EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-1472-AIR-E **TCEQ ID:** RN100211879 **CASE NO.:** 34602

RESPONDENT NAME: Shell Chemical LP

ORDER TYPE:		
__1660 AGREED ORDER	X FINDINGS AGREED ORDER	__FINDINGS ORDER FOLLOWING SOAH HEARING
__FINDINGS DEFAULT ORDER	__SHUTDOWN ORDER	__IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
__AMENDED ORDER	__EMERGENCY ORDER	
CASE TYPE:		
X AIR	__MULTI-MEDIA (check all that apply)	__INDUSTRIAL AND HAZARDOUS WASTE
__PUBLIC WATER SUPPLY	__PETROLEUM STORAGE TANKS	__OCCUPATIONAL CERTIFICATION
__WATER QUALITY	__SEWAGE SLUDGE	__UNDERGROUND INJECTION CONTROL
__MUNICIPAL SOLID WASTE	__RADIOACTIVE WASTE	__DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: Shell Oil Deer Park, 5900 Highway 225, Deer Park, Harris County

TYPE OF OPERATION: Chemical manufacturing plant

SMALL BUSINESS: ___ Yes __X__ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are ten pending enforcement actions regarding this facility location, Docket Nos. 2006-2216-MWD-E, 2007-2001-AIR-E, 2006-0328-MLM-E, 2006-1633-AIR-E, 2007-0837-AIR-E, 2007-1218-AIR-E, 2008-0079-AIR-E, 2008-0283-AIR-E, 2008-0635-AIR-E, and 2007-1789-AIR-E.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on May 12, 2008. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768
TCEQ Enforcement Coordinator: Mr. Bryan Elliott, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-6162; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171
Respondent: Mr. Glenn Gibler, Environmental Compliance & Assurance Manager, Shell Chemical LP, 5900 Highway 225, Deer Park, Texas 77536
Mr. Aamir Farid, General Manager, Shell Chemical LP, 5900 Highway 225, Deer Park, Texas 77536
Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: ___ Complaint _X_ Routine ___ Enforcement Follow-up ___ Records Review **Date(s) of Complaints Relating to this Case:** None **Date of Investigation Relating to this Case:** March 20 and July 11, 2007 **Date of NOV/NOE Relating to this Case:** August 14 and 15, and October 12, 2007 (NOEs) **Background Facts:** These were routine investigations. **AIR** 1) Failed to comply with permitted emissions limits [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and New Source Review ("NSR") Permit No. 3214, Special Condition No. 1]. 2) Failed to list the compound descriptive type for an emissions event [30 TEX. ADMIN. CODE § 101.201(a)(2)(F) and (b)(1)(G) and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 3) Failed to comply with permitted emissions limits [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(b)(2)(F), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Permit No. 3219/PSD-TX-974, General Condition No. 8]. 4) Failed to comply with permitted emissions limits [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit Nos. 3173 and 1968, Special Condition No. 1].	**Total Assessed:** $70,415 **Total Deferred:** $0 __Expedited Settlement __Financial Inability to Pay **SEP Conditional Offset:** $35,207 **Total Paid to General Revenue:** $35,208 **Site Compliance History Classification** ___ **High** _X_ **Average** __ **Poor** **Person Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Major Source:** _X_ Yes ___ No **Applicable Penalty Policy:** September 2002 **Findings Orders Justification:** Unauthorized emissions which are excessive emissions events.	**Corrective Actions Taken:** The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant: a. On March 15, 2007, to address the emissions event that occurred on February 28, 2007; i. Eliminated the seal flush interconnection between the acid phase in the LPG unit feed and the downstream equipment; ii. Installed low level draining facilities for LPG storage; and iii. Installed a sample station for low level at LPG storage and implemented pH monitoring of any detected low level. b. On May 2, 2007, was issued an amendment to NSR Permit No. 3214 to address the emissions event that occurred from May 2 to 3, 2007; c. On June 17, 2007, formally disciplined the operator responsible for the root cause of the May 3, 2007 emissions event, as required by the site's formal discipline program; d. By June 30, 2007, reviewed with Olefins operating personnel during the monthly safety meeting to address the cause of the May 3, 2007 emissions event; e. On December 18, 2007, met with TCEQ Region 12 representatives to discuss proper State of Texas Environmental Electronic Reporting System reporting when complete speciation of constituents is not available, to address the improper reporting of the May 3, 2007 emissions event; and f. On January 10, 2008, installed a high level alarm on column C-50 chimney tray and created procedures for routine and startup water wash to address the emissions event that occurred on February 28, 2007.

		Ordering Provisions: The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)

Additional ID No(s).: HG0659W

Attachment A
Docket Number: 2007-1472-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Shell Chemical LP**
Payable Penalty Amount:	**Seventy Thousand Four Hundred Fifteen Dollars ($70,415)**
SEP Amount:	**Thirty-Five Thousand Two Hundred Seven Dollars ($35,207)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program**
Location of SEP:	**Harris County**

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

Penalty Calculation Worksheet (PCW)

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

TCEQ

DATES					
Assigned	20-Aug-2007				
PCW	7-Sep-2007	Screening	7-Sep-2007	EPA Due	10-May-2008

RESPONDENT/FACILITY INFORMATION

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

CASE INFORMATION

Enf./Case ID No.	34602	No. of Violations	8
Docket No.	2007-1472-AIR-E	Order Type	Findings
Media Program(s)	Air	Enf. Coordinator	Bryan Elliott
Multi-Media		EC's Team	EnforcementTeam 4
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$40,100**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — **315%** Enhancement — *Subtotals 2, 3, & 7* **$126,315**

Notes: Penalty enhancement due to 31 NOVs for same or similar violations, 29 NOVs for unrelated violations, five 1660 style orders, two findings orders, and one court order with a denial of liability. Penalty reduction due to 47 NOAs, 8 DOVs, one EMS, and the participation in a voluntary pollution reduction program.

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

Notes: The Respondent does not meet the culpability criteria.

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

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

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

0% Enhancement* — **Capped at the Total EB $ Amount* — *Subtotal 6* **$0**

Total EB Amounts	$272
Approx. Cost of Compliance	$18,000

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$166,415**

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

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

Notes:

Final Penalty Amount **$166,415**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$70,415**

DEFERRAL — **0%** Reduction — *Adjustment* **$0**

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **$70,415**

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E **PCW**

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 34602

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

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*)	31	155%
	Other written NOVs	29	58%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	47	-47%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	8	-16%

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

Adjustment Percentage (Subtotal 2) 315%

>> **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 31 NOVs for same or similar violations, 29 NOVs for unrelated violations, five 1660 style orders, two findings orders, and one court order with a denial of liability. Penalty reduction due to 47 NOAs, 8 DOVs, one EMS, and the participation in a voluntary pollution reduction program.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 315%

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E **PCW**

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

Respondent Shell Chemical LP

Case ID No. 34602

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b), and New Source Review ("NSR") Permit No. 3214, Special Condition No. 1

Violation Description Failed to comply with permitted emissions limits, as documented during an investigation on July 11, 2007. Specifically, an emissions event occurred on May 3, 2007 at the Decoke Vent (Emission Point No. VP3-1142) at the Olefins 3 Unit, which lasted for 20 minutes, resulting in the release of 4,700 pounds ("lbs") of volatile organic compounds ("VOCs"). The authorized emissions for this Emission Point is 0.07 lbs per hour ("lbs/hr"). Since this emissions event was improperly reported and could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $40

Statutory Limit Test

Violation Final Penalty Total $20,750

This violation Final Assessed Penalty (adjusted for limits) $10,000

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 34602
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$5,000	3-May-2007	30-Jun-2007	0.2	$40	n/a	$40

Notes for DELAYED costs: Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is the date of the emission event and Final Date is the date of compliance.

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: $5,000

TOTAL: $40

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E **PCW**

Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*

Case ID No. 34602 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a)(2)(F) and (b)(1)(G) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to list the compound descriptive type for an emission event, as documented during an investigation on July 11, 2007. Specifically, the initial and final reports did not speciate the VOC emissions for the May 3, 2007 reportable emissions event.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment $9,900

$100

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $16

Statutory Limit Test

Violation Final Penalty Total $415

This violation Final Assessed Penalty (adjusted for limits) $415

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 34602
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	$500	3-May-2007	18-Dec-2007	0.6	$16	n/a	$16
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
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 DELAYED costs: Estimated cost for additional oversight and management practices designed to ensure proper reporting practices are followed. Date Required is the date the report was submitted and Final Date is the date of compliance.

