

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2008-1379-AIR-E **TCEQ ID:** RN100870898 **CASE NO.:** 36431**RESPONDENT NAME:** The Goodyear Tire & Rubber Company

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: Goodyear Houston Chemical Plant, 2000 Goodyear Drive, Houston, Harris County</p> <p>TYPE OF OPERATION: Synthetic rubber manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is one additional pending enforcement action regarding this facility location, Docket No. 2008-1541-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 December 15, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Nadia Hameed, Enforcement Division, Enforcement Team 5, MC R-12, (713) 767-3629; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Kip Klee, Senior Environmental Specialist, The Goodyear Tire & Rubber Company, 2000 Goodyear Drive, Houston, Texas 77017 Mr. Donald E. Stanley, Vice President of Product Quality & Plant Technology, The Goodyear Tire & Rubber Company, 2000 Goodyear Drive, Houston, Texas 77017 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: August 7, 2008</p> <p>Date of NOV/NOE Relating to this Case: August 22, 2008 (NOB)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failure to prevent unauthorized emissions. Specifically, 62.27 pounds ("lbs") of 1,3-butadiene, 20.67 lbs of butene, 0.27 lb of styrene, 1.52 lbs of volatile organic compounds, 31.20 lbs of carbon monoxide and 6.12 lbs of nitrogen oxides were released when the Respondent failed to prevent an electrical ground-fault at the P1 Substation after rain water entered through a seal where the electrical cable enters the switch housing for Tie Switch A, resulting in an emissions event which began on July 24, 2008, and lasted for two hours (Incident No. 111554). Since the emissions event was avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.715(a), Flexible Air Permit No. 6618, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$6,175</p> <p>Total Deferred: \$1,235 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$4,940</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that on July 24, 2008, the Respondent isolated Switch A at the P1 Substation and removed it from service.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement measures designed to prevent recurrence of emissions due to the same cause as the July 24, 2008, emissions event (Incident No. 111554); and</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 a.</p>

Additional ID No(s): HG0289K



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

DATES	Assigned	25-Aug-2008	Screening	25-Aug-2008	EPA Due	
	PCW	25-Aug-2008				

RESPONDENT/FACILITY INFORMATION			
Respondent	The Goodyear Tire & Rubber Company		
Reg. Ent. Ref. No.	RN100870898		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	36431	No. of Violations	1
Docket No.	2008-1379-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Nadia Hameed
		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	\$2,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	147.0% Enhancement	Subtotals 2, 3, & 7	\$3,675
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Notes: Penalty enhancement due to five 1660 agreed orders, seven same or similar NOVs, and six non-similar NOVs of which three were self-reported effluent violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$145
 Approx. Cost of Compliance \$5,500
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$6,175
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$6,175
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$6,175
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DEFERRAL	20.0% Reduction	Adjustment	-\$1,235
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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	\$4,940
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Screening Date 25-Aug-2008

Docket No. 2008-1379-AIR-E

PCW

Respondent The Goodyear Tire & Rubber Company

Policy Revision 2 (September 2002)

Case ID No. 36431

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN100870898

Media [Statute] Air

Enf. Coordinator Nadia Hameed

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOV's with same or similar violations as those in the current enforcement action (number of NOV's meeting criteria)	7	35%
	Other written NOV's	6	12%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
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 judgments 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)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 147%

>> **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 five 1660 agreed orders, seven same or similar NOV's, and six non-similar NOV's of which three were self-reported effluent violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 147%

