

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0664-AIR-E TCEQ ID: RN100219252 CASE NO.: 35762

RESPONDENT NAME: Huntsman Petrochemical Corporation

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Huntsman Port Neches, 6001 Highway 366, Port Neches, Jefferson County</p> <p>TYPE OF OPERATION: Synthetic organic chemical plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2008-1046-AIR-E and 2008-1586-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on November 24, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Mr. Daniel Siringi, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8799; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Steven Barre, Plant Manager, Huntsman Petrochemical Corporation, P.O. Box 847, Port Neches, Texas 77651 Mr. Jordan Morgan, Director of Manufacturing-PNPP, Huntsman Petrochemical Corporation, P.O. Box 847, Port Neches, Texas 77651 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: February 19, February 29, and March 17, 2008</p> <p>Date of NOV/NOE Relating to this Case: April 10, April 25, and May 3, 2008 (NOE)</p> <p>Background Facts: These were routine investigations.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions (Incident Number 95168). Specifically, 257.26 pounds ("lbs") of volatile organic compounds ("VOCs"), 3.98 lbs of nitrogen oxides ("NOx"), and 70.22 lbs of carbon monoxide ("CO") were released without authorization from the South Flare, emission point number ("EPN") UER037, on July 27, 2007, for two hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review ("NSR") Permit 19823, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-02288, General Terms & Conditions ("GTC"), SC 2I and 16A].</p> <p>2) Failure to properly report an emissions event (Incident Number 95168) [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(A) and (a)(1)(B) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failure to prevent unauthorized emissions (Incident Number 97057). Specifically, 11,416 lbs of VOCs were released without authorization from the</p>	<p>Total Assessed: \$49,728</p> <p>Total Deferred: \$9,945 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$19,891</p> <p>Total Paid to General Revenue: \$19,892</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Design and implement procedures to prevent future violations for unauthorized emissions which occurred on: July 17, 2007 (Incident Number 95168), September 4 through 5, 2007 (Incident Number 97057), August 12, 2007 (Incident Number 95744), August 11, 2007 (Incident Number 95743), and September 26, 2007 (Incident Number 97957); and</p> <p>ii. Design and implement procedures to insure unauthorized emissions events are correctly reported.</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.i. and ii.</p>

wastewater system, EPN 56WWFUG, on September 4 through 5, 2007, for four hours and 15 minutes. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 5952A, SC 1, and FOP O-01320, GTC, SC 2I and 13A].

4) Failure to prevent unauthorized emissions (Incident Number 95744). Specifically, 239.53 lbs of VOCs, 473.03 lbs of CO, and 29.39 lbs of NOx were released without authorization from the North (EPN UER044) and Center (EPN UER46) flares on August 12, 2007, for 11 hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 19823, SC 1, and FOP O-02288, SC 16].

5) Failure to properly report emissions events (Incident Numbers 95743 and 95744) [30 TEX. ADMIN. CODE §§ 101.201(b)(1)(G), (b)(1)(H), and (b)(1)(J), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6) Failure to prevent unauthorized emissions (Incident Number 95743). Specifically, 1,779.19 lbs of VOCs and 246.82 lbs of NOx were released without authorization from the Ground Flare (EPN POFLARE) starting on August 11, 2007, for 34 hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 20160, SC 1, and FOP O-01322, SC 17].

7) Failure to properly report an emissions event (Incident Number 97957) [30 TEX. ADMIN. CODE §§ 101.201(a)(2)(C), (a)(2)(F), (b)(1)(G), (b)(1)(H) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP O-02288, GTC, SC 2F].

8) Failure to prevent unauthorized emissions (Incident Number 97957). Specifically, the following emissions were released without authorization: 4,505.17

<p>lbs of CO, 1,355.14 lbs of NO_x, and 2,225.77 lbs of VOC from the South Flare (EPN UER037), 268.01 lbs of CO, and 220.8 lbs NO_x from the Center and North Flares (EPNs UER046 and UER044) starting on September 26, 2007, for 30 hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 19823, SC 1, and FOP O-02288, GTC, SC 16].</p>		
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Additional ID No(s): JE0052V

Attachment A
Docket Number: 2008-0664-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Huntsman Petrochemical Corporation

Payable Penalty Amount: Thirty-Nine Thousand Seven Hundred Eighty-Three Dollars (\$39,783)

SEP Amount: Nineteen Thousand Eight Hundred Ninety-One Dollars (\$19,891)

Type of SEP: Pre-approved

Third-Party Recipient: Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles

Location of SEP: Jefferson County

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

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the Third-Party Recipient will contribute to Jefferson County for its Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles. Specifically, the contribution will be used to purchase alternative fueled equipment such as propane or electric powered lawn mowers, propane powered light duty and heavy equipment, and alternative fueled vehicles and retire diesel and gasoline powered equipment and vehicles. Jefferson County will also convert current equipment and vehicles to alternative fueled equipment in order to lower emissions.

All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air emissions generated by gasoline and diesel powered equipment and vehicles in the Beaumont/Port Arthur ozone non-attainment area.

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:

The Honorable Judge Ron Walker
Jefferson County Judge
1149 Pearl Street, 4th Floor
Beaumont, Texas 77701

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 March 8, 2008

TCEQ

DATES	Assigned	13-May-2008	Screening	22-May-2008	EPA Due	7-Feb-2009
	PCW	29-May-2008				

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

CASE INFORMATION				
Enf./Case ID No.	35762	No. of Violations	8	
Docket No.	2008-0664-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Aaron Houston	
Multi-Media		EC's Team	Enforcement Team 5	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$15,400

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 282% Enhancement Subtotals 2, 3, & 7 \$43,428

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

Culpability No 0% Enhancement Subtotal 4 \$0

Notes: The Respondent does not meet the culpability criteria.

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

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

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

Total EB Amounts \$316 0% Enhancement* Subtotal 6 \$0
 Approx. Cost of Compliance \$4,500 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal \$58,828

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount \$58,828

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$49,728

DEFERRAL 20% Reduction Adjustment -\$9,945

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

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY \$39,783

Screening Date 22-May-2008

Docket No. 2008-0664-AIR-E

PCW

Respondent Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

Case ID No. 35762

PCW Revision March 8, 2008

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Aaron Houston

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

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

Adjustment Percentage (Subtotal 2) 282%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

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

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

Screening Date 22-May-2008	Docket No. 2008-0664-AIR-E	PCW		
Respondent Huntsman Petrochemical Corporation	<small>Policy Revision 2 (September 2002)</small>			
Case ID No. 35762	<small>PCW Revision March 8, 2008</small>			
Reg. Ent. Reference No. RN100219252				
Media [Statute] Air				
Enf. Coordinator Aaron Houston				
Violation Number <input type="text" value="1"/>				
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(b)(2)(F), (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), New Source Review ("NSR") Permit 19823, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-02288, General Terms & Conditions ("GTC"), SC 2I and 16A			
Violation Description	Failed to prevent unauthorized emissions (Incident Number 95168). Specifically, 257.26 pounds ("lbs") of volatile organic compounds ("VOCs"), 3.98 lbs of nitrogen oxides ("NOx"), and 70.22 lbs of carbon monoxide ("CO") were released without authorization from the South Flare, emissions point number ("EPN") UER037, on July 27, 2007, for two hours. The emissions event was caused by malfunctioning fire sensors that led to the shutdown of boiler H-K2-002. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.			
Base Penalty		<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="25%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
Adjustment		<input type="text" value="\$7,500"/>		
		<input type="text" value="\$2,500"/>		
Violation Events				
Number of Violation Events <input type="text" value="1"/>		Number of violation days <input type="text" value="1"/>		
<small>mark only one with an x</small>	daily	<input type="text"/>	Violation Base Penalty <input type="text" value="\$2,500"/>	
	monthly	<input type="text"/>		
	quarterly	<input checked="" type="checkbox"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
One quarterly event is recommended.				
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount <input type="text" value="\$94"/>		Violation Final Penalty Total <input type="text" value="\$9,550"/>		
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$9,550"/>		

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 35762
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment	\$1,000	27-Jul-2007	30-Nov-2008	1.3	\$4	\$90	\$94
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

Estimated cost of modifying or replacing fire sensors. Date required is the date of the emissions event; final date is the estimated date corrective actions will be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$1,000	TOTAL	\$94
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Screening Date 22-May-2008	Docket No. 2008-0664-AIR-E	PCW
Respondent Huntsman Petrochemical Corporation		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 35762		<small>PCW Revision March 8, 2008</small>
Reg. Ent. Reference No. RN100219252		
Media [Statute] Air		
Enf. Coordinator Aaron Houston		
Violation Number <input type="text" value="2"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 101.201(a)(1)(A), (a)(1)(B), and 122.143(4), and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to properly report an emissions event (Incident Number 95168).	
	Base Penalty	<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	x	Percent <input type="text" value="1%"/>
Matrix Notes	At least 70% of the rule requirement was met.				