Notes for AVOIDED costs:

Approx. Cost of Compliance $500

TOTAL $16

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E **PCW**

Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*

Case ID No. 34602 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.115(b)(2)(F), Tex. Health & Safety Code § 382.085(b), and NSR Permit No. 3219/PSD-TX-974, General Condition No. 8

Violation Description Failed to comply with permitted emissions limits, as documented during an investigation on July 11, 2007. Specifically, an emissions event occurred from May 2 to 3, 2007 at the OP-2 Elevated Flare (Emission Point No. OP2ELFLA), the OP-3 Elevated Flare (Emission Point No. OP3ELFLA), and the OP-3 Ground Flare (Emission Point No. OP3GRFLA) which lasted for 14 hours and 30 minutes, resulting in the release of 15,381 lbs of VOCs, including 13,008 lbs of highly reactive volatile organic compounds ("HRVOCs"). The authorized emissions for these Emission Points are 464 lbs/hr for VOCs. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to significant amounts of pollutants which did exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment $0

$10,000

Violation Events

Number of Violation Events 1 — 1 Number of violation days

mark only one with an x

daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $10,000

One daily event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $41,500

This violation Final Assessed Penalty (adjusted for limits) $10,000

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 34602
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$7,500	2-May-2007	2-May-2007	0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is the date of the emission event and Final Date is the date of compliance.						
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: $7,500

TOTAL: $0

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E **PCW**

Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*

Case ID No. 34602 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.115(b)(2)(F), Tex. Health & Safety Code § 382.085(b), and NSR Permit No. 3219/PSD-TX-974, General Condition No. 8

Violation Description Failed to comply with permitted emissions limits, as documented during an investigation on July 11, 2007. Specifically, an emissions event occurred from May 2 to 3, 2007 at the OP-2 Elevated Flare (Emission Point No. OP2ELFLA), the OP-3 Elevated Flare (Emission Point No. OP3ELFLA), and the OP-3 Ground Flare (Emission Point No. OP3GRFLA) which lasted for 14 hours and 30 minutes, resulting in the release of 14,295 lbs of carbon monoxide ("CO"). The authorized emissions for these Emission Points are 287 lbs/hr for CO. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $20,750

This violation Final Assessed Penalty (adjusted for limits) $10,000

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 34602
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Economic Benefit is included in Violation no. 3.

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: $0

TOTAL: $0

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E **PCW**

Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*

Case ID No. 34602 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.115(b)(2)(F), Tex. Health & Safety Code § 382.085(b), and NSR Permit No. 3219/PSD-TX-974, General Condition No. 8

Violation Description Failed to comply with permitted emissions limits, as documented during an investigation on July 11, 2007. Specifically, an emissions event occurred from May 2 to 3, 2007 at the OP-2 Elevated Flare (Emission Point No. OP2ELFLA), the OP-3 Elevated Flare (Emission Point No. OP3ELFLA), and the OP-3 Ground Flare (Emission Point No. OP3GRFLA) which lasted for 14 hours and 30 minutes, resulting in the release of 2,094 lbs of nitrogen oxides ("NOx"). The authorized emissions for these Emission Points are 40 lbs/hr for NOx. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm: Major	Moderate	Minor
	Actual			x
	Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to insignificant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 — 1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $10,375

This violation Final Assessed Penalty (adjusted for limits) $10,000

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 34602
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Economic Benefit is included in Violation No. 3.						
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: $0

TOTAL: $0

PCW

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E

Respondent Shell Chemical LP

Case ID No. 34602

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.115(b)(2)(F), Tex. Health & Safety Code § 382.085(b), and NSR Permit No. 3219/PSD-TX-974, General Condition No. 8

Violation Description Failed to comply with permitted emissions limits, as documented during an investigation on July 11, 2007. Specifically, an emissions event occurred from May 2 to 3, 2007 at the OP-2 Elevated Flare (Emission Point No. OP2ELFLA), the OP-3 Elevated Flare (Emission Point No. OP3ELFLA), and the OP-3 Ground Flare (Emission Point No. OP3GRFLA) which lasted for 14 hours and 30 minutes, resulting in the release of 4,866 lbs of sulfur dioxide ("SO2"). The authorized emissions for these Emission Points are 456 lbs/hr for SO2. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $20,750

This violation Final Assessed Penalty (adjusted for limits) $10,000

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 34602
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Economic Benefit is included in Violation No. 3.						
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: $0

TOTAL: $0

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E **PCW**

Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*

Case ID No. 34602 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 7

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b), NSR Permit Nos. 3173 and 1968, Special Condition No. 1

Violation Description Failed to comply with permitted emissions limits, as documented during an investigation on March 20, 2007. Specifically, an emissions event occurred on February 28, 2007 at the HIPA Flare (Emission Point No. A1333), the LPG Vent to A & S Flare (Emission Point No. A1301), and at the V-1384 Piping, which lasted for seven hours and 46 minutes, resulting in the release of 235,806 lbs of VOCs, including 11,791 lbs of HRVOCs. The authorized emissions for Emission Point No. A1333 are 14.67 lbs/hr for VOCs. The authorized emissions for Emission Point No. A1301 are 3.00 lbs/hr for VOCs. The V-1384 Piping has no authorized permitted emissions limits. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to significant amounts of pollutants which did exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment $0

$10,000

Violation Events

1 — 1 Number of violation days

mark only one with an x

daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $10,000

One daily event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $216

Statutory Limit Test

Violation Final Penalty Total $41,500

This violation Final Assessed Penalty (adjusted for limits) $10,000

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 34602
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$5,000	28-Feb-2007	10-Jan-2008	0.9	$216	n/a	$216

Notes for DELAYED costs: Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is the date of the emission event and Final Date is the date of compliance.

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: $5,000

TOTAL: $216

Screening Date 7-Sep-2007 **Docket No.** 2007-1472-AIR-E **PCW**

Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*

Case ID No. 34602 *PCW Revision June 26, 2007*

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Violation Number 8

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b), NSR Permit Nos. 3173 and 1968, Special Condition No. 1

Violation Description Failed to comply with permitted emissions limits, as documented during an investigation on March 20, 2007. Specifically, an emissions event occurred on February 28, 2007 at the HIPA Flare (Emission Point No. A1333), the LPG Vent to A & S Flare (Emission Point No. A1301), and at the V-1384 Piping, which lasted for seven hours and 46 minutes, resulting in the release of 216 lbs of CO and 30 lbs of NOx. The authorized emissions for Emission Point No. A1333 are 12.90 lbs/hr for CO and 2.13 lbs/hr for NOx. The authorized emissions for Emission Point No. A1301 are 0.15 lbs/hr for CO and 0.03 lbs/hr for NOx. The V-1384 Piping has no authorized permitted emissions limits. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment was exposed to insignificant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment $7,500

$2,500

Violation Events

1 | 1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quaterly event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $10,375

This violation Final Assessed Penalty (adjusted for limits) $10,000

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 34602
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Economic Benefit is included in Violation No. 7.						
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: $0

TOTAL: $0

Compliance History

Customer/Respondent/Owner-Operator:	CN601405145	Shell Chemical LP	Classification: AVERAGE	Rating: 2.87
Regulated Entity:	RN100211879	SHELL OIL DEER PARK	Classification: AVERAGE	Site Rating: 4.75