Screening Date 25-Aug-2008	Docket No. 2008-1379-AIR-E	PCW																
Respondent The Goodyear Tire & Rubber Company		<small>Policy Revision 2 (September 2002)</small>																
Case ID No. 36431		<small>PCW Revision June 12, 2008</small>																
Reg. Ent. Reference No. RN100870898																		
Media [Statute] Air																		
Enf. Coordinator Nadia Hameed																		
Violation Number <input type="text" value="1"/>																		
Rule Cite(s)	30 Tex. Admin. Code § 116.715(a), Flexible Air Permit No. 6618, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)																	
Violation Description	Failed to prevent unauthorized emissions. Specifically, 62.27 pounds ("lbs") of 1,3-butadiene, 20.67 lbs of butene, 0.27 lb of styrene, 1.52 lbs of volatile organic compounds, 31.20 lbs of carbon monoxide and 6.12 lbs of nitrogen oxides were released when the Respondent failed to prevent an electrical ground-fault at the P1 Substation after rain water entered through a seal where the electrical cable enters the switch housing for Tie Switch A, resulting in an emissions event which began on July 24, 2008, and lasted for two hours (Incident No. 111554). Since the emissions event was avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.																	
	Base Penalty	<input type="text" value="\$10,000"/>																
>> Environmental, Property and Human Health Matrix																		
OR	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <th colspan="3">Harm</th> </tr> <tr> <td>Release</td> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td>Actual</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input checked="" type="text" value="x"/></td> </tr> <tr> <td>Potential</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </table>		Harm			Release	Major	Moderate	Minor	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>
	Harm																	
Release	Major	Moderate	Minor															
Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>															
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>															
>> Programmatic Matrix																		
	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> </tr> <tr> <td></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </table>		Falsification	Major	Moderate	Minor		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>						
	Falsification	Major	Moderate	Minor														
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>														
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"/>	<input type="text" value="1"/> Number of violation days																
<small>mark only one with an x</small>	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input checked="" type="text" value="x"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input checked="" type="text" value="x"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	Violation Base Penalty <input type="text" value="\$2,500"/>				
daily	<input type="text"/>																	
monthly	<input type="text"/>																	
quarterly	<input checked="" type="text" value="x"/>																	
semiannual	<input type="text"/>																	
annual	<input type="text"/>																	
single event	<input type="text"/>																	
	One quarterly event is recommended.																	
Good Faith Efforts to Comply																		
	<input type="text" value="0.0%"/> Reduction	<input type="text" value="\$0"/>																
	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <th>Before NOV</th> <th>NOV to EDPRP/Settlement Offer</th> </tr> <tr> <td>Extraordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>Ordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>N/A</td> <td><input checked="" type="text" value="x"/></td> <td><input type="text"/></td> </tr> </table>		Before NOV	NOV to EDPRP/Settlement Offer	Extraordinary	<input type="text"/>	<input type="text"/>	Ordinary	<input type="text"/>	<input type="text"/>	N/A	<input checked="" type="text" value="x"/>	<input type="text"/>					
	Before NOV	NOV to EDPRP/Settlement Offer																
Extraordinary	<input type="text"/>	<input type="text"/>																
Ordinary	<input type="text"/>	<input type="text"/>																
N/A	<input checked="" type="text" value="x"/>	<input type="text"/>																
Notes	The Respondent does not meet the good faith criteria for this violation.																	
	Violation Subtotal	<input type="text" value="\$2,500"/>																
Economic Benefit (EB) for this violation																		
	Estimated EB Amount <input type="text" value="\$145"/>	Violation Final Penalty Total <input type="text" value="\$6,175"/>																
	This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$6,175"/>																	

Economic Benefit Worksheet

Respondent The Goodyear Tire & Rubber Company
Case ID No. 36431
Reg. Ent. Reference No. RN100870898
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				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	24-Jul-2008	24-Jul-2008	0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	24-Jul-2008	21-Feb-2009	0.58	\$145	n/a	\$145

Notes for DELAYED costs Estimated cost of corrective action. Date required is the date of the emissions event. Final date shown includes July 24, 2008, when Switch A was isolated and removed from service, and the date when the remaining corrective actions are expected to be completed.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$5,500

TOTAL \$145

Compliance History

Customer/Respondent/Owner-Operator: CN600616049 The Goodyear Tire & Rubber Company Classification: AVERAGE Rating: 3.90

Regulated Entity: RN100870898 GOODYEAR HOUSTON CHEMICAL PLANT Classification: AVERAGE Site Rating: 5.75

ID Number(s):