Adjustment

Violation Events

Number of Violation Events	<input type="text" value="1"/>	Number of violation days	<input type="text" value="1"/>												
<small>mark only one with an x</small>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: center;">daily</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">monthly</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">quarterly</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">semiannual</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">annual</td><td><input type="text"/></td></tr> <tr><td style="text-align: center;">single event</td><td style="text-align: center;">x</td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	x	Violation Base Penalty	<input type="text" value="\$100"/>
daily	<input type="text"/>														
monthly	<input type="text"/>														
quarterly	<input type="text"/>														
semiannual	<input type="text"/>														
annual	<input type="text"/>														
single event	x														

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$33"/>	Violation Final Penalty Total <input type="text" value="\$382"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$382"/>	

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 35762
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$500	12-Aug-2007	30-Nov-2008	1.3	\$33	n/a	\$33
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs Estimated cost of training personnel to properly report an emissions event. Date required was the date the first emissions report was due; final date is the estimated date corrective actions will be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$33

Screening Date 22-May-2008	Docket No. 2008-0664-AIR-E	PCW
Respondent Huntsman Petrochemical Corporation		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 35762		<i>PCW Revision March 8, 2008</i>
Reg. Ent. Reference No. RN100219252		
Media [Statute] Air		
Enf. Coordinator Aaron Houston		
Violation Number <input type="text" value="3"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(b)(2)(F), (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 5952A, SC 1, and FOP O-01320, GTC, SC 13A and 2I	
Violation Description	Failed to prevent unauthorized emissions (Incident Number 97057). Specifically, 11,416 lbs of VOCs were released without authorization from the wastewater system (EPN 56WWFUG) on September 4 through 5, 2007, for four hours and 15 minutes. The emissions event was caused by a failure to completely empty Tank F-F6-147 and Tank F-F6-148. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.	
	Base Penalty	<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input checked="" type="text" value="x"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				Percent <input type="text" value="50%"/>	

>> Programmatic Matrix

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

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

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

One monthly event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$62"/>	Violation Final Penalty Total <input type="text" value="\$19,100"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$10,000"/>	

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 35762
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$1,000	4-Sep-2007	30-Nov-2008	1.2	\$62	n/a	\$62
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost of training personnel in proper "safing" operations. Date required is the date of the emissions event; final date is the estimated date corrective actions will be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$62

Screening Date 22-May-2008	Docket No. 2008-0664-AIR-E	PCW
Respondent Huntsman Petrochemical Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 35762	<i>PCW Revision March 8, 2008</i>	
Reg. Ent. Reference No. RN100219252		
Media [Statute] Air		
Enf. Coordinator Aaron Houston		
Violation Number <input type="text" value="4"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 19823, SC 1, and FOP O-02288, SC 16	
Violation Description	Failed to prevent unauthorized emissions (Incident Number 95744). Specifically, 239.53 lbs of VOCs, 473.03 lbs of CO, and 29.39 lbs of NOx were released without authorization from the North (EPN UER044) and Center (EPN UER46) flares on August 12, 2007, for 11 hours. The emissions event was caused by the shutdown of the cracked gas compressor C-A3-1 due to excessive vibrations. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.	
Base Penalty		<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

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

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 35762
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$500	12-Aug-2007	30-Nov-2008	1.3	\$33	n/a	\$33
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost of training personnel in proper operation of the cracked gas compressor C-A3-1. Date required is the date of the emissions event; final date is the estimated date corrective actions will be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$33

Screening Date 22-May-2008	Docket No. 2008-0664-AIR-E	PCW
Respondent Huntsman Petrochemical Corporation	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 35762	<small>PCW Revision March 8, 2008</small>	
Reg. Ent. Reference No. RN100219252		
Media [Statute] Air		
Enf. Coordinator Aaron Houston		
Violation Number <input type="text" value="5"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 101.201(b)(1)(G), (b)(1)(H), and (b)(1)(J), and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to properly report emissions events (Incident Numbers 95743 and 95744).	
Base Penalty		<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification			
	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	x	
				Percent <input type="text" value="1%"/>
Matrix Notes	At least 70% of the rule requirement was met.			

Adjustment

Violation Events

Number of Violation Events <input type="text" value="2"/>	<input type="text" value="2"/>	Number of violation days												
<small>mark only one with an x</small> <table border="1" style="border-collapse: collapse;"> <tr><td style="padding: 2px;">daily</td><td><input type="text"/></td></tr> <tr><td style="padding: 2px;">monthly</td><td><input type="text"/></td></tr> <tr><td style="padding: 2px;">quarterly</td><td><input type="text"/></td></tr> <tr><td style="padding: 2px;">semiannual</td><td><input type="text"/></td></tr> <tr><td style="padding: 2px;">annual</td><td><input type="text"/></td></tr> <tr><td style="padding: 2px;">single event</td><td style="text-align: center;">x</td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	x	Violation Base Penalty <input type="text" value="\$200"/>	
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input type="text"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	x													
Two single events are recommended.														

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$764"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$764"/>	

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 35762
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				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

See economic benefit for violation no. 2.

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 22-May-2008	Docket No. 2008-0664-AIR-E	PCW
Respondent Huntsman Petrochemical Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 35762	<i>PCW Revision March 8, 2008</i>	
Reg. Ent. Reference No. RN100219252		
Media [Statute] Air		
Enf. Coordinator Aaron Houston		
Violation Number 6		
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 20160, SC 1, and FOP O-01322, SC 17	
Violation Description	Failed to prevent unauthorized emissions (Incident Number 95743). Specifically, 1,779.19 lbs of VOCs and 246.82 lbs of NOx were released without authorization from the Ground Flare (EPN POFLARE) starting on August 11, 2007, for 34 hours. The emissions event was caused by the shutdown of refrigeration compressor C-F5-005, as a result of the shutdown of boiler H-K2-003 leading to erratic header pressure. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.	
Base Penalty		\$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm				
		Major	Moderate		Minor
	Release				x
	Actual			Percent	
				25%	
	Potential				

>> Programmatic Matrix

		Major	Moderate	Minor	
	Falsification				Percent
					0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.				

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty \$2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input style="width: 150px;" type="text" value="\$65"/>	Violation Final Penalty Total <input style="width: 150px;" type="text" value="\$9,550"/>
This violation Final Assessed Penalty (adjusted for limits) <input style="width: 150px;" type="text" value="\$9,550"/>	

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 35762
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$1,000	11-Aug-2007	30-Nov-2008	1.3	\$65	n/a	\$65
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost to institute procedures and training to prevent unauthorized emissions due to a same or similar cause. Date required is the date of the emissions event; final date is the estimated date corrective action will be complete.