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0659W
AIR OPERATING PERMITS	PERMIT	1669
AIR OPERATING PERMITS	PERMIT	1668
AIR OPERATING PERMITS	PERMIT	1940
AIR OPERATING PERMITS	PERMIT	1941
AIR OPERATING PERMITS	PERMIT	1942
AIR OPERATING PERMITS	PERMIT	1943
AIR OPERATING PERMITS	PERMIT	1945
AIR OPERATING PERMITS	PERMIT	1946
AIR OPERATING PERMITS	PERMIT	1947
AIR OPERATING PERMITS	PERMIT	1948
AIR OPERATING PERMITS	PERMIT	2108
AIR OPERATING PERMITS	PERMIT	3179
WASTEWATER	PERMIT	WQ0000402000
WASTEWATER	PERMIT	TPDES0004863
WASTEWATER	PERMIT	TX0004863
WASTEWATER	PERMIT	WQ0000403000
WASTEWATER	PERMIT	TPDES0004871
AIR NEW SOURCE PERMITS	PERMIT	3180
AIR NEW SOURCE PERMITS	PERMIT	21262
AIR NEW SOURCE PERMITS	REGISTRATION	54895
AIR NEW SOURCE PERMITS	REGISTRATION	55312
AIR NEW SOURCE PERMITS	REGISTRATION	76382
AIR NEW SOURCE PERMITS	REGISTRATION	75524
AIR NEW SOURCE PERMITS	REGISTRATION	55730
AIR NEW SOURCE PERMITS	REGISTRATION	55869
AIR NEW SOURCE PERMITS	REGISTRATION	55717
AIR NEW SOURCE PERMITS	REGISTRATION	76315
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	PERMIT	70613
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	70389
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	PERMIT	70903
AIR NEW SOURCE PERMITS	PERMIT	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	PERMIT	50815
AIR NEW SOURCE PERMITS	PERMIT	54061
AIR NEW SOURCE PERMITS	PERMIT	52476
AIR NEW SOURCE PERMITS	PERMIT	52477
AIR NEW SOURCE PERMITS	PERMIT	50548
AIR NEW SOURCE PERMITS	PERMIT	52565
AIR NEW SOURCE PERMITS	PERMIT	52089
AIR NEW SOURCE PERMITS	PERMIT	52088
AIR NEW SOURCE PERMITS	PERMIT	50388
AIR NEW SOURCE PERMITS	PERMIT	50423
AIR NEW SOURCE PERMITS	PERMIT	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX961
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	PERMIT	6949
AIR NEW SOURCE PERMITS	PERMIT	7855
AIR NEW SOURCE PERMITS	PERMIT	9856
AIR NEW SOURCE PERMITS	PERMIT	11177
AIR NEW SOURCE PERMITS	PERMIT	12152
AIR NEW SOURCE PERMITS	PERMIT	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	PERMIT	13713
AIR NEW SOURCE PERMITS	PERMIT	16429
AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	7621
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	PERMIT	10888
AIR NEW SOURCE PERMITS	PERMIT	11096

AIR NEW SOURCE PERMITS	PERMIT	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	PERMIT	12829
AIR NEW SOURCE PERMITS	PERMIT	13678
AIR NEW SOURCE PERMITS	PERMIT	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	PERMIT	9505
AIR NEW SOURCE PERMITS	PERMIT	15262
AIR NEW SOURCE PERMITS	PERMIT	15365
AIR NEW SOURCE PERMITS	PERMIT	15499
AIR NEW SOURCE PERMITS	PERMIT	15940
AIR NEW SOURCE PERMITS	PERMIT	18209
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	18738
AIR NEW SOURCE PERMITS	PERMIT	18768
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	PERMIT	23273
AIR NEW SOURCE PERMITS	PERMIT	24096
AIR NEW SOURCE PERMITS	PERMIT	24874
AIR NEW SOURCE PERMITS	PERMIT	26368
AIR NEW SOURCE PERMITS	PERMIT	27598
AIR NEW SOURCE PERMITS	PERMIT	29597
AIR NEW SOURCE PERMITS	PERMIT	32282
AIR NEW SOURCE PERMITS	PERMIT	33524
AIR NEW SOURCE PERMITS	PERMIT	34230
AIR NEW SOURCE PERMITS	PERMIT	34358
AIR NEW SOURCE PERMITS	PERMIT	35243
AIR NEW SOURCE PERMITS	PERMIT	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	96
AIR NEW SOURCE PERMITS	PERMIT	97
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	747
AIR NEW SOURCE PERMITS	PERMIT	748
AIR NEW SOURCE PERMITS	PERMIT	920
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3177
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4406
AIR NEW SOURCE PERMITS	PERMIT	4596
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	PERMIT	41920
AIR NEW SOURCE PERMITS	PERMIT	41875
AIR NEW SOURCE PERMITS	PERMIT	42221
AIR NEW SOURCE PERMITS	PERMIT	42573
AIR NEW SOURCE PERMITS	PERMIT	42512
AIR NEW SOURCE PERMITS	PERMIT	43605
AIR NEW SOURCE PERMITS	PERMIT	42118
AIR NEW SOURCE PERMITS	PERMIT	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	PERMIT	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	PERMIT	47575
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
WASTEWATER LICENSING	LICENSE	WQ0000402000
WATER LICENSING	LICENSE	1010320
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007

	INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
Location:	5900 Highway 225, Deer Park, TX	Rating Date: September 01 06	Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 22, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 22, 2002 to August 22, 2007

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

Name: Bryan Elliott Phone: 239-6162

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? Yes
3. If Yes, who is the current owner?
   Shell Deer Park Refining Company
   Shell Chemical LP
   Shell Oil Company
   Deer Park Refining Limited Partnership
4. if Yes, who was/were the prior owner(s)?
   Resolution Performance Products, LLC
   Shell Oil Company
   Equilon Enterprises LLC
5. When did the change(s) in ownership occur?
   12/03/2002
   06/10/2004

Components (Multimedia) for the Site :

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

Effective Date: 06/12/2003 ADMINORDER 2002-0478-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Description: Failure to adjust monitoring schedule to monthly from quarterly when leak rate exceeds 2%.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Effective Date: 08/30/2004 ADMINORDER 2003-1321-AIR-E

Classification: Major

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

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

Effective Date: 09/26/2004 ADMINORDER 2004-0101-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.100[G]
30 TAC Chapter 113, SubChapter C 113.120

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

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

Effective Date: 08/20/2005 ADMINORDER 2004-0867-IHW-E

Classification: Moderate

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

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

Classification: Moderate

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

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

Effective Date: 02/20/2006 ADMINORDER 2005-0765-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Minor

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

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

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

Effective Date: 02/20/2006 ADMINORDER 2005-0734-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Major

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

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

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

Classification: Major

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

Rqmt Prov: SC #1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]

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

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

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

Classification: Minor

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

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

Rqmt Prov: NSR Permit #3173, Special Condition #1 PA
Description: Failed to comply with the maximum allowable emission rates for carbon monoxide, volatile organic compounds ("VOC"), and nitrogen oxides and varied from permit representations for VOC emissions from the IPA Purge Line on September 6, 2004

Classification: Major

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

Rqmt Prov: Also Permit No. 3219, Gen. Condition 8 PERMIT
Description: Failed to control the ammonia concentration in the sour hydrogen feed resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on May 22, 2004. Category A.11.i(6).

Classification: Minor

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

Description: Failed to submit initial notification of a reportable emissions event at the Isopropyl Alcohol (IPA) Unit which occurred on September 6, 2004 within 24 hours of discovery.

Effective Date: 05/12/2006 ADMINORDER 2005-1614-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: Permit No 3214, Gen Cond. No. 8 OP
Description: Failed to prevent unauthorized emissions of 241 lbs of 1, 3-Butadiene, 322 lbs of Butene, 1,299 lbs of Pentane, 2,182 lbs of Ethylene, 68 lbs of Benzene and 1,018 lbs of Propylene during a 10 hour and 30 minute emissions event that occurred on December 25, 2004 in the OP3 Unit.

Classification: Moderate

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

Rqmt Prov: General Condition #8 PERMIT
Description: Failed to prevent unauthorized emissions of 686 lbs of 1, 3-Butadiene, 949 lbs of Butene, 1,299 lbs of Pentane, 4,059 lbs of Ethylene and 2,044 lbs of Propylene during a 23 minute emissions event that occurred on February 17, 2005 in the Olefins No. 3 Unit ("OP3").

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Max. Allow. Em. Rate Ta PERMIT
Description: Failed to prevent unauthorized emissions of 1847.7 lbs of Ethylene, 680.70 lbs of Carbon Monoxide, and 87.3 lbs of Nitrogen Monoxide during a 3-hour emissions event that occurred on February 24, 2005 at the Acetylene Converters in the Olefins #2 Unit.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Gen. Cond. No. 8 OP
Description: Failed to prevent unauthorized emissions of 404 lbs of volatile organic compounds ("VOC") in one hour on January 13, 2005 in the OP2 Unit Elevated Flare. Specifically, 868 lbs of VOCs were released and the VOC maximum allowable emission rate for the flare is 464 lbs per hour.