AIR NEW SOURCE PERMITS	PERMIT	6489
AIR NEW SOURCE PERMITS	PERMIT	6490
AIR NEW SOURCE PERMITS	PERMIT	6618
AIR NEW SOURCE PERMITS	PERMIT	29356
AIR NEW SOURCE PERMITS	PERMIT	30536
AIR NEW SOURCE PERMITS	PERMIT	32728
AIR NEW SOURCE PERMITS	PERMIT	33103
AIR NEW SOURCE PERMITS	PERMIT	35783
AIR NEW SOURCE PERMITS	PERMIT	47507
AIR NEW SOURCE PERMITS	PERMIT	49288
AIR NEW SOURCE PERMITS	PERMIT	49741
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0289K
AIR NEW SOURCE PERMITS	AFS NUM	4820100088
AIR NEW SOURCE PERMITS	REGISTRATION	76554
AIR NEW SOURCE PERMITS	REGISTRATION	77448
AIR NEW SOURCE PERMITS	EPA ID	PAL1
WASTEWATER	PERMIT	WQ0000520000
WASTEWATER	PERMIT	TX0003689000
WASTEWATER	PERMIT	TPDES0003689
WASTEWATER	PERMIT	TX0003689
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008077562
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30032
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0289K
AIR OPERATING PERMITS	PERMIT	1227
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010770
WATER LICENSING	LICENSE	1010770
WASTEWATER LICENSING	LICENSE	WQ0000520000
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30032

Location: 2000 GOODYEAR DR, HOUSTON, TX, 77017 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 25, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 25, 2003 to August 25, 2008

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

Name: NHameed Phone: 713-767-3629

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: 06/26/2006 ADMINORDER 2004-1450-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Provision No. 3E PERMIT

Description: Failure to install a second valve, a blind flange, or tightly-fitting plug or a cap on 138 open ended lines.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Provision No. 3F PERMIT

Description: Failure to re-install a pressure gauge between the relief valve and the rupture disk.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(l)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: General Terms & Conditions & Prov 1.E. OP

Description: Failure to cease operations of firewater pump diesel engines for testing/maintenance between the hours of 6:00 a.m. and noon on 3/4/03, 3/5/03, 3/6/03, 3/10/03, 3/20/03, and 3/26/03. Specifically, Goodyear reported ten deviations of firewater pump diesel engines (U3101A and U3101) operating during restricted hours.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.145(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Gen Terms & Conditions & Prov 2.C(ii) OP

Description: Failure to conduct sandblasting with adequate enclosure of work areas to prevent airborne particulate emissions on February 12, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Gen Terms & Conditions & Provision 1.F. OP

Description: Failure to use a vapor control system to control a vent gas stream with a control efficiency of at least 90% or to a VOC concentration of no more than 20 ppmv (on a dry basis corrected to 3.0% oxygen for combustion devices).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.721(a)

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

Rqmt Prov: General Condition No. 1 PERMIT

Description: Failure to follow operational procedures that resulted in the release of insignificant amounts of contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.354(4)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Gen Terms & Conditions & Prov 1.D. OP

Description: Failure to measure emissions from a relief valve which has vented to the atmosphere within 24 hours. Specifically, the relief valve vented to atmosphere on July 2, 2003 and was monitored on December 19, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(iii)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Gen Terms & Conditions & Prov 1.A. OP

Description: Failure to use a surface coating that would not exceed the VOC emissions limit for miscellaneous metal parts coating. Specifically, Goodyear used a surface coating containing 0.45 kg/liter of VOC.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.214(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Gen Terms & Conditions & Prov 1.E. OP

Description: Failure to check the engines C2007 and C2008 for proper operation at least quarterly. Specifically, Goodyear failed to test the engine C2008 in the second quarter of 2003 and the engine C2007 in the third quarter of 2003.

Classification: Moderate

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

Rqmt Prov: General Condition No. 10 PERMIT

Description: Failure to keep the thermal oxidizer operating when vapors were routed to it. Specifically, Goodyear failed to keep the thermal oxidizer, which was being shutdown due to high water level in the seal pot from operating, which resulted in releases of styrene, carbon disulfide, formaldehyde, and 4-vinylcyclohexene.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: General Condition 1 PERMIT
General Terms and Conditions OP

Special Condition 10A OP

Description: Failure to maintain emissions below permitted limits. Specifically, seven recordable emissions events occurred between December 14, 2003 and January 27, 2004 at Dryers P and Q, and these emissions are not authorized under a flexible permit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: General Condition 1 PERMIT
General Terms and Conditions OP

Special Condition 11A OP

Description: Failure to maintain emissions below permitted limits. Specifically, 14 reportable emissions events occurred between February 29, 2004 and September 20, 2004 at Dryer L, M, P, and Q, and these emissions are not authorized under a flexible permit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: General Terms and Conditions OP
Special Condition 1 PERMIT

Special Condition 10A OP

Description: Failure to comply with the rolling 12-month, permitted emission cap for ammonia. Specifically, the ammonia limit for December 2003 was 72.6 tons per year and the reported emissions were 74.9 tons.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: General Terms and Conditions OP
Special Condition 10A OP