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

\$1,000

TOTAL

\$65

Screening Date 22-May-2008	Docket No. 2008-0664-AIR-E	PCW
Respondent Huntsman Petrochemical Corporation	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 35762	<small>PCW Revision March 8, 2008</small>	
Reg. Ent. Reference No. RN100219252		
Media [Statute] Air		
Enf. Coordinator Aaron Houston		
Violation Number <input type="text" value="7"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 101.201(a)(2)(C), (a)(2)(F), (b)(1)(G), (b)(1)(H), and 122.143(4) Tex. Health & Safety Code § 382.085(b), and FOP O-02288, GTC, SC 2F	
Violation Description	Failed to properly report an emissions event (Incident Number 97957).	
Base Penalty		<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification				
		Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	
				Percent <input type="text" value="1%"/>	
Matrix Notes	At least 70% of the rule requirement was met.				

Adjustment

Violation Events

	<input type="text" value="1"/>		<input type="text" value="1"/>	Number of violation days
<small>mark only one with an x</small>	daily	<input type="text"/>	monthly	<input type="text"/>
	quarterly	<input type="text"/>	semiannual	<input type="text"/>
	annual	<input type="text"/>	single event	<input type="text" value="x"/>

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$382"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$382"/>	

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 35762
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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

See economic benefit for violation no. 2.

Avoided Costs

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

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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 22-May-2008	Docket No. 2008-0664-AIR-E	PCW
Respondent Huntsman Petrochemical Corporation	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 35762	<i>PCW Revision March 8, 2008</i>	
Reg. Ent. Reference No. RN100219252		
Media [Statute] Air		
Enf. Coordinator Aaron Houston		
Violation Number <input type="text" value="8"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(b)(2)(F), (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 19823, SC 1, and FOP O-02288, GTC, SC 16	
Violation Description	Failed to prevent unauthorized emissions (Incident Number 97957). Specifically, the following emissions were released without authorization: 4,505.17 lbs of CO, 1,355.14 lbs of NOx, and 2,225.77 lbs of VOC from the South Flare (EPN UER037), 268.01 lbs of CO, and 220.8 lbs NOx from the Center and North Flares (EPNs UER046 and UER044) starting on September 26, 2007, for 30 hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.	
Base Penalty		<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

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

Adjustment

Violation Events

	<input type="text" value="1"/>	<input type="text" value="2"/>	Number of violation days
<i>mark only one with an x</i>	daily		Violation Base Penalty <input type="text" value="\$2,500"/>
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Huntsman Petrochemical Corporation
Case ID No. 35762
Reg. Ent. Reference No. RN100219252
Media Air
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$500	26-Sep-2007	30-Nov-2008	1.2	\$30	n/a	\$30
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost of training personnel in the proper operation of the Distributive Control System controlling the A3 Ethylene Unit. Due date is the date of the emissions event; final date is the estimated date corrective actions will be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$30

Compliance History

Customer/Respondent/Owner-Operator:	CN600632848 Huntsman Petrochemical Corporation	Classification: AVERAGE	Rating: 6.83
Regulated Entity:	RN100219252 HUNTSMAN PORT NECHES	Classification: AVERAGE	Site Rating: 40.52

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0052V
AIR OPERATING PERMITS	PERMIT	1320
AIR OPERATING PERMITS	PERMIT	2286
AIR OPERATING PERMITS	PERMIT	2287
AIR OPERATING PERMITS	PERMIT	2288
AIR OPERATING PERMITS	PERMIT	1322
AIR OPERATING PERMITS	PERMIT	1327
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008076846
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30029
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	35486
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	40711
AIR NEW SOURCE PERMITS	AFS NUM	4824500006
AIR NEW SOURCE PERMITS	PERMIT	29516
AIR NEW SOURCE PERMITS	REGISTRATION	71975
AIR NEW SOURCE PERMITS	REGISTRATION	71986
AIR NEW SOURCE PERMITS	PERMIT	51889
AIR NEW SOURCE PERMITS	PERMIT	51736
AIR NEW SOURCE PERMITS	PERMIT	52715
AIR NEW SOURCE PERMITS	PERMIT	54551
AIR NEW SOURCE PERMITS	PERMIT	54550
AIR NEW SOURCE PERMITS	PERMIT	53515
AIR NEW SOURCE PERMITS	PERMIT	54565
AIR NEW SOURCE PERMITS	PERMIT	44055
AIR NEW SOURCE PERMITS	PERMIT	44034
AIR NEW SOURCE PERMITS	PERMIT	44434
AIR NEW SOURCE PERMITS	PERMIT	44454
AIR NEW SOURCE PERMITS	PERMIT	44561
AIR NEW SOURCE PERMITS	PERMIT	44694
AIR NEW SOURCE PERMITS	PERMIT	44812
AIR NEW SOURCE PERMITS	PERMIT	45090
AIR NEW SOURCE PERMITS	PERMIT	45094
AIR NEW SOURCE PERMITS	PERMIT	45277
AIR NEW SOURCE PERMITS	PERMIT	45278
AIR NEW SOURCE PERMITS	PERMIT	45644
AIR NEW SOURCE PERMITS	PERMIT	45569
AIR NEW SOURCE PERMITS	PERMIT	46059
AIR NEW SOURCE PERMITS	PERMIT	46088
AIR NEW SOURCE PERMITS	PERMIT	42324
AIR NEW SOURCE PERMITS	PERMIT	46489
AIR NEW SOURCE PERMITS	PERMIT	46604
AIR NEW SOURCE PERMITS	PERMIT	46791
AIR NEW SOURCE PERMITS	PERMIT	47011
AIR NEW SOURCE PERMITS	PERMIT	47065
AIR NEW SOURCE PERMITS	PERMIT	47066
AIR NEW SOURCE PERMITS	PERMIT	47555
AIR NEW SOURCE PERMITS	PERMIT	47513
AIR NEW SOURCE PERMITS	PERMIT	47577
AIR NEW SOURCE PERMITS	PERMIT	47887
AIR NEW SOURCE PERMITS	PERMIT	48178
AIR NEW SOURCE PERMITS	PERMIT	48176
AIR NEW SOURCE PERMITS	PERMIT	47939
AIR NEW SOURCE PERMITS	PERMIT	49247
AIR NEW SOURCE PERMITS	PERMIT	49429
AIR NEW SOURCE PERMITS	PERMIT	49295
AIR NEW SOURCE PERMITS	PERMIT	49493
AIR NEW SOURCE PERMITS	PERMIT	49615
AIR NEW SOURCE PERMITS	PERMIT	50109