Effective Date: 08/29/2006 COURTORDER

Classification: Moderate

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

30 TAC Chapter 111, SubChapter B 111.201

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

Classification: Moderate

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

30 TAC Chapter 111, SubChapter B 111.201

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

Classification: Moderate

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

Rqmt Prov: mact rates PERMIT
Description: Exceeded maximum allowable emission rates for hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
Description: Discharged approximately 327 pounds of unspeciated VOC resulting in air contaminants in such concentration and duration so as to interfere with the normal use and enjoyment of property in teh area.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	08/22/2002	(157708)
2	08/24/2002	(4890)
3	08/24/2002	(4888)
4	08/28/2002	(5059)
5	08/28/2002	(5060)
6	08/29/2002	(8058)
7	08/31/2002	(9511)
8	08/31/2002	(9388)
9	08/31/2002	(10160)
10	08/31/2002	(9479)
11	08/31/2002	(10241)
12	08/31/2002	(10071)
13	08/31/2002	(9298)
14	08/31/2002	(9698)
15	08/31/2002	(8665)
16	08/31/2002	(10222)
17	08/31/2002	(10117)
18	08/31/2002	(10030)
19	08/31/2002	(9860)
20	08/31/2002	(4913)
21	08/31/2002	(9964)
22	08/31/2002	(4915)
23	08/31/2002	(9758)
24	08/31/2002	(10403)
25	09/23/2002	(157712)
26	09/26/2002	(12173)
27	09/27/2002	(157759)
28	10/02/2002	(12436)
29	10/15/2002	(5839)
30	10/23/2002	(157716)
31	10/23/2002	(157718)
32	10/28/2002	(157762)
33	11/04/2002	(14763)
34	11/21/2002	(157721)
35	11/27/2002	(157766)
36	12/03/2002	(13971)
37	12/06/2002	(13895)
38	12/09/2002	(14114)
39	12/17/2002	(16626)
40	12/19/2002	(13703)
41	12/23/2002	(157770)
42	12/23/2002	(15106)
43	12/30/2002	(157725)
44	12/31/2002	(13462)
45	01/09/2003	(19750)
46	01/10/2003	(20830)
47	01/13/2003	(246531)
48	01/24/2003	(17948)
49	01/27/2003	(157729)
50	01/28/2003	(157774)
51	02/05/2003	(23703)
52	02/10/2003	(157684)
53	02/12/2003	(24287)
54	02/13/2003	(22044)
55	02/20/2003	(10139)
56	02/24/2003	(157683)
57	02/24/2003	(22731)
58	02/28/2003	(157734)
59	03/25/2003	(157687)
60	03/31/2003	(10812)
61	03/31/2003	(157737)
62	04/03/2003	(19124)
63	04/23/2003	(157693)
64	04/29/2003	(157742)
65	05/09/2003	(26339)
66	05/10/2003	(450832)
67	05/11/2003	(26340)

68	05/22/2003	(157697)
69	05/27/2003	(157746)
70	05/30/2003	(36614)
71	06/05/2003	(29924)
72	06/16/2003	(114383)
73	06/24/2003	(157701)
74	06/25/2003	(157750)
75	06/26/2003	(60695)
76	06/28/2003	(33595)
77	07/23/2003	(284079)
78	07/23/2003	(295231)
79	07/25/2003	(157705)
80	07/25/2003	(157709)
81	08/06/2003	(114294)
82	08/12/2003	(148558)
83	08/23/2003	(36650)
84	08/26/2003	(295233)
85	08/29/2003	(149848)
86	09/22/2003	(295235)
87	09/25/2003	(295217)
88	10/22/2003	(249626)
89	10/23/2003	(295219)
90	10/27/2003	(295237)
91	10/28/2003	(252341)
92	11/21/2003	(295220)
93	11/26/2003	(295238)
94	11/30/2003	(248256)
95	12/17/2003	(295221)
96	12/23/2003	(295239)
97	01/02/2004	(257380)
98	01/02/2004	(252698)
99	01/04/2004	(251319)
100	01/14/2004	(254260)
101	01/21/2004	(252556)
102	01/22/2004	(295240)
103	01/26/2004	(295222)
104	01/28/2004	(261052)
105	02/23/2004	(248995)
106	02/23/2004	(432673)
107	02/27/2004	(295223)
108	03/16/2004	(295208)
109	03/24/2004	(295225)
110	03/31/2004	(260311)
111	04/16/2004	(256199)
112	04/21/2004	(295209)
113	04/23/2004	(295226)
114	05/19/2004	(256196)
115	05/19/2004	(295206)
116	05/19/2004	(295211)
117	05/25/2004	(268601)
118	05/25/2004	(295228)
119	05/25/2004	(266874)
120	05/26/2004	(273578)
121	06/03/2004	(270210)
122	06/09/2004	(272409)
123	06/18/2004	(271341)
124	06/18/2004	(270854)
125	06/21/2004	(295213)
126	06/23/2004	(352010)
127	07/14/2004	(260134)
128	07/22/2004	(352011)
129	07/26/2004	(352004)
130	08/11/2004	(288458)
131	08/11/2004	(288745)
132	08/11/2004	(287418)
133	08/11/2004	(287399)
134	08/16/2004	(279252)
135	08/16/2004	(279239)
136	08/23/2004	(352012)
137	08/24/2004	(352003)
138	08/24/2004	(352005)
139	08/31/2004	(272715)
140	08/31/2004	(267451)
141	08/31/2004	(268068)
142	08/31/2004	(292677)
143	09/07/2004	(292099)
144	09/22/2004	(352013)
145	09/30/2004	(287575)
146	10/04/2004	(352006)
147	10/18/2004	(335028)
148	10/20/2004	(352007)
149	10/20/2004	(352014)
150	11/11/2004	(289756)

151	11/12/2004	(290146)
152	11/12/2004	(288819)
153	11/22/2004	(285617)
154	11/22/2004	(352015)
155	11/23/2004	(352008)
156	11/29/2004	(339553)
157	12/05/2004	(268602)
158	12/10/2004	(338725)
159	12/11/2004	(341292)
160	12/11/2004	(342406)
161	12/11/2004	(342558)
162	12/14/2004	(341177)
163	12/14/2004	(342547)
164	12/15/2004	(340217)
165	12/17/2004	(339115)
166	12/20/2004	(352016)
167	12/21/2004	(342546)
168	12/27/2004	(352009)
169	12/28/2004	(290091)
170	12/28/2004	(338893)
171	12/29/2004	(342425)
172	12/30/2004	(342431)
173	12/30/2004	(344374)
174	12/30/2004	(344491)
175	01/04/2005	(288475)
176	01/04/2005	(285114)
177	01/04/2005	(288902)
178	01/04/2005	(342600)
179	01/04/2005	(293105)
180	01/05/2005	(289527)
181	01/05/2005	(288541)
182	01/06/2005	(344370)
183	01/06/2005	(344373)
184	01/06/2005	(289146)
185	01/07/2005	(288436)
186	01/09/2005	(289381)
187	01/10/2005	(286434)
188	01/10/2005	(287676)
189	01/10/2005	(279219)
190	01/20/2005	(381814)
191	01/24/2005	(381811)
192	01/26/2005	(342583)
193	01/31/2005	(342585)
194	02/01/2005	(342419)
195	02/22/2005	(350798)
196	02/22/2005	(381812)
197	02/23/2005	(371820)
198	03/22/2005	(381813)
199	03/23/2005	(381809)
200	03/28/2005	(381810)
201	04/01/2005	(346780)
202	04/22/2005	(419640)
203	04/22/2005	(419642)
204	04/29/2005	(344372)
205	05/03/2005	(373899)
206	05/09/2005	(378729)
207	05/25/2005	(380203)
208	06/17/2005	(392662)
209	06/21/2005	(419641)
210	06/21/2005	(419643)
211	06/28/2005	(394944)
212	07/13/2005	(374690)
213	07/18/2005	(379933)
214	07/18/2005	(379934)
215	07/20/2005	(400891)
216	07/21/2005	(400399)
217	07/28/2005	(379300)
218	08/02/2005	(400361)
219	08/03/2005	(399624)
220	08/05/2005	(341201)
221	08/05/2005	(341194)
222	08/05/2005	(341195)
223	08/05/2005	(341198)
224	08/05/2005	(341200)
225	08/10/2005	(403710)
226	08/15/2005	(453221)
227	08/16/2005	(404329)
228	08/16/2005	(404327)
229	08/18/2005	(404406)
230	08/22/2005	(400922)
231	08/23/2005	(401945)
232	08/23/2005	(404915)
233	08/25/2005	(405926)