Special Condition 3F PERMIT

Description: Failure to install a pressure gauge between the relief valve and a rupture disk. Specifically, Goodyear reported failing to install pressure gauges on reactor R-305G, R-310-C, R-312D, R-314D, R-305D.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: General Terms and Conditions OP
Special Condition 11A OP

Special Condition 3F PERMIT

Description: Failure to install a pressure gauge between the relief valve and a rupture disk. Specifically, Goodyear reported failing to install a pressure gauge on reactor R-312D.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
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: General Terms and Conditions OP
Special Condition 10A OP

Special Condition 3E PERMIT

Description: Failure to install a second valve, a blind flange, or a tightly fitting plug or cap on eight open ended lines.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
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: General Terms and Conditions OP
Special Condition 11A OP

Special Condition 3E PERMIT

Description: Failure to install a second valve, a blind flange, or a tightly-fitting plug or cap on 13 open ended lines.

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.214(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. O-01227, Spec. Cond. No. 1.E. OP

Description: Failure to monitor for nitrogen oxides and carbon monoxide emissions. Specifically, Goodyear was required to sample the emissions from its gas-fired internal combustion engine, C2008, during the first quarter of 2005, but failed to do so.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter H 115.781(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Special Condition 1A OP

Special Condition 1K(iv) OP

Description: Failure to identify fugitive components in a process unit in highly-reactive volatile organic compound (HRVOC) service. Specifically, Goodyear failed to identify twenty (20) fugitive components associated with storage vessel F432C.

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Permit No. O-01227, Spec. Cond. No. 1.E. OP

Description: Failure to record complete information of engine testing and maintenance. Specifically, the backup diesel air compressor, P3NAIR, was tested on January 24, 2003, but Goodyear failed to record the start and end times of that operation.

Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: General Terms and Conditions OP

Special Condition 2F OP

Description: Failure to timely create a final record of emissions events as soon as practicable. Specifically, emissions events occurred on February 24, 2004, March 11, 2004, and March 16, 2004, but the final records were created one, nine, and four days late, respectively.

Classification: Minor

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)

Rqmt Prov: General Terms and Conditions OP

Description: Failure to report all instances of deviations in a deviation report. Specifically, the deviation report for the period December 13, 2002 through June 13, 2003, failed to include the violation that

occurred on January 24, 2003, wherein Goodyear failed to include the start and end times of the operation of P3NAIR.

Effective Date: 02/18/2007

ADMINORDER 2006-0108-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Flexible Permit #6618, SC#1 PA

Description: Failed to maintain emissions below the permitted limit.

Effective Date: 08/10/2007

ADMINORDER 2007-0337-AIR-E

Classification: Moderate

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

Rqmt Prov: No. 6618 (Flexible) PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

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

Description: Failed to properly notify the TCEQ of an emissions event that occurred on December 29, 2006.

Classification: Moderate

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

Rqmt Prov: No. 6618, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: No. 6618 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 11/19/2007

ADMINORDER 2007-1033-AIR-E

Classification: Moderate

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

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

Rqmt Prov: 6618, SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/15/2008

ADMINORDER 2008-0339-AIR-E

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6618, Special Condition No. 1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event. Specifically, 214.64 pounds ("lbs") of 1,3-butadiene, 11.68 lbs of butene, 0.54 lb of styrene, 5.29 lbs of volatile organic compounds, 86.87 lbs of carbon monoxide and 17.05 lbs of nitrogen oxide were released when the Respondent failed to prevent the build-up of air in the B2 Recovery Building vacuum system, resulting in an emissions event which began on January 23, 2008, and lasted for ten hours (Incident No. 102782).