AIR NEW SOURCE PERMITS	PERMIT	50328
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0052V
AIR NEW SOURCE PERMITS	PERMIT	647B
AIR NEW SOURCE PERMITS	PERMIT	4508A
AIR NEW SOURCE PERMITS	PERMIT	5807A
AIR NEW SOURCE PERMITS	PERMIT	5952A
AIR NEW SOURCE PERMITS	PERMIT	5972A
AIR NEW SOURCE PERMITS	PERMIT	7761
AIR NEW SOURCE PERMITS	PERMIT	11824
AIR NEW SOURCE PERMITS	PERMIT	12276
AIR NEW SOURCE PERMITS	PERMIT	12800
AIR NEW SOURCE PERMITS	PERMIT	12599
AIR NEW SOURCE PERMITS	PERMIT	12951
AIR NEW SOURCE PERMITS	PERMIT	13091
AIR NEW SOURCE PERMITS	PERMIT	13377
AIR NEW SOURCE PERMITS	PERMIT	16909
AIR NEW SOURCE PERMITS	PERMIT	19823
AIR NEW SOURCE PERMITS	PERMIT	20134
AIR NEW SOURCE PERMITS	PERMIT	20160
AIR NEW SOURCE PERMITS	PERMIT	20485
AIR NEW SOURCE PERMITS	PERMIT	23141
AIR NEW SOURCE PERMITS	PERMIT	23568
AIR NEW SOURCE PERMITS	PERMIT	31443
AIR NEW SOURCE PERMITS	PERMIT	32823
AIR NEW SOURCE PERMITS	PERMIT	33285
AIR NEW SOURCE PERMITS	PERMIT	36646
AIR NEW SOURCE PERMITS	PERMIT	36453
AIR NEW SOURCE PERMITS	PERMIT	36831
AIR NEW SOURCE PERMITS	PERMIT	39725
AIR NEW SOURCE PERMITS	PERMIT	40103
AIR NEW SOURCE PERMITS	PERMIT	40527
AIR NEW SOURCE PERMITS	PERMIT	40804
AIR NEW SOURCE PERMITS	PERMIT	41444
AIR NEW SOURCE PERMITS	PERMIT	41301
AIR NEW SOURCE PERMITS	PERMIT	41757
AIR NEW SOURCE PERMITS	PERMIT	42103
AIR NEW SOURCE PERMITS	PERMIT	42153
AIR NEW SOURCE PERMITS	PERMIT	42526
AIR NEW SOURCE PERMITS	PERMIT	42154
AIR NEW SOURCE PERMITS	PERMIT	55077
AIR NEW SOURCE PERMITS	REGISTRATION	55261
AIR NEW SOURCE PERMITS	PERMIT	53808
AIR NEW SOURCE PERMITS	REGISTRATION	75754
AIR NEW SOURCE PERMITS	REGISTRATION	75597
AIR NEW SOURCE PERMITS	REGISTRATION	76018
AIR NEW SOURCE PERMITS	REGISTRATION	75748
AIR NEW SOURCE PERMITS	REGISTRATION	76383
AIR NEW SOURCE PERMITS	PERMIT	83816
AIR NEW SOURCE PERMITS	PERMIT	54935
AIR NEW SOURCE PERMITS	REGISTRATION	55753
AIR NEW SOURCE PERMITS	REGISTRATION	70023
AIR NEW SOURCE PERMITS	REGISTRATION	70024
AIR NEW SOURCE PERMITS	REGISTRATION	56738
AIR NEW SOURCE PERMITS	REGISTRATION	56737
AIR NEW SOURCE PERMITS	PERMIT	56390
AIR NEW SOURCE PERMITS	REGISTRATION	56243
AIR NEW SOURCE PERMITS	REGISTRATION	70571
AIR NEW SOURCE PERMITS	REGISTRATION	70781
AIR NEW SOURCE PERMITS	REGISTRATION	70858
AIR NEW SOURCE PERMITS	REGISTRATION	71038
AIR NEW SOURCE PERMITS	REGISTRATION	71506
AIR NEW SOURCE PERMITS	REGISTRATION	71126
AIR NEW SOURCE PERMITS	REGISTRATION	71130
AIR NEW SOURCE PERMITS	REGISTRATION	70726
AIR NEW SOURCE PERMITS	PERMIT	53551
AIR NEW SOURCE PERMITS	PERMIT	54057
AIR NEW SOURCE PERMITS	PERMIT	52313

AIR NEW SOURCE PERMITS	PERMIT	52318
AIR NEW SOURCE PERMITS	PERMIT	56077
AIR NEW SOURCE PERMITS	PERMIT	56073
AIR NEW SOURCE PERMITS	REGISTRATION	72336
AIR NEW SOURCE PERMITS	PERMIT	54328
AIR NEW SOURCE PERMITS	PERMIT	70011
AIR NEW SOURCE PERMITS	PERMIT	52583
AIR NEW SOURCE PERMITS	PERMIT	54219
AIR NEW SOURCE PERMITS	PERMIT	53979
AIR NEW SOURCE PERMITS	REGISTRATION	72310
AIR NEW SOURCE PERMITS	PERMIT	52531
AIR NEW SOURCE PERMITS	PERMIT	54231
AIR NEW SOURCE PERMITS	PERMIT	54570
AIR NEW SOURCE PERMITS	PERMIT	54234
AIR NEW SOURCE PERMITS	PERMIT	53005
AIR NEW SOURCE PERMITS	REGISTRATION	72329
AIR NEW SOURCE PERMITS	REGISTRATION	71751
AIR NEW SOURCE PERMITS	REGISTRATION	73102
AIR NEW SOURCE PERMITS	REGISTRATION	72802
AIR NEW SOURCE PERMITS	PERMIT	52077
AIR NEW SOURCE PERMITS	PERMIT	54881
AIR NEW SOURCE PERMITS	PERMIT	50360
AIR NEW SOURCE PERMITS	REGISTRATION	73927
AIR NEW SOURCE PERMITS	REGISTRATION	73665
AIR NEW SOURCE PERMITS	REGISTRATION	73663
AIR NEW SOURCE PERMITS	PERMIT	72907
AIR NEW SOURCE PERMITS	REGISTRATION	73601
AIR NEW SOURCE PERMITS	REGISTRATION	73956
AIR NEW SOURCE PERMITS	PERMIT	74236
AIR NEW SOURCE PERMITS	REGISTRATION	74511
AIR NEW SOURCE PERMITS	REGISTRATION	74362
AIR NEW SOURCE PERMITS	REGISTRATION	74296
AIR NEW SOURCE PERMITS	REGISTRATION	74096
AIR NEW SOURCE PERMITS	REGISTRATION	74838
AIR NEW SOURCE PERMITS	REGISTRATION	75203
AIR NEW SOURCE PERMITS	REGISTRATION	75183
AIR NEW SOURCE PERMITS	REGISTRATION	75202
AIR NEW SOURCE PERMITS	REGISTRATION	74849
AIR NEW SOURCE PERMITS	REGISTRATION	74851
AIR NEW SOURCE PERMITS	REGISTRATION	75064
AIR NEW SOURCE PERMITS	REGISTRATION	76932
AIR NEW SOURCE PERMITS	REGISTRATION	76510
AIR NEW SOURCE PERMITS	REGISTRATION	76627
AIR NEW SOURCE PERMITS	REGISTRATION	76732
AIR NEW SOURCE PERMITS	REGISTRATION	76950
AIR NEW SOURCE PERMITS	REGISTRATION	77129
AIR NEW SOURCE PERMITS	REGISTRATION	77217
AIR NEW SOURCE PERMITS	REGISTRATION	77327
AIR NEW SOURCE PERMITS	REGISTRATION	78199
AIR NEW SOURCE PERMITS	REGISTRATION	79036
AIR NEW SOURCE PERMITS	REGISTRATION	79296
AIR NEW SOURCE PERMITS	REGISTRATION	78974
AIR NEW SOURCE PERMITS	REGISTRATION	79198
AIR NEW SOURCE PERMITS	REGISTRATION	79800
AIR NEW SOURCE PERMITS	REGISTRATION	79529
AIR NEW SOURCE PERMITS	REGISTRATION	80149
AIR NEW SOURCE PERMITS	REGISTRATION	80390
AIR NEW SOURCE PERMITS	REGISTRATION	80171
AIR NEW SOURCE PERMITS	REGISTRATION	80169
AIR NEW SOURCE PERMITS	REGISTRATION	80328
AIR NEW SOURCE PERMITS	REGISTRATION	79939
AIR NEW SOURCE PERMITS	REGISTRATION	80702
AIR NEW SOURCE PERMITS	REGISTRATION	81531
AIR NEW SOURCE PERMITS	REGISTRATION	81415
AIR NEW SOURCE PERMITS	REGISTRATION	83113
AIR NEW SOURCE PERMITS	REGISTRATION	84374
AIR NEW SOURCE PERMITS	REGISTRATION	84617

AIR NEW SOURCE PERMITS	REGISTRATION	82543
AIR NEW SOURCE PERMITS	PERMIT	82488
AIR NEW SOURCE PERMITS	REGISTRATION	84694
AIR NEW SOURCE PERMITS	REGISTRATION	82922
AIR NEW SOURCE PERMITS	REGISTRATION	84519
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50055
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30029
STORMWATER	PERMIT	TXR15EV47

Location: 6001 HIGHWAY 366, PORT NECHES, TX, 77651 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: May 27, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 27, 2003 to May 27, 2008