234	08/30/2005	(401403)
235	09/23/2005	(440775)
236	09/23/2005	(440776)
237	09/28/2005	(431096)
238	10/04/2005	(405964)
239	10/05/2005	(407310)
240	10/05/2005	(406803)
241	10/05/2005	(431097)
242	10/05/2005	(431095)
243	10/10/2005	(406428)
244	10/24/2005	(468331)
245	10/26/2005	(433389)
246	10/28/2005	(405406)
247	11/03/2005	(431819)
248	11/04/2005	(431796)
249	11/04/2005	(431865)
250	11/14/2005	(371956)
251	11/23/2005	(433921)
252	11/28/2005	(437043)
253	11/28/2005	(468332)
254	11/30/2005	(437117)
255	12/08/2005	(418800)
256	12/16/2005	(451110)
257	12/27/2005	(468333)
258	01/24/2006	(451885)
259	01/24/2006	(468334)
260	02/16/2006	(454090)
261	02/21/2006	(455170)
262	02/21/2006	(454835)
263	02/23/2006	(455872)
264	02/23/2006	(455897)
265	02/23/2006	(439108)
266	02/24/2006	(438342)
267	02/24/2006	(468329)
268	02/25/2006	(456944)
269	02/25/2006	(457085)
270	02/27/2006	(457162)
271	02/27/2006	(456661)
272	02/28/2006	(457143)
273	02/28/2006	(457152)
274	03/03/2006	(455540)
275	03/09/2006	(457675)
276	03/15/2006	(458469)
277	03/17/2006	(451544)
278	03/20/2006	(431859)
279	03/23/2006	(290016)
280	03/23/2006	(468330)
281	03/28/2006	(405965)
282	04/03/2006	(455004)
283	04/24/2006	(449499)
284	04/24/2006	(498125)
285	04/25/2006	(449838)
286	04/26/2006	(455005)
287	04/27/2006	(440023)
288	04/28/2006	(462216)
289	05/10/2006	(266908)
290	05/10/2006	(268067)
291	05/12/2006	(461088)
292	05/17/2006	(461235)
293	05/17/2006	(466235)
294	05/22/2006	(498126)
295	05/26/2006	(460174)
296	05/26/2006	(460095)
297	05/26/2006	(460156)
298	05/26/2006	(460637)
299	05/30/2006	(459416)
300	05/30/2006	(460198)
301	05/31/2006	(480622)
302	05/31/2006	(455293)
303	06/12/2006	(455296)
304	06/13/2006	(457735)
305	06/14/2006	(480612)
306	06/15/2006	(449850)
307	06/20/2006	(498127)
308	06/21/2006	(467546)
309	06/23/2006	(467537)
310	06/23/2006	(467329)
311	06/28/2006	(467525)
312	06/30/2006	(463111)
313	06/30/2006	(466561)
314	07/10/2006	(482757)
315	07/11/2006	(482755)

316	07/11/2006	(482760)
317	07/11/2006	(482407)
318	07/14/2006	(467608)
319	07/24/2006	(520133)
320	07/26/2006	(487301)
321	07/27/2006	(486448)
322	07/31/2006	(482753)
323	08/08/2006	(482747)
324	08/14/2006	(480383)
325	08/16/2006	(392732)
326	08/18/2006	(457259)
327	08/18/2006	(457480)
328	08/23/2006	(457432)
329	08/25/2006	(510170)
330	08/28/2006	(479997)
331	08/29/2006	(509957)
332	08/29/2006	(479999)
333	08/30/2006	(509636)
334	08/31/2006	(457283)
335	09/07/2006	(510326)
336	09/25/2006	(520134)
337	09/29/2006	(487313)
338	10/04/2006	(510017)
339	10/04/2006	(512388)
340	10/05/2006	(510021)
341	10/05/2006	(512393)
342	10/05/2006	(512392)
343	10/13/2006	(510023)
344	10/24/2006	(544406)
345	10/26/2006	(512394)
346	10/27/2006	(515112)
347	10/31/2006	(513138)
348	10/31/2006	(509694)
349	10/31/2006	(343595)
350	11/03/2006	(513228)
351	11/03/2006	(513328)
352	11/06/2006	(515706)
353	11/16/2006	(512687)
354	11/16/2006	(514711)
355	11/21/2006	(517284)
356	11/27/2006	(544407)
357	11/30/2006	(379581)
358	12/07/2006	(488023)
359	12/07/2006	(488025)
360	12/07/2006	(487985)
361	12/07/2006	(488004)
362	12/15/2006	(508968)
363	12/21/2006	(534053)
364	12/27/2006	(544408)
365	12/27/2006	(544409)
366	12/29/2006	(343599)
367	01/19/2007	(531892)
368	01/31/2007	(537439)
369	01/31/2007	(538238)
370	01/31/2007	(538659)
371	02/17/2007	(532455)
372	02/20/2007	(457345)
373	02/23/2007	(532463)
374	02/23/2007	(532452)
375	02/27/2007	(532471)
376	03/01/2007	(509707)
377	03/05/2007	(406521)
378	04/12/2007	(554202)
379	04/25/2007	(542681)
380	04/25/2007	(532459)
381	04/26/2007	(541475)
382	04/30/2007	(542592)
383	04/30/2007	(542683)
384	05/07/2007	(537121)
385	05/08/2007	(542690)
386	05/09/2007	(467500)
387	05/14/2007	(542697)
388	05/18/2007	(542652)
389	05/29/2007	(559183)
390	05/30/2007	(560809)
391	06/25/2007	(563779)
392	06/25/2007	(564308)
393	06/27/2007	(564822)
394	06/27/2007	(564828)
395	07/06/2007	(565610)
396	07/10/2007	(565422)
397	08/01/2007	(567841)
398	08/03/2007	(568522)

399 08/13/2007 (571026)
400 08/14/2007 (567884)
401 08/15/2007 (571883)
402 08/17/2007 (571025)

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

Date 12/16/2002 (16626)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(1)
Description: Failure to protect the vent opening on the ground storage tank with a 16-mesh or finer corrosion resistant screen.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(3)(D)
Description: Failure to provide scales for determining the amount of disinfectant used daily.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Description: Failure to seal the wellhead with the use of gaskets or a pliable crack-resistant caulking compound.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)
Description: Failure to seal the wellhead with the use of gaskets or a pliable crack-resistant caulking compound.
Date 12/30/2002 (13462)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to comply with permitted effluent limits for pH, Oil and Grease, TOC, and BOD.

Date 12/31/2002 (157729)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 01/24/2003 (17948)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(10)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Description: Failure to identify cause of the event and failure to comply with TCEQ Air Permit 3219.

Date 01/31/2003 (157683)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 06/28/2003 (33595)
Self Report? NO Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failed to prevent an emissions release by good design, operation, and maintenance practices.

Date 07/31/2003 (157709)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 09/30/2003 (295219)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 11/30/2003 (295239)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 01/04/2004 (251319)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT TCEQ AIR PERMIT #19849, SC #1
Description: Shell allowed 237 lbs of unauthorized emissions of mesityl oxide (a highly irritating ketone, which overflowed Tank T-40-16 due to an inaccurate level indicator and failure to respond to a high level alarm from the back up high level alarm system.
Date 01/14/2004 (254260)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT TCEQ AIR PERMIT #3219, SC #4
Description: Main induced-draft fan on Boiler H-8610 shut down when governor seized due to dirty oil (inadequate attention to the status of the oil). The (large) boiler tripped on loss of the fan. Two olefin plants were shut down due to insufficient steam supply to the steam turbines driving the large critical compressors.
Date 01/21/2004 (252556)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: PERMIT TCEQ AIR PERMIT #21262, SC #1
Description: Shell damaged the lube oil pump for the Recycle Gas Compr. Either possible root cause (failure to prime the pump or improperly installing the new motive screws) avoidably damaged those

screws. Shell failed to control SO2 emissions during a

startup activity.

Date 04/30/2004 (295228)

Self Report? YES Classification: Moderate

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

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

Date 06/30/2004 (352011)

Self Report? YES Classification: Moderate

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

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

Date 07/13/2004 (260134)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ AIR PERMIT #920, SC #1

Description: Failure to report an emissions event in a timely manner.

Date 08/31/2004 (272715)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC #8

Description: Failure to operate within the permit limits.