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	08/25/2003	(294803)
2	08/25/2003	(149281)
3	08/26/2003	(149845)
4	09/22/2003	(294805)
5	10/23/2003	(294807)
6	11/14/2003	(250310)
7	11/24/2003	(294808)
8	12/22/2003	(294809)
9	01/02/2004	(255411)
10	01/22/2004	(294810)
11	02/09/2004	(260820)
12	02/25/2004	(294793)
13	02/27/2004	(262209)
14	03/22/2004	(294795)
15	04/07/2004	(263473)
16	04/21/2004	(269401)
17	04/22/2004	(294796)
18	05/25/2004	(294798)
19	06/17/2004	(273894)
20	06/21/2004	(351871)
21	07/22/2004	(351872)
22	08/24/2004	(351873)
23	08/31/2004	(287439)
24	08/31/2004	(291869)
25	08/31/2004	(255443)
26	09/28/2004	(351874)
27	10/11/2004	(333602)
28	10/19/2004	(335249)
29	10/22/2004	(351875)
30	10/22/2004	(335422)
31	11/08/2004	(339909)
32	11/11/2004	(292784)
33	11/18/2004	(336337)
34	11/22/2004	(351876)
35	12/06/2004	(336496)
36	12/20/2004	(351877)
37	01/24/2005	(381739)
38	02/03/2005	(345591)
39	02/24/2005	(381737)
40	03/04/2005	(345793)
41	03/17/2005	(371507)
42	03/22/2005	(381738)
43	03/31/2005	(376107)
44	04/15/2005	(375992)
45	04/21/2005	(574984)
46	05/18/2005	(371486)
47	05/23/2005	(574987)
48	06/07/2005	(378740)
49	06/22/2005	(574990)
50	07/13/2005	(396961)
51	07/22/2005	(574993)

52	08/11/2005	(402529)
53	08/22/2005	(574995)
54	08/24/2005	(402035)
55	08/25/2005	(402054)
56	09/21/2005	(574997)
57	10/24/2005	(574999)
58	11/21/2005	(575001)
59	12/21/2005	(575003)
60	01/09/2006	(438577)
61	01/23/2006	(575005)
62	02/17/2006	(438968)
63	02/23/2006	(455879)
64	02/23/2006	(574980)
65	02/25/2006	(456992)
66	03/22/2006	(574982)
67	04/04/2006	(461480)
68	04/24/2006	(574985)
69	04/25/2006	(455625)
70	05/18/2006	(574988)
71	05/26/2006	(467425)
72	05/30/2006	(480187)
73	05/30/2006	(480179)
74	05/30/2006	(480188)
75	05/30/2006	(480180)
76	05/30/2006	(480189)
77	05/30/2006	(480190)
78	05/30/2006	(480191)
79	05/30/2006	(480167)
80	05/30/2006	(480192)
81	05/30/2006	(480168)
82	05/30/2006	(480181)
83	05/30/2006	(480169)
84	05/30/2006	(480170)
85	05/30/2006	(480172)
86	05/30/2006	(480111)
87	05/30/2006	(480173)
88	05/30/2006	(480176)
89	05/30/2006	(480183)
90	05/30/2006	(480178)
91	05/31/2006	(480606)
92	05/31/2006	(480831)
93	05/31/2006	(480690)
94	05/31/2006	(480678)
95	05/31/2006	(480608)
96	05/31/2006	(480650)
97	05/31/2006	(480792)
98	05/31/2006	(480778)
99	05/31/2006	(480661)
100	05/31/2006	(480596)
101	05/31/2006	(480662)
102	05/31/2006	(480849)
103	05/31/2006	(480663)
104	05/31/2006	(480664)
105	05/31/2006	(480611)
106	05/31/2006	(480665)
107	05/31/2006	(480657)
108	05/31/2006	(480667)
109	05/31/2006	(480668)
110	05/31/2006	(480658)
111	05/31/2006	(480659)
112	05/31/2006	(480660)
113	05/31/2006	(480669)
114	05/31/2006	(480670)
115	05/31/2006	(480732)
116	05/31/2006	(480671)
117	05/31/2006	(480672)
118	05/31/2006	(480673)