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

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

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

- Effective Date: 06/12/2003 ADMINORDER 1998-1481-MLM-E
 - Classification: Moderate
 - Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 - Rqmt Prov: OR 1 PERMIT
 - Description: Failed to ensure that the stormwater system and all its systems of collection, treatment and disposal were properly operated and maintained by allowing oil to collect in and near the banks of the unlined PV-9 Pond near the G-6 and F-6 Units.
 - Classification: Moderate
 - Citation: 30 TAC Chapter 335, SubChapter A 335.6(a)
30 TAC Chapter 335, SubChapter A 335.6(b)
 - Description: Failed to notify or appropriately change the Notice of Registration for three waste streams.
 - Classification: Moderate
 - Citation: 30 TAC Chapter 335, SubChapter C 335.62
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11
 - Description: Failed to make accurate hazardous waste determinations and classify any nonhazardous waste of the waste stored in and on the banks of the PV-9 Pond.
 - Classification: Moderate
 - Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)
30 TAC Chapter 335, SubChapter C 335.69(a)(3)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)
 - Description: Failed to have the hazardous waste label visible for a 40 cubic yard roll-off box, which was covered by a tarp, failed to label a different 40 cubic yard roll-off box containing sludge with the words "hazardous waste" or the date of accumulation.
 - Classification: Moderate
 - Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
 - Description: Failed to submit complete upset reports on September 9, 10, 11, 18, 20, 23, 25 and 28, 1997.
 - Classification: Moderate
 - Citation: 30 TAC Chapter 113, SubChapter C 113.100
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(e)(3)(i)

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

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

Classification: Moderate

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

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

Classification: Major

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

Rqmt Prov: SC 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: SP 2 PERMIT

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

Classification: Moderate

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

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

Classification: Minor

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

Rqmt Prov: sc12 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: SC 10 PERMIT
SC 111 PERMIT
SC 2A PERMIT

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

Classification: Moderate

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

Rqmt Prov: SC 111 PERMIT

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

Classification: Moderate

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

Rqmt Prov: SC 111 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: SC 6 PERMIT

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

Classification: Moderate

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

40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(a)

Description: Failed to properly label hazardous waste containers.

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: SC6C PERMIT

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

Classification: Moderate

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

Rqmt Prov: GC7 PERMIT

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

Classification: Major

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

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

Classification: Moderate

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

Rqmt Prov: SP 2(A) PERMIT

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

Classification: Major

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

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

Classification: Moderate

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

Rqmt Prov: 2A PERMIT

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

Classification: Minor

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

Rqmt Prov: SC 16 PERMIT

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

Classification: Moderate

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

Rqmt Prov: SC 12 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

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

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset that occurred at the E-4 Unit on March 12, 2000.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Allowed the release of ammonia emissions to the atmosphere without authorization on March 12, 2000.

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hrs after discovering a reportable upset at the C-4 Unit that began on 1/10/00.

Classification: Moderate

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

Rqmt Prov: SC1 PERMIT

Description: Allowed the release of 1,3-butadiene and VOC emissions to the atmosphere without authorization on January 10-11, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.7(b)(1)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report the duration of a maintenance event which occurred when the A-3 Unit was shut down on January 17, 2000. The shut down report submitted January 13, 2000 failed to include the estimated duration of the event.

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT

Description: Allowed the release of 1,3-butadiene and VOC emissions to the atmosphere from the A-3 Unit without authorization on January 17, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: OR 1 PERMIT

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

Classification: Moderate

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

Description: Failed to notify the TCEQ of the locations of approximately 20 storage points for containers of nonhazardous waste oil throughout the Plant.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)

30 TAC Chapter 335, SubChapter E 335.112(a)(8)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174

Description: Failed to perform weekly inspections on a railcar containing Polyblend.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(B)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC1 PERMIT

Description: Released approximately 1382 pounds of unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC1 PERMIT

SC6c PERMIT

Description: Failed to limit visible emissions from a process gas flare to five minutes in any two-hour period from Flare 1 and Flare 2 at the Cracked Gas Compressor Unit on April 21, 2000.

Classification: Moderate

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

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

Rqmt Prov: SC 1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC10 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: SC 10 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

on 11/5/00.

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

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

Rqmt Prov: Not specified PERMIT

Description: Exceeded the maximum allowable emission rate for ammonia.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

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

Rqmt Prov: Not specified PERMIT

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

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

Rqmt Prov: SC1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

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

Rqmt Prov: Not specified PERMIT

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

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

Rqmt Prov: Not specified PERMIT

Description: Exceeded permitted limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6

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

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

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

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

Effective Date: 06/12/2003

ADMINORDER 2001-0349-AIR-E

Classification: Moderate

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

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

Effective Date: 06/13/2004

ADMINORDER 2003-0650-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 20485 Special Conditions No. 5 PERMIT

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

Effective Date: 08/20/2006

ADMINORDER 2006-0107-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit 5952A SC 1 PA

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

Classification: Minor

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

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

Classification: Moderate

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

Rqmt Prov: 19823, SPECIAL CONDITION 1 PERMIT

Description: Failure to prevent ethylene emissions during Incident 69694.

Effective Date: 09/21/2006

ADMINORDER 2006-0399-AIR-E

Classification: Moderate

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

Rqmt Prov: No. 16909 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: 20485 PERMIT
O-01327 OP

Description: Failure to meet the minimum net heating value requirement during the compliance test conducted on June 8, 2005, which should be greater than 11.2MJ/scm. Results of the compliance test show a minimum net heating value of 10.23MJ/scm.

Classification: Moderate

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

Rqmt Prov: Permit 5952A, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

Description: Failure to report an emissions event within 24 hours after discovery.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 16909/ Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions.
Effective Date: 12/02/2006 ADMINORDER 2005-0926-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 PERMIT
Description: Failure to maintain VOC limit less than 2.0 ppmw in C4 Cooling Tower.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 PERMIT
Description: Failure to maintain an emission rate below the allowable limit.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 647B/MAERT PERMIT
Description: Failure to prevent unauthorized ammonia emissions from the E7 Cooling Tower. A8c2Aii
Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.730
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to conduct HON sampling and analysis following an approved method.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20160 PERMIT
Description: Failure to repair leaking exchanger in the PO/MTBE cooling water system during unit shutdown.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 1:00 p.m. on September 16, 2003 at the MTBE Drying Column Overhead Line.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 20160/General Condition 8 PERMIT
Description: Failed to prevent unauthorized emissions of 479.5 lbs of Dimethyl Ether, 8631.6 lbs of Isobutylene and 479.5 lbs of Methyl Formate from the MTBE Drying Column Overhead Line on September 16, 2003.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 1322/SC17 OP
20160/GC 8 PERMIT
Description: Failed to prevent unauthorized emissions of 15 lbs of Ethylene Glycol, 699 lbs of Tert Butanol and 854 lbs of Tert Butyl Hydroperoxide from the Tertiary Butyl Alcohol (TBHP) Feed Header on January 11, 2004.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20160, GC8 PERMIT
O-01322, SC17 OP

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

Classification: Moderate

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

Rqmt Prov: 1322/SC 17 OP
5972A/SC 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 5952A, SC1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 5952/ SC 1 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 19823, SC1 PERMIT
20160, GC8 PERMIT
5972A, SC1 PERMIT
O-01322, SC17 OP

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 5952A, SC1 PERMIT

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

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions

event at 8:15 p.m. on October 5, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

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

Rqmt Prov: 5952A, SC1 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 1322/ SC 15 OP
5897A/ SC1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: 1327/ SC15 OP
20485/ SC1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Classification: Minor

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

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

Classification: Moderate

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

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 5807A SC 1 PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 5952A SC1 PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 5952A SC1 PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 29516 General Conditions PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 56390 SC1 PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC1 PERMIT
20485/ Attachment A PERMIT
Description: Failure to comply with an emissions limitation.
Classification: Moderate

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

Rqmt Prov: 20485 Special Condition 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G

Classification: Moderate

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

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

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

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

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

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

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

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Moderate

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

Rqmt Prov: 20485, Special Condition 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 19823 Special Condition 1 PERMIT
O-02288 Special Condition 16 OP

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(c)
30 TAC Chapter 101, SubChapter F 101.211(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit a timely reports of an emissions events on October 20 and 25, 2004, and March 16,2005.