Date 08/31/2004 (267451)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT No. 21262 and PSD-TX-928

Description: Failure to prevent unauthorized emissions.

Date 09/22/2004 (335028)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.

Date 09/30/2004 (352007)

Self Report? YES Classification: Moderate

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

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

Date 11/22/2004 (285617)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC #8

Description: Failure to operate within the permit limits.

Self Report? NO Classification: Minor

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

Description: Failure to indicate the air contaminants from the flare completely in the final report.

Date 11/30/2004 (352009)

Self Report? YES Classification: Moderate

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

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

Date 12/14/2004 (340217)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(4)
30 TAC Chapter 305, SubChapter F 305.125(5)
TWC Chapter 26 26.121(a)(1)

Description: Failure to prevent the unauthorized discharge of untreated or partially treated process, sanitary, balast, and utility wastewaters through outfall 008. The permittee is authorized to discharge storm water and fire water only to outfall 008. See attached Table 1.

Date 12/28/2004 (290091)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC #8

Description: Failure to avoid loss of cooling in the PRC surface condensate system.

Date 12/30/2004 (344491)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA Permit #21262/PSD-TX-928, SC#1

Description: Failure to control emissions.

Date 12/30/2004 (344374)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA Permit #s:21262,PSD-TX-928, SC #1

Description: Failure to Control Emissions

Date 01/04/2005 (342600)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT No. 3219 and PSD-TX-974, GC # 8
Description: Failure to control hydrate formation in the demethanizer column.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failure to report emissions event in a timely manner.
Date 01/07/2005 (288436)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT No. 21262 and PSD-TX-928
Description: Exceeded permit limits during an avoidable emissions event.
Date 01/09/2005 (289381)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit #3219 and PSD-TX-974
Description: Exceeded permit limits during an avoidable emissions event.
Date 03/31/2005 (419640)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 04/29/2005 (344372)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to control emissions.
Date 06/20/2005 (395120)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT No. 9334, Gen. Condition #8
Description: Failure to prevent spill during tank heel transfer.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to submit an emissions event in a timely manner.
Date 07/31/2005 (419643)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 08/17/2005 (404327)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
Description: Failure to maintain ammonia emissions below 10ppm on furnace 110.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
Description: Failure to maintain ammonia emissions below 10ppm on furnace 150.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
Description: Failure to maintain ammonia emissions below 10ppm on furnace 180.
Date 09/30/2005 (468331)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 10/10/2005 (406428)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to control emissions.
Date 12/08/2005 (418800)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to maintain compliance with the effluent permit limits. Effluent violations were reported for ammonia-nitrogen at outfall 104 in 07/05 and for calcium, nickel and fecal coliform at outfall 001 in 03/05.
Date 02/23/2006 (439108)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA 3219 AND PSD-TX-974
Description: Exceeded permit limits during an avoidable emissions event.
Date 02/27/2006 (438342)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to control unauthorized emissions.
Date 04/04/2006 (455004)

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1946, Special Condition 15H
OP 1946, Special Condition 1A
Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G]
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1668, Special Condition 1A
PERMIT 3219, Special Conditions 5 and 6
Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions .

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1946, Special Condition 1A

OP 1946, Special Condition 21
PERMIT 3216, Special Condition 6E
PERMIT 3218, Special Condition 8E
Description: Nine OELs in HT2; 2 OELs in CIPX

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 18576, Special Condition 7E
OP 1946, Special Condition 1A
OP 1946, Special Condition 21
Description: Failure to seal 18 OELs in IRU.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
Rqmt Prov: OP 1946, Special Condition 1A
OP 1946, Special Condition 21
PERMIT 3217, Special Condition 3E
Description: Failure to seal OELs in BD3.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1946, Special Condition 21
PERMIT 3216, Special Condition 1
PERMIT 3216, Special Condition 5
Description: Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1946, Special Condition 21
PERMIT 3216, Special Conditions 1 and 4
Description: The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.
Date 05/31/2006 (455293)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT No. 3219 and PSD-TX-974 MAERT
Description: Failure to prevent an operator error resulting in unauthorized emissions.
Date 06/15/2006 (457735)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 9334 MAERT
Description: Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.
Date 06/16/2006 (510170)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT Self-reporting Requirements
Description: Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.
Date 06/28/2006 (467525)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT #21262, Special Condition #1
Description: Failure to prevent overpressure of Secondary Debutanizer Column, V-613.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failed to identify the preconstruction authorization.
Date 06/30/2006 (520133)

Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 07/14/2006 (467608)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT No 3219 MAERT
Description: Failure to prevent unauthorized emissions during decoking of furnace FOL170.
Date 07/31/2006 (440775)

Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date 08/18/2006 (457259)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 266, SC 7E
PERMIT 3985A, SC 7E
OP O-01947, Special Condition 13
OP O-01947, Special Condition 1A
Description: 3 OELs in SITEFE and 1 OEL in WRACKFE
Date 08/23/2006 (457432)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1948, Special Condition 1A
Description: Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1948, Special Condition 13
OP 1948, Special Condition 1A
PERMIT 19849, Special Condition 11E
Description: 10 OELs in MPLANTFE

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1948, Special Condition 13
OP 1948, Special Condition 1A
PERMIT 1968, Special Condition 3E
PERMIT 19849, Special Condition 11E
PERMIT 3173, Special Condition 6E
Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFE; 1 OEL in HPLANTFE

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP 1948, Special Condition 13
OP 1948, Special Condition 1A

PERMIT 3173, Special Condition 6F

Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005

Self Report? NO Classification: Minor

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

Rqmt Prov: OP 1948, Special Condition 13
PERMIT 19849, Special Condition 7D

Description: Failure to inspect Tank T667B by the due date of March 2005

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13
PERMIT 3173, Special Condition 1

Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.

Self Report? NO Classification: Moderate

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

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

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 1A

Description: Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere

Date 08/28/2006 (479997)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 3219, Special Condition 2I
OP O-1668, Special Condition 15
OP O-1668, Special Condition 1H(v)

Description: Failure to repair Component No. 64110.P in OP2FUG within 15 days

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 3219, Special Condition 2E
OP O-1668, Special Condition 15
OP O-1668, Special Condition 1A

Description: Forty-nine incidences of open-ended lines in OP2FUG

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 3214, Special Condition 5E
OP O-1668, Special Condition 15
OP O-1668, Special Condition 1A

Description: 26 OELs in OL3FUG and 4 OELs in PYR3FUG

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 3214, Special Condition 5E
PERMIT 3219, Special Condition 2E
OP O-1668, Special Condition 15
OP O-1668, Special Condition 1A

Description: 28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 3219, Maximum Allowable Emission Rates
OP O-1668, Special Condition 15

Description: Exceedance of VOC MAER in tpy for the Olefins Flare System

Date 08/29/2006 (479999)

Self Report? NO Classification: Minor

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

	5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	PERMIT 9334, Special Condition 15E OP O-1943, Special Condition 17 OP O-1943, Special Condition 1A
Description:	One OEL in ACUFUG and one OEL in FUGOXU
Self Report?	NO — Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	PERMIT 9334, Special Condition 7 OP O-1943, Special Condition 17
Description:	Incomplete records of furnace firing rates for the ACU furnace, EPN H902
Self Report?	NO — Classification: Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	OP O-1943, Special Condition 1A
Description:	Failure to conduct internal inspection of Tank F-361 by the due date of May 2005
Self Report?	NO — Classification: Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)[G] 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	PERMIT 9334, Special Condition 8 OP O-1943, Special Condition 17
Description:	Operation of the East Property Flare with visible emissions
Self Report?	NO — Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(4) 5C THC Chapter 382, SubChapter A 382.085(b)
Description:	Failure to visually inspect Tank G-359 by the due date of August 16, 2005
Self Report?	NO — Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	PERMIT 9334, Special Condition 10D OP O-1943, Special Condition 17
Description:	Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359
Self Report?	NO — Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	PERMIT 9334, Special Condition 10D OP O-1943, Special Condition 17 OP O-1943, Special Condition 1A
Description:	Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.
Date 08/31/2006	(457283)
Self Report?	NO — Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	PERMIT 48912, Special Condition 5 OP O-2108, Special Condition 15
Description:	Failure to analyze wastewater for isobutyraldehyde
Self Report?	NO — Classification: Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.132(a)[G] 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	OP O-2108, Special Condition 1A
Description:	Failure to meet the control requirements for VOC water separators NAPI and SAPI
Self Report?	NO — Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	OP O-2108, Special Condition 1A
Description:	Failure to obtain vapor pressure sample from T-1318
Self Report?	NO — Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	OP O-2108, Special Condition 1A
Description:	Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301
Date 11/03/2006	(513328)
Self Report?	NO — Classification: Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)
Description:	Shell failed to submit a CAP in a timely manner.
Date 11/14/2006	(512687)
Self Report?	NO — Classification: Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:	OP FOP #O-01669, Special Condition #1A
Description:	Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)(ii).
Self Report?	NO — Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.100(1)