119	05/31/2006	(480674)
120	05/31/2006	(480685)
121	05/31/2006	(480598)
122	05/31/2006	(480614)
123	05/31/2006	(480817)
124	05/31/2006	(480701)
125	05/31/2006	(480723)
126	05/31/2006	(480773)
127	05/31/2006	(480617)
128	05/31/2006	(480827)
129	05/31/2006	(480599)
130	05/31/2006	(480619)
131	05/31/2006	(480620)
132	05/31/2006	(480804)
133	05/31/2006	(480593)
134	05/31/2006	(480604)
135	05/31/2006	(480621)
136	06/22/2006	(574991)
137	07/22/2006	(574994)
138	08/16/2006	(486207)
139	08/23/2006	(574996)
140	09/21/2006	(574998)
141	10/13/2006	(511467)
142	10/24/2006	(575000)
143	10/31/2006	(517141)
144	11/22/2006	(575002)
145	11/28/2006	(531342)
146	12/22/2006	(575004)
147	01/24/2007	(575006)
148	02/22/2007	(574981)
149	03/06/2007	(542002)
150	03/14/2007	(542004)
151	03/15/2007	(542014)
152	03/20/2007	(543458)
153	03/22/2007	(574983)
154	03/30/2007	(541041)
155	04/13/2007	(555191)
156	04/19/2007	(574986)
157	05/14/2007	(560326)
158	05/22/2007	(574989)
159	06/11/2007	(563799)
160	06/21/2007	(574992)
161	06/25/2007	(563998)
162	07/06/2007	(510329)
163	07/23/2007	(601510)
164	08/08/2007	(563180)
165	08/21/2007	(572967)
166	08/31/2007	(601511)
167	09/24/2007	(601512)
168	10/22/2007	(619420)
169	11/26/2007	(619421)
170	12/27/2007	(671929)
171	12/28/2007	(613075)
172	02/22/2008	(616497)
173	02/25/2008	(617371)
174	02/25/2008	(671926)
175	03/24/2008	(671927)
176	03/28/2008	(679795)
177	04/16/2008	(671930)
178	04/18/2008	(671928)
179	05/14/2008	(637218)
180	05/16/2008	(689847)
181	06/13/2008	(689848)
182	06/26/2008	(689849)
183	07/14/2008	(683516)
184	08/22/2008	(688063)

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

Date	01/02/2004	(255411)		
Self Report?	NO		Classification	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)			
Rqmt Prov:	PERMIT 6618			
Description:	During the investigation conducted on November 3-5, 2003, it was determined that Goodyear failed to equip five open-ended valves with a second valve, plug, cap or a blind.			
Self Report?	NO		Classification	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(4)(ii)(C)			
Description:	During the investigation conducted on November 5, 2003, it was determined that Goodyear failed to use approximately 5,000 ppm calibration gas to calibrate instrument to monitor pumps to which a 5,000 parts per million (ppm) leak definition applies			
Self Report?	NO		Classification	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(ix)			
Description:	During the investigation conducted on November 5, 2003, it was determined that Goodyear failed to correctly report the summary of the total number of connectors found leaking on semi annual reports for the period from October 1, 2001 through December 31, 2001, January 1, 2002 through March 31, 2002, and April 1, 2002 t			
Self Report?	NO		Classification	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(e)			
Description:	During the investigation conducted on November 3-5, 2003, it was determined that Goodyear failed to correctly report percent leaking valves in a monitoring period (on a quarterly basis). Goodyear reported percent leaking of valves as rolling average of two consecutive quarters in periodic reports required by 40 CFR 63			
Self Report?	NO		Classification	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(d)(4)			
Description:	During the investigation conducted on November 5, 2003, it was determined that Goodyear failed to correctly report percent leaking pumps in a monthly basis. Goodyear reported percent leaking pumps as rolling average of six months in periodic report required by 40 CFR 63 Subparts H and U dated June 29, 2001, January 7,			
Self Report?	NO		Classification	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 115, SubChapter D 115.352(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)			
Description:	During the investigation conducted on November 3-5, 2003, it was determined that Goodyear failed to attempt the repair of a leaking valve (tag number 805296), within the required five days of discovery.			
Date	02/29/2004	(294795)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	08/31/2004	(287439)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 116, SubChapter G 116.721(a) 30 TAC Chapter 122, SubChapter B 122.143(4)			
Rqmt Prov:	PA TCEQ AIR PERMIT NO. 6618 OP Title V Permit No. 1227			
Description:	Due to inadequate dryer cleaning, a buildup of rubber ignited a fire within the dryer on December 14, 2004. This is a violation of 30 TAC Chapter 116.721(a).			

Date **11/18/2004** (336337)
Self Report? NO Classification Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT T 63.502(a)
Rqmt Prov: PERMIT Special Condition 3F
Description: Failure to monitor five valves included on Unit C-3 Blowdown Tank No. 3-F in the 4th quarter of 2003.

Date **06/07/2005** (378740)
Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.721(a)
Rqmt Prov: **PERMIT TCEQ Air Permit No. 6618 GC #1**
Description: Failure to operate in accordance with the operation procedures represented in the application for a flexible permit.

