissions events set forth in Section I, Paragraphs 3, 5, and 6 due to a same or similar cause; and
    - ii. Implement procedures designed to ensure all constituents which exceeded a reportable quantity are identified and included within the designated reporting period.
  - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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



with a copy to:

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

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 in 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. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against 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.
10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.



11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.



**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

  
\_\_\_\_\_  
For the Executive Director

6/18/08  
\_\_\_\_\_  
Date

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

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

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

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

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

  
\_\_\_\_\_  
Signature

3/17/08  
\_\_\_\_\_  
Date

Steven M. Barre'  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Huntsman Petrochemical Corporation

Site 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.

Handwritten text at the top of the page, possibly a header or introductory paragraph. The text is very faint and difficult to read.

Main body of handwritten text, consisting of several paragraphs. The handwriting is cursive and somewhat illegible due to fading.

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**Attachment A**  
**Docket Number: 2007-2006-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** **Huntsman Petrochemical Corporation**

**Payable Penalty Amount:** **Twenty Nine Thousand Four Hundred Eighty-Two Dollars (\$29,482)**

**SEP Amount:** **Fourteen Thousand Seven Hundred Forty-One Dollars (\$14,741)**

**Type of SEP:** **Pre-approved**

**Third-Party Recipient:** **Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Clean School Buses**

**Location of SEP:** **Jefferson County**

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

**1. Project Description**

A. Project

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

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

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

B. Environmental Benefit

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



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

C. Minimum Expenditure

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

**2. Performance Schedule**

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

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

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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



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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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