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

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

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

Self Report? NO Classification: Minor

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

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

Date 11/30/2006 (544408)

Self Report? YES Classification: Moderate

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

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

Date 02/23/2007 (532452)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1A
OP FOP O-01946, Special Condition 1M(iv)
OP FOP O-01946, Special Condition 21
PA NSR #18576, Special Condition 7H
PA NSR #3216, Special Condition 6H
PA NSR #3217, Special Condition 3H

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP # O-01946, Special Condition 1A
OP FOP #O-01946, Special Condition 21
PA NSR 3216, Special Condition 2
PA NSR 3218, Special Condition 2

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

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP O-01946, Special Condition 1A
OP FOP O-01946, Special Condition 1M(iv)
OP FOP O-01946, Special Condition 21
PA NSR Permit 3215, Special Condition 2E
PA NSR Permit 3216, Special Condition 2
PA NSR Permit 3216, Special Condition 6E
PA NSR Permit 3217, Special Condition 3E
PA NSR Permit 3218, Special Condition 2
PA NSR Permit 3218, Special Condition 8E

Description: Failure to cap 57 open-ended valves/lines per 30 TAC115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

Self Report? NO Classification: Minor

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

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

Description: Failure to monitor the firing rate of the FOL-601 furnace for 213 hours as required by NSR Permit
#3216, Special Condition #5.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP O-01946, Special Condition 1A
OP FOP O-01946, Special Condition 21
PA NSR Permit 3219, Special Condition 4

Description: Failure to continuously monitor for the presence of a flare pilot light on the OP3ELFLA unit, on two
separate occasions for a total of 156 hours, as required by 40 CFR 60.18(f)(2), 40 CFR 63.11(b)(5),
and NSR #3219, SC#4.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01946, Special Condition 21
PA NSR Permit 3216, Special Condition 1
Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01946, Special Condition 1M(ii)
Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours
on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01946, Special Condition 1M(ii)
Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01946, Special Condition 1A
Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40
CFR 60.113b(b)(1).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP O-01946, Special Condition 28
Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP #O-01946, General Terms & Conditions
Description: Failure to submit the Deviation Report within 30 days of the end of the deviation period per 30 TAC 122.145(2)(C).
Date 02/23/2007 (532463)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP # O-01943, Special Condition #19
Description: Late submittal of the Deviation Report dated March 27, 2006.
Date 02/27/2007 (532471)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP #O-01947, General Terms & Conditions
Description: Failure to submit PCC within 30 days as required.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP #O-01947, General Terms & Conditions
Description: Failure to submit a Deviation report within 30 days as required.
Date 05/14/2007 (542697)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.
Date 08/17/2007 (571025)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01668 General Terms and Conditions
Description: Failure to submit the semiannual deviation report within 30 days of the end of the deviation reporting period.

F. Environmental audits.

Notice of Intent Date: 09/04/2002 (33051)
No DOV Associated

Notice of Intent Date: 09/16/2002 (33069)
No DOV Associated

Notice of Intent Date: 10/29/2002 (33101)
No DOV Associated

Notice of Intent Date: 11/20/2002 (33116)

No DOV Associated

Notice of Intent Date: 12/20/2002 (265131)
Disclosure Date: 06/24/2003

Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B
Description: Failed to authorize emissions from rail car cleaning.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A
Description: Failed to report emissions from EPN Carclean in emissions inventory.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter F
Description: Failed to justify control efficiency of railcar cleaning CAS.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter F
Description: Failed to keep records of CAS breakthrough monitoring.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B
Description: failed to submit compliance plan with application
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter F
Description: failed to process tank cars with partial vapor pressure of >= 0.5 psia through properly operating control system

Notice of Intent Date: 01/12/2003 (32908)
No DOV Associated

Notice of Intent Date: 02/26/2003 (263866)
No DOV Associated

Notice of Intent Date: 02/26/2003 (29900)
No DOV Associated

Notice of Intent Date: 04/28/2003 (263686)
No DOV Associated

Notice of Intent Date: 05/27/2003 (112481)
No DOV Associated

Notice of Intent Date: 06/13/2003 (251436)
No DOV Associated

Notice of Intent Date: 06/12/2003 (251440)
Disclosure Date: 09/04/2003

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B
Description: Failure to maintain and compile inspection reports that document all of the elements required by the applicable regulations.

Notice of Intent Date: 06/19/2003 (397860)
No DOV Associated

Notice of Intent Date: 08/12/2003 (251504)
No DOV Associated

Notice of Intent Date: 09/05/2003 (251740)
No DOV Associated

Notice of Intent Date: 09/05/2003 (251760)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263020)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263024)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263025)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263029)
No DOV Associated

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

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

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

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

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

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

Notice of Intent Date: 08/06/2004 (334047)
No DOV Associated

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

Notice of Intent Date: 10/12/2004 (349555)

No DOV Associated

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

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

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

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

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

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

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A
40 CFR Chapter 372, SubChapter J, PT 372, SubPT B
Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required

Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A
Description: documentation was not readily available to demonstrate the development of a formal startup, shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual report was submitted

Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA
Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability determination for miscellaneous process vents

Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F
Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no leaks were detected, it is unclear whether there was complete compliance wiht HON requirements

Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF
Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not been performed as required by benzene waste NESHAP regulations

Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF
Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access hatches and other openings are properly closed and gasketed had not been performed as required by the benzene waste NESHAP regulations

Notice of Intent Date: 01/06/2005 (349868)
No DOV Associated

Notice of Intent Date: 01/05/2005 (371573)
No DOV Associated

Notice of Intent Date: 01/27/2005 (350720)
No DOV Associated

Notice of Intent Date: 01/27/2005 (350721)
Disclosure Date: 03/23/2005

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F
Description: failed to meet requirements for maintenance/start-up/shutdown related activities

Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C
Description: incorporation by reference of 40 CFR 63 Subpart F (SOCMI MACT standard)

Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C
Description: incorporation by reference of 40 CFR 63 Subpart G (SOCMI for Process Vents, Storage Vessels, Transfer Operations, and Wastewater MACT standard)

Notice of Intent Date: 01/27/2005 (350723)
Disclosure Date: 07/06/2005

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C
Description: Equipment associated with a decommissioned cumene unit in the Phenol Acetone Production Areas was not properly decontaminated when shut down in 2001. Process vessels, pumps, exchangers, and piping contain material that meets the definition of a characteristically hazardous waste (D002, D018).

Notice of Intent Date: 03/02/2005 (375030)
No DOV Associated

Notice of Intent Date: 03/02/2005 (375031)
Disclosure Date: 07/14/2005

Viol. Classification: Minor
Rqmt PERMIT Air New Source Permit No. 9334 SC 10.D
Description: no notification 30 days in advance of 11/04 seal gap measurement for Aromatics EFR tank G-359

Viol. Classification: Minor
Rqmt PERMIT Air New Source Permits
Description: no notification 30 days in advance of refilling of Solvents IFR tank T140B, Phenol Acetone IFR tank D391, Solvents IFR tank F337

Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G
Rqmt PERMIT Permit 9334 Special Condition 10D
Description: no 10 yr internal seal inspection of Aromatics IFR tank F-361

Notice of Intent Date: 04/15/2005 (380864)
No DOV Associated

Notice of Intent Date: 05/18/2005 (396476)
No DOV Associated

Notice of Intent Date: 08/22/2005 (434090)
No DOV Associated

Notice of Intent Date: 08/22/2005 (434095)

No DOV Associated

Notice of Intent Date: 11/04/2005 (438422)
No DOV Associated

Notice of Intent Date: 12/02/2005 (451075)
No DOV Associated

Notice of Intent Date: 01/05/2006 (452942)
No DOV Associated

Notice of Intent Date: 01/05/2006 (452952)
No DOV Associated

Notice of Intent Date: 05/22/2006 (454159)
No DOV Associated

Notice of Intent Date: 04/18/2007 (562595)
No DOV Associated

G. Type of environmental management systems (EMSs).

Non 30 TAC CH 90 Certified, ISO 14001:2
installed 1/12/2005, certified 1/19/2006

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

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

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	**TEXAS COMMISSION ON**
SHELL CHEMICAL LP	§	
RN100211879	§	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2007-1472-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 Shell Chemical LP ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent 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 chemical manufacturing plant at 5900 Highway 225 in Deer Park, Harris County, Texas (the "Plant").