Classification: Major

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

Rqmt Prov: Permit 5807A SC 1 PERMIT

Description: Failure to prevent unauthorized emissions that occurred at the anhydrous ammonia loading area of the E4 Unit; E4 Unit covered by Permit 5807A. Incident 48357.

Classification: Moderate

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

Rqmt Prov: FOP O-01327, SC 15 OP
Permit 20486, SC 1 PERMIT

Description: Failure to comply with the MAERT limits of permit 20485; failure to comply with the conditions of FOP O-01327.

Classification: Moderate

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

Rqmt Prov: FOP O-01327, SC 15 OP
Permit 20485, SC 1 PERMIT

Description: Failure to comply with the emissions limits as specified in Special Condition 1, which references the Maximum Allowable Emissions Rate Table, of TCEQ Permit 20485, and Special Condition 15 of Federal Operating Permit O-01327.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly report emissions events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit an initial notification of an emissions event with 24 hours.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Huntsman failed to properly identify the correct Emission Point Common Name in 57946 final notification.

Classification: Moderate

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

Rqmt Prov: 19823/ SC 1 PERMIT

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

Effective Date: 05/25/2007

ADMINORDER 2006-0902-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit 19823 PERMIT

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

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

Classification: Moderate

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

Rqmt Prov: 19823 Special Condition 1 PERMIT
O-02288 Special Condition 16 OP

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

Effective Date: 01/28/2008 ADMINORDER 2007-0989-AIR-E

Classification: Moderate

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

Rqmt Prov: 20134 Special Condition 20 E PERMIT
5807A Special Condition 10 PERMIT
5807A Special Condition 2 E PERMIT
647B Special Condition 11 E PERMIT
O-02286 Special Condition 10 OP
O-02287 Special Condition 10 OP

Description: Failed to seal open-ended lines in volatile organic compounds service with a cap, blind flange, plug, or a second valve.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Terms And Conditions OP

Description: Failed to submit two semi-annual deviation reports and one annual compliance certification within 30 days after each reporting period.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20134 Special Condition 12 B PERMIT
647B Special Condition 3 PERMIT
O-02286 Special Condition 10 OP
O-02287 Special Condition 10 OP

Description: Failed to monitor the E7 Flare to ensure a pilot flame is present at all times.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02287 Special Condition 10 OP

Description: Failed to notify the executive director within 10 days after the installation of the E7 Flare drum seal (F-E7-72).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: O-02287 Special Condition 10 OP
 Permit 647B, Special Condition 1 PERMIT
 Description: Failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: 20134 Special Condition 23E PERMIT
 O-02286 Special Condition 10 OP
 Description: Failed to submit a final sampling report within 30 days after sampling is completed.
 Effective Date: 04/14/2008 ADMINORDER 2007-0581-MLM-E
 Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(c)
 30 TAC Chapter 106, SubChapter A 106.4(c)
 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 335, SubChapter A 335.4
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135(b)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: FOP 2288 Special Condition 17 OP
 FOP 2288 Special Condition 1D OP
 Special Condition 16 OP
 Description: Failure to maintain emissions below the allowable reportable quantity for benzene in
 regards to Permit by Rule Number 106.532. MOD 2(D) EIC A(8)
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: 5952A Special Condition 1 PERMIT
 O-01320 Special Condition 13 OP
 Description: Failure to maintain an emission rate below the allowable emissions limit.

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	06/09/2003	(33422)
2	07/01/2003	(118989)
3	07/08/2003	(24015)
4	07/08/2003	(25046)
5	08/27/2003	(139288)
6	08/29/2003	(119121)
7	10/03/2003	(249924)
8	12/12/2003	(256877)
9	03/30/2004	(262961)
10	03/30/2004	(263046)
11	04/01/2004	(262946)
12	04/01/2004	(262873)
13	04/01/2004	(262956)
14	04/01/2004	(263014)
15	04/01/2004	(263010)
16	04/01/2004	(263588)
17	04/01/2004	(263043)
18	04/01/2004	(262968)
19	04/01/2004	(262879)
20	04/01/2004	(263022)
21	04/01/2004	(263607)
22	04/02/2004	(264437)
23	04/02/2004	(264455)
24	04/02/2004	(263644)
25	04/08/2004	(264474)
26	04/08/2004	(263600)

27	04/08/2004	(263004)
28	04/21/2004	(264467)
29	04/21/2004	(264098)
30	04/21/2004	(264471)
31	04/21/2004	(264092)
32	06/23/2004	(273321)
33	07/16/2004	(270119)
34	08/26/2004	(273402)
35	08/31/2004	(263533)
36	08/31/2004	(285082)
37	09/08/2004	(288721)
38	10/18/2004	(333854)
39	01/11/2005	(343813)
40	01/28/2005	(343967)
41	02/16/2005	(344499)
42	02/16/2005	(344565)
43	02/16/2005	(351061)
44	02/23/2005	(346660)
45	03/08/2005	(346632)
46	03/08/2005	(347207)
47	03/10/2005	(341723)
48	03/31/2005	(373656)
49	04/04/2005	(349319)
50	04/04/2005	(349315)
51	04/05/2005	(349320)
52	04/05/2005	(349133)
53	04/05/2005	(374774)
54	04/15/2005	(375442)
55	04/15/2005	(375452)
56	04/15/2005	(375457)
57	04/21/2005	(373550)
58	04/26/2005	(374614)
59	05/12/2005	(378265)
60	05/12/2005	(378267)
61	05/12/2005	(377634)
62	05/12/2005	(377613)
63	05/12/2005	(377543)
64	05/12/2005	(378487)
65	05/12/2005	(378225)
66	05/18/2005	(377798)
67	05/20/2005	(376583)
68	05/20/2005	(377225)
69	06/14/2005	(379665)
70	06/15/2005	(379607)
71	06/15/2005	(394963)
72	06/17/2005	(380357)
73	07/05/2005	(395675)
74	07/05/2005	(395572)
75	07/06/2005	(397867)
76	07/15/2005	(392774)
77	07/15/2005	(392639)
78	08/02/2005	(401638)
79	08/25/2005	(403293)
80	08/29/2005	(399102)
81	08/31/2005	(381075)
82	09/09/2005	(404606)
83	11/03/2005	(419194)
84	11/16/2005	(434314)
85	12/05/2005	(398736)
86	12/05/2005	(431206)
87	12/06/2005	(437343)
88	12/06/2005	(437334)
89	12/06/2005	(437338)
90	12/16/2005	(437133)
91	01/27/2006	(437989)
92	01/27/2006	(450224)
93	01/27/2006	(451827)
94	01/30/2006	(438965)

95	02/22/2006	(456022)
96	02/22/2006	(456036)
97	02/22/2006	(455947)
98	02/22/2006	(455838)
99	02/22/2006	(456099)
100	02/27/2006	(454550)
101	02/28/2006	(457553)
102	02/28/2006	(457561)
103	02/28/2006	(457516)
104	03/30/2006	(456815)
105	03/30/2006	(458616)
106	03/30/2006	(453754)
107	03/30/2006	(458485)
108	03/30/2006	(458020)
109	03/31/2006	(458673)
110	04/07/2006	(455375)
111	04/07/2006	(454572)
112	04/07/2006	(458321)
113	04/07/2006	(459162)
114	04/26/2006	(461473)
115	05/01/2006	(463769)
116	05/04/2006	(464589)
117	05/26/2006	(465414)
118	06/22/2006	(465864)
119	07/31/2006	(487611)
120	08/17/2006	(481936)
121	08/23/2006	(485023)
122	08/31/2006	(449989)
123	08/31/2006	(486891)
124	08/31/2006	(454082)
125	08/31/2006	(487767)
126	09/11/2006	(488579)
127	09/19/2006	(513278)
128	09/20/2006	(511947)
129	09/20/2006	(511204)
130	09/25/2006	(509094)
131	09/25/2006	(497536)
132	09/25/2006	(488474)
133	10/10/2006	(513527)
134	10/25/2006	(515506)
135	10/25/2006	(515822)
136	10/25/2006	(515478)
137	10/30/2006	(511240)
138	11/08/2006	(515666)
139	11/13/2006	(517041)
140	11/13/2006	(517036)
141	11/15/2006	(517191)
142	11/15/2006	(514399)
143	11/16/2006	(515790)
144	11/27/2006	(518436)
145	11/28/2006	(517675)
146	11/28/2006	(516609)
147	11/30/2006	(516090)
148	12/04/2006	(533060)
149	12/12/2006	(533440)
150	12/15/2006	(531666)
151	12/28/2006	(488675)
152	12/29/2006	(456006)
153	01/17/2007	(531872)
154	02/08/2007	(535487)
155	02/20/2007	(535145)
156	02/21/2007	(537271)
157	02/23/2007	(540396)
158	02/23/2007	(534486)
159	02/23/2007	(537684)
160	02/26/2007	(540551)
161	03/19/2007	(539598)
162	03/20/2007	(539695)