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 JUN -6 AM 10: 15

CHIEF CLERKS OFFICE

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. During an investigation on July 11, 2007, TCEQ staff documented that the Respondent failed to comply with permitted emissions limits. Specifically, an emissions event occurred on May 3, 2007 at the Decoke Vent (Emission Point No. VP3-1142) at the Olefins 3 Unit, which lasted for 20 minutes, resulting in the release of 4,700 pounds ("lbs") of volatile organic compounds ("VOCs"). The authorized emissions for this Emission Point is 0.07 lbs per hour. Since this emissions event was improperly reported and could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

4. During an investigation on July 11, 2007, TCEQ staff documented that the Respondent failed to list the compound descriptive type for an emission event. Specifically, the initial and final reports did not speciate the VOC emissions for the May 3, 2007 reportable emissions event.

5. During an investigation on July 11, 2007, TCEQ staff documented that:

   a. The Respondent failed to comply with permitted emissions limits. Specifically, an emissions event occurred from May 2 to 3, 2007 at the OP-2 Elevated Flare (Emission Point No. OP2ELFLA), the OP-3 Elevated Flare (Emission Point No. OP3ELFLA), and the OP-3 Ground Flare (Emission Point No. OP3GRFLA) which lasted for 14 hours and 30 minutes, resulting in the release of 15,381 lbs of VOCs, including 13,008 lbs of highly reactive volatile organic compounds. The authorized emissions for these Emission Points are 464 lbs per hour for VOCs. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

   b. The Respondent failed to comply with permitted emissions limits. Specifically, an emissions event occurred from May 2 to 3, 2007 at the OP-2 Elevated Flare (Emission Point No. OP2ELFLA), the OP-3 Elevated Flare (Emission Point No. OP3ELFLA), and the OP-3 Ground Flare (Emission Point No. OP3GRFLA) which lasted for 14 hours and 30 minutes, resulting in the release of 14,295 lbs of carbon monoxide ("CO"). The authorized emissions for these Emission Points are 287 lbs per hour for CO. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

   c. The Respondent failed to comply with permitted emissions limits. Specifically, an emissions event occurred from May 2 to 3, 2007 at the OP-2 Elevated Flare (Emission Point No. OP2ELFLA), the OP-3 Elevated Flare (Emission Point No. OP3ELFLA), and the OP-3 Ground Flare (Emission Point No. OP3GRFLA) which lasted for 14 hours and 30 minutes, resulting in the release of 2,094 lbs of nitrogen oxides ("NOx"). The authorized emissions for these Emission Points are 40 lbs per hour for NOx. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

   d. The Respondent failed to comply with permitted emissions limits. Specifically, an emissions event occurred from May 2 to 3, 2007 at the OP-2 Elevated Flare (Emission

Point No. OP2ELFLA), the OP-3 Elevated Flare (Emission Point No. OP3ELFLA), and the OP-3 Ground Flare (Emission Point No. OP3GRFLA) which lasted for 14 hours and 30 minutes, resulting in the release of 4,866 lbs of sulfur dioxide ("SO2"). The authorized emissions for these Emission Points are 456 lbs per hour for SO2. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

6. During an investigation on March 20, 2007, TCEQ staff documented that:

   a. The Respondent failed to comply with permitted emissions limits. Specifically, an emissions event occurred on February 28, 2007 at the HIPA Flare (Emission Point No. A1333), the Liquid Propane Gas ("LPG") Vent to A & S Flare (Emission Point No. A1301), and at the V-1384 Piping, which lasted for seven hours and 46 minutes, resulting in the release of 235,806 lbs of VOCs, including 11,791 lbs of HRVOCs. The authorized emissions for Emission Point No. A1333 are 14.67 lbs/hr for VOCs. The authorized emissions for Emission Point No. A1301 are 3.00 lbs/hr for VOCs. The V-1384 Piping has no authorized permitted emissions limits. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

   b. The Respondent failed to comply with permitted emissions limits. Specifically, an emissions event occurred on February 28, 2007 at the HIPA Flare (Emission Point No. A1333), the LPG Vent to A & S Flare (Emission Point No. A1301), and at the V-1384 Piping, which lasted for seven hours and 46 minutes, resulting in the release of 216 lbs of CO and 30 lbs of NOx. The authorized emissions for Emission Point No. A1333 are 12.90 lbs/hr for CO and 2.13 lbs/hr for NOx. The authorized emissions for Emission Point No. A1301 are 0.15 lbs/hr for CO and 0.03 lbs/hr for NOx. The V-1384 Piping has no authorized permitted emissions limits. Since this emissions event could have been avoided by good operation practices, it failed to meet the demonstrations for affirmative defense as found in 30 TEX. ADMIN. CODE § 101.222.

7. The Respondent received notices of the violations on August 19 and 20, 2007 and on October 17, 2007.

8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:

   a. On March 15, 2007, to address the emissions event that occurred on February 28, 2007;

      i. Eliminated the seal flush interconnection between the acid phase in the LPG unit feed and the downstream equipment;

      ii. Installed low level draining facilities for LPG storage; and

      iii. Installed a sample station for low level at LPG storage and implemented pH monitoring of any detected low level.

b. On May 2, 2007, was issued an amendment to New Source Review ("NSR") Permit No. 3214 to address the emissions event that occurred from May 2 to 3, 2007;

c. On June 17, 2007, formally disciplined the operator responsible for the root cause of the May 3, 2007 emissions event, as required by the site's formal discipline program;

d. By June 30, 2007, reviewed with Olefins operating personnel during the monthly safety meeting to address the cause of the May 3, 2007 emissions event;

e. On December 18, 2007, met with TCEQ Region 12 representatives to discuss proper State of Texas Environmental Electronic Reporting System ("STEERS") reporting when complete speciation of constituents is not available, to address the improper reporting of the May 3, 2007 emissions event; and

f. On January 10, 2008, installed a high level alarm on column C-50 chimney tray and created procedures for routine and startup water wash to address the emissions event that occurred on February 28, 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 comply with permitted emissions limits, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Permit No. 3214, Special Condition No. 1.

3. As evidenced by Findings of Fact No. 4, the Respondent failed to list the compound descriptive type for an emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(2)(F) and (b)(1)(G) and TEX. HEALTH & SAFETY CODE § 382.085(b).

4. As evidenced by Findings of Fact No. 5, the Respondent failed to comply with permitted emissions limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(b)(2)(F), TEX. HEALTH & SAFETY CODE § 382.085(b), and NSR Permit No. 3219/PSD-TX-974, General Condition No. 8.

5. As evidenced by Findings of Fact No. 6, the Respondent failed to comply with permitted emissions limits, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit Nos. 3173 and 1968, Special Condition No. 1.

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 Seventy Thousand Four Hundred Fifteen Dollars ($70,415) 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 Thirty-Five Thousand Two Hundred Eight Dollars ($35,208) of the administrative penalty. Thirty-Five Thousand Two Hundred Seven Dollars ($35,207) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project.

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 Seventy Thousand Four Hundred Fifteen Dollars ($70,415) 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: Shell Chemical LP, Docket No. 2007-1472-AIR-E" to:

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

2. The Respondent shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 7 above, Thirty-Five Thousand Two Hundred Seven Dollars ($35,207) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and

substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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

_____ 6/5/2008
For the Executive Director Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Shell Chemical LP. I am authorized to agree to the attached Agreed Order on behalf of Shell Chemical LP, 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, Shell Chemical LP 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.

_____ 3/03/2008
Signature Date

AAMIR FARID GENERAL MANAGER
Name (Printed or typed) Title
Authorized Representative of
Shell Chemical LP

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

Attachment A
Docket Number: 2007-1472-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Shell Chemical LP**
Payable Penalty Amount:	**Seventy Thousand Four Hundred Fifteen Dollars ($70,415)**
SEP Amount:	**Thirty-Five Thousand Two Hundred Seven Dollars ($35,207)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program**
Location of SEP:	**Harris County**

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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