163 03/20/2007 (539462)
 164 04/09/2007 (541905)
 165 04/20/2007 (541289)
 166 04/21/2007 (533084)
 167 04/26/2007 (537371)
 168 04/27/2007 (543604)
 169 04/30/2007 (543451)
 170 05/16/2007 (555268)
 171 05/31/2007 (543792)
 172 06/14/2007 (558239)
 173 06/14/2007 (557996)
 174 06/14/2007 (557699)
 175 06/14/2007 (561265)
 176 06/26/2007 (543284)
 177 07/12/2007 (515129)
 178 07/30/2007 (558200)
 179 09/21/2007 (570656)
 180 09/21/2007 (570457)
 181 09/27/2007 (570470)
 182 11/12/2007 (600643)
 183 11/27/2007 (597280)
 184 11/27/2007 (597203)
 185 11/27/2007 (598101)
 186 11/28/2007 (597647)
 187 11/28/2007 (600001)
 188 12/03/2007 (597429)
 189 12/04/2007 (560147)
 190 12/10/2007 (611227)
 191 12/14/2007 (597547)
 192 01/13/2008 (613058)
 193 02/08/2008 (617709)
 194 02/29/2008 (614736)
 195 02/29/2008 (614644)
 196 03/13/2008 (613437)
 197 04/02/2008 (638186)
 198 04/10/2008 (617468)
 199 04/25/2008 (617083)
 200 05/05/2008 (656845)
 201 05/08/2008 (639688)
 202 05/08/2008 (617644)
 203 05/16/2008 (654879)

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

Date: 10/03/2003 (249924)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(9)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to provide the basis used for determining the quantity of air contaminants emitted during an emissions event.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to maintain an emission rate below an allowable emission limit.
 Date: 06/23/2004, (273321)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 113, SubChapter C 113.100
 30 TAC Chapter 113, SubChapter C 113.110
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 20485, SC 2D
 PERMIT 20485, SC 3
 Description: Failure to properly operate the South Flare on May 3, 2004.
 Date: 01/12/2005 (343813)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 63, Subpart H 63.167
 5C THC Chapter 382, SubChapter A 382.085(b)
 OP Permit O-02286, SC 1D

Rqmt Prov:
Description: Failure to maintain all VOC lines equipped with a capped end, blind flange, or double blocked valve at the T-E3-147 Tank and the Pump Out Line 56.
Date: 04/01/2005 (373656)

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent visible emissions.
Date: 08/23/2006 (485023)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 5807A
 OP O-02287

Description: Failure to maintain the daily production limit for the E4 Unit as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.144(1)(F)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287

Description: Failure to continuously collect and maintain pilot monitoring data, as required by 30 TAC 122.144(1) and 40 CFR 60.7(f), and reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.110
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287

Description: Failure to analyze quarterly cooling water samples using Method 624 as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19823
 PERMIT 5807A
 OP O-02287
 OP O-02288

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Units: O-02287 - 5 components (Component Numbers 03968, 05771, 06097, 07502 and 07824) in E4FUG; O-02288 - 1 component (Component Number 0228) in A3FUG.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 647B
 OP O-02287

Description: Failure to maintain the hourly production limit for Morpholine as reported in the Deviation Report for FOP O-02287 covering July 21, 2004 to January 19, 2005.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287
Description: Failure to submit a notification within ten days following installation of the replacement facility as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 647B
OP O-02287

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 29516
OP O-02288

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.703(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(d)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 29516
OP O-02288

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 19823
 OP O-02288
 Description: Failure to maintain records of the Waste Heat Boiler CEMS daily calibrations for Unit A3HA35 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(6)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288
 Description: Failure to submit one 40 CFR Part 61, Subpart FF quarterly report for Unit PROA3WW and one 40 CFR Part 60, Subparts NNN/RRR semiannual report for applicable facilities within 30 days after the end of the applicable reporting period of December 31, 2005 as reported in the Deviation Report for FOP O-02288.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 16909
 PERMIT 19823
 OP O-02288
 Description: Failure to submit the semiannual reports within 30 days after the end of the applicable reporting period of December 31, 2005 for Units UEHK11, CG1/CG2, and A3HA35, as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Date: 11/13/2006 (517041)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(2)

Rqmt Prov: PERMIT P.P. II.C.1.I
 PERMIT P.P. II.C.2.a
 Description: Failure to maintain safety and emergency equipment inspection records.

Date: 11/13/2006 (517036)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

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

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)

Rqmt Prov: PERMIT P.P. II.C.1.I
 PERMIT P.P. II.C.2.a
 Description: Failure to input the date on the daily inspection logs.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)

Rqmt Prov: PERMIT P.P. II.C.1.I
 PERMIT P.P. II.C.2.a
 Description: Failure to input the signature of the inspector on the daily inspection logs.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(a)

Rqmt Prov: PERMIT P.P. II.C.1.I
 PERMIT P.P. II.C.2.a
 Description: Failure to conduct required daily inspection of the BIF and hazardous waste tanks for malfunctions, deteriorations, operator errors, and discharges.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)

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

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

Date: 01/18/2007 (531872)

Self Report? NO Classification: Moderate

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

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

Description: Failure to have cap and plugs installed on open-ended lines.

Self Report? NO Classification: Moderate

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

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

Description: Failure to submit the annual compliance certification for FOP O-01322 in a timely manner.

Self Report? NO Classification: Moderate

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

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

Description: Failure to maintain records of daily calibration of continuous monitors and failure to continuously monitor due to failed calibrations.

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate

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

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

Description: Failure to submit a required semiannual report.

Self Report? NO Classification: Moderate

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

Description: Failure to maintain records of weekly pump and flange check.

Date: 02/26/2007 (534486)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130

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

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

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service at the C4 Plant.

Self Report? NO **Classification:** Moderate

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

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

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

Self Report? NO **Classification:** Moderate

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

Description: Failure to report all instances of deviations.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 3
 OP O-01327 Special Condition 15

Description: Failure to make the first attempt at repair within five calendar days.

Self Report? NO **Classification:** Moderate

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

Rqmt Prov: PERMIT 20485 Special Condition 35(B)
 PERMIT 20485 Special Condition 8(B)
 PERMIT 20485 Special Condition 8(C)
 OP O-01327 Special Condition 15

Description: Failure to maintain emission rates below permitted limits.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.144(1)(A)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THC Chapter 382, SubChapter D 382.085(b)

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

Description: Failure to maintain records of flare monitors at the South Flare
Date: 06/27/2007 (543284)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
 PERMIT 19823 Special Condition 20
 OP FOP 2288 General Terms and Conditions
 OP FOP 2288 Special Condition 16

Description: Failure to conduct stack sampling or fuel analysis for SO2 emissions as required
 by Permit 19823 Special Condition 20. EIC B(1) MOD 2(A)

Date: 07/31/2007 (558200)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP 01320 Special Condition 13
 OP 02288 Special Condition 16
 PERMIT 19823 Special Condition 18E
 PERMIT 36646 Special Condition 8E
 PERMIT 5952 Special Condition 21E
 PERMIT 5972A Special Condition 10
 PERMIT 5972A Special Condition 17E
 PERMIT 5972A Special Condition 7

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed.
 C10 cannot be picked.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(a)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP 01320 Special Condition 13
 PERMIT 5972A Special Condition 5A

Description: Failure to monitor, record and maintain the F-4 Firebox temperature above the
 permitted limit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP 01320 Special Condition 13
 PERMIT 5972A Special Condition 4

Description: Failure to maintain records of tank pressure.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP 01320 Special Condition 13
 PERMIT 5952 Special Condition 12

Description: Failure to monitor, record and maintain the F-6 Firebox temperature above the
 permitted limit

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.144(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP 01320 Special Condition 13
 PERMIT 36646 Special Condition 12

Description: Failure to maintain records of monthly monitoring.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.144 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to maintain records of the daily flare observations.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16		
Description:	Failure to monitor NOx, CO and O2 at CG1/UEHK9 and CG2/UEHK10.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 16909 Special Condition 15I		
Description:	Failure to maintain records.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 19823 Special Condition 14A		
Description:	Failure to have the cooling tower water sample port installed as required by permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 16909 Special Condition 12A PERMIT 19823 Special Condition 21D		
Description:	Failure to monitor and maintain records of daily zero and span of continuous monitors.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 19823 Special Condition 10		
Description:	Failure to comply with conditions of a permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 16909 Special Condition 14		
Description:	Failure to monitor.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 19823 Special Condition 10C		
Description:	Failure to operate the flare in a smokeless manner.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to report all instances of deviations.		

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP 02288 Special Condition 1 E
Description: Failure to maintain the tank opening in a closed position during normal operations on Tank T087.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP 02288 Special Condition 16
PERMIT 49247 Special Condition 7
Description: Failure to maintain emissions rate below the allowable limit.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit a semiannual deviation report.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP 01320 Special Condition 15
Description: Failure to submit an annual permit compliance certification (ACC) report within 30 days of the certification period.
Date: 09/27/2007 (570470)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.500
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.987(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to limit the frequency of visible smoke emissions from Huntsman's Low Pressure Flare Number (No.) 2.
Date: 12/17/2007 (597547)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A.60.7(f)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01322 Special Condition 10A
OP O-01322 Special Condition 1A
Description: Failure to maintain records of daily calibration.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 115, SubChapter C 115.216(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01322 Special Condition 1A
OP O-01322 Special Condition 6A(vi)
OP O-01322 Special Condition 7A(v)
Description: Failure to record daily flare observations.

F. Environmental audits.

Notice of Intent Date: 06/28/2004 (347983)
No DOV Associated

Notice of Intent Date: 07/22/2004 (334174)

No DOV Associated

Notice of Intent Date: 11/16/2007 (611106)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2008-0664-AIR-E

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a synthetic organic chemical plant at 6001 Highway 366 in Port Neches, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in the TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about April 15 and 30, and May 8, 2008.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Forty-Nine Thousand Seven Hundred Twenty-Eight Dollars (\$49,728) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Nineteen Thousand Eight Hundred Ninety-Two Dollars (\$19,892) of the administrative penalty and Nine Thousand Nine Hundred Forty-Five Dollars (\$9,945) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full

compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Nineteen Thousand Eight Hundred Ninety-One Dollars (\$19,891) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
10. 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.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions (Incident Number 95168), in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review ("NSR") Permit 19823, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-02288, General Terms & Conditions ("GTC"), SC 2I and 16A, as documented during an investigation conducted on February 19, 2008. Specifically, 257.26 pounds ("lbs") of volatile organic compounds ("VOCs"), 3.98 lbs of nitrogen oxides ("NOx"), and 70.22 lbs of carbon monoxide ("CO") were released without authorization from the South Flare, emission point number ("EPN") UER037, on July 27, 2007, for two hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
2. Failed to properly report an emissions event (Incident Number 95168), in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(A), (a)(1)(B), and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 19, 2008.
3. Failed to prevent unauthorized emissions (Incident Number 97057), in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 5952A, SC 1, and FOP O-01320, GTC, SC 2I and 13A, as documented during an investigation conducted on February 19, 2008. Specifically, 11,416 lbs of VOCs were released without authorization from the wastewater system, EPN 56WWFUG, on September 4

through 5, 2007, for four hours and 15 minutes. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

4. Failed to prevent unauthorized emissions (Incident Number 95744), in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 19823, SC 1, and FOP O-02288, SC 16, as documented during an investigation conducted on February 29, 2008. Specifically, 239.53 lbs of VOCs, 473.03 lbs of CO, and 29.39 lbs of NO_x were released without authorization from the North (EPN UER044) and Center (EPN UER46) flares on August 12, 2007, for 11 hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
5. Failed to properly report emissions events (Incident Numbers 95743 and 95744), in violation of 30 TEX. ADMIN. CODE §§ 101.201(b)(1)(G), (b)(1)(H), and (b)(1)(J), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 29, 2008.
6. Failed to prevent unauthorized emissions (Incident Number 95743), in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 20160, SC 1, and FOP O-01322, SC 17, as documented during an investigation conducted on February 29, 2008. Specifically, 1,779.19 lbs of VOCs and 246.82 lbs of NO_x were released without authorization from the Ground Flare (EPN POFLARE) starting on August 11, 2007, for 34 hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
7. Failed to properly report an emissions event (Incident Number 97957), in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(2)(C), (a)(2)(F), (b)(1)(G), (b)(1)(H), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP O-02288, GTC, SC 2F, as documented during an investigation conducted on March 17, 2008.
8. Failed to prevent unauthorized emissions (Incident Number 97957), in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 19823, SC 1, and FOP O-02288, GTC, SC 16, as documented during an investigation conducted on March 17, 2008. Specifically, the following emissions were released without authorization: 4,505.17 lbs of CO, 1,355.14 lbs of NO_x, and 2,225.77 lbs of VOC from the South Flare (EPN UER037), 268.01 lbs of CO, and 220.8 lbs NO_x from the Center and North Flares (EPNs UER046 and UER044) starting on September 26, 2007, for 30 hours. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Huntsman Petrochemical Corporation, Docket No. 2008-0664-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section 1, Paragraph 6. Nineteen Thousand Eight Hundred Ninety-One Dollars (\$19,891) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Design and implement procedures to prevent future violations for unauthorized emissions which occurred on: July 17, 2007 (Incident Number 95168), September 4 through 5, 2007 (Incident Number 97057), August 12, 2007 (Incident Number 95744), August 11, 2007 (Incident Number 95743), and September 26, 2007 (Incident Number 97957); and
 - ii. Design and implement procedures to insure unauthorized emissions events are correctly reported.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a.i. and ii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Szalai
For the Executive Director

11/14/2008
Date

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

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

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

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

Jordan Morgan
Signature

8-28-08
Date

JORDAN MORGAN
Name (Printed or typed)
Authorized Representative of
Huntsman Petrochemical Corporation

Director of Manufacturing - P10PP
Title

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

Attachment A

Docket Number: 2008-0664-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Huntsman Petrochemical Corporation

Payable Penalty Amount: Thirty-Nine Thousand Seven Hundred Eighty-Three Dollars (\$39,783)

SEP Amount: Nineteen Thousand Eight Hundred Ninety-One Dollars (\$19,891)

Type of SEP: Pre-approved

Third-Party Recipient: Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles

Location of SEP: Jefferson County

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

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the Third-Party Recipient will contribute to Jefferson County for its Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles. Specifically, the contribution will be used to purchase alternative fueled equipment such as propane or electric powered lawn mowers, propane powered light duty and heavy equipment, and alternative fueled vehicles and retire diesel and gasoline powered equipment and vehicles. Jefferson County will also convert current equipment and vehicles to alternative fueled equipment in order to lower emissions.

All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air emissions generated by gasoline and diesel powered equipment and vehicles in the Beaumont/Port Arthur ozone non-attainment area.

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:

The Honorable Judge Ron Walker
Jefferson County Judge
1149 Pearl Street, 4th Floor
Beaumont, Texas 77701

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.