Date **09/30/2005** (574999)
Self Report? YES Classification Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date **02/21/2006** (438968)
Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA Flexible Permit #6618, SC #2
Description: **An accumulation of oxidized crumb rubber fines inside the dryer caught fire resulting in 80% opacity for the 10 minute period.**

Date **04/26/2006** (455625)
Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.201(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Flexible Permit 6618
Description: Failure to comply with the emissions event reporting requirements.

Date **06/30/2006** (574994)
Self Report? YES Classification Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date **04/13/2007** (555191)
Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to submit noncompliance notification for an effluent exceedence of greater than 40%.

Date **07/02/2007** (563180)
Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(2)
Description: Failure to provide a hatch on the GST that has a raised curbing of four inches and overhangs by 2 inches.

Date **11/18/2004** (336337)
Self Report? NO Classification Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(v)
Description: Failure to provide pressure facilities.

CCEDS indicates unauthorize

Date 07/06/2007 (510329)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter G 116.715(a)
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: PERMIT No. 6618, Special Condition No. 3(E)
OP O-01227, General Terms and Conditions
OP O-01227, Special Terms & Condition No. 11

Description: Failure to equip each open-ended line with a cap, blind flange, plug, or second valve.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.214(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01227, General Terms & Conditions
OP O-01227, Special Terms & Cond. No. 1(E)

Description: Failure to test engine A6AIR during the second quarter of 2005.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP General Terms and Conditions
OP O-01227, Special Condition 1(E)

Description: **Failure to prevent firewater pump diesel engines (U3101A and U3101B) from operating during the restricted hours of 6:00 a.m. and noon.**

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP General Terms & Conditions
PERMIT No. 6618, Special Condition No. 6
OP O-01227, Special Terms & Condition No.11

Description: Failure to maintain records of repair of the equipment leak of NH3.

Self Report? NO Classification Minor

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

Rqmt Prov: OP O-01227, General terms & Conditions
OP O-01227, Special Terms & Condition No.10

Description: Failure to document the degreaser equipment inspection (PUMPSHOP and CENTSHOP) for the month of July 2005.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.355
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT No. 6618, Special Condition No. 3(F)
OP O-01227, General Terms And Conditions
OP O-01227, Special Terms & Conditions No.11

Description: Failure to sample five components at the sampling time duration required in Test Method 21.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.788(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01227, Special Condition No. 1(K)(iv)

Description: Failure to submit the LDAR audit report within 30 days after completing the audit.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01227, General Terms & Conditions
OP O-01227, Special Terms & Cond. No. 9(C)

Description: Failure to revise the SSMP to incorporate the general recovery area startup and shutdown procedures within 45 days after the August 5, 2005 startup event.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT No. 6618, Special Condition No. 14(A)
OP O-01227, General Terms and Conditions
OP O-01227, Special Terms & Cond. No. 11

Description: Failure to maintain the Thermal Oxidizer (D8-Q4502) temperature above the minimum 1450 degrees Fahrenheit.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01227, General Terms and Conditions
OP O-01227, Special Terms & Cond. No. 1(E)

Description: Failure to record the start and end times of operation for a diesel engine (G4008D) test.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01227, Special Condition no. 1K(i)

Description: Failure to implement daily manual sampling of the flare (R1-Q4501) inlet within 10 hours of start of downtime of analyzer.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01227, Special Condition No. 1K(iii)

Description: Failure to implement speciated HRVOC analysis according to the air stripping method in Appendix P during the out of order period of the on-line HRVOC monitor on Cooling Tower T-5001 and T-5002.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(9)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT No. 6618, Special Condition No. 3(F)
OP O-01227, General Terms and Conditions
OP O-01227, Special Terms & Cond. No. 11

Description: Failure to install a pressure gauge between relief valve and rupture disc on reactor R-305C (common name 3.5G).

Date **03/28/2008** (679795)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

- F. Environmental audits.
N/A
- 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
THE GOODYEAR TIRE & RUBBER
COMPANY
RN100870898

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BEFORE THE

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-1379-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 The Goodyear Tire & Rubber Company ("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 rubber manufacturing plant at 2000 Goodyear Drive in Houston, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about August 27, 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 Six Thousand One Hundred Seventy-Five Dollars (\$6,175) is assessed by the Commission in settlement of the violations alleged in Section II

("Allegations"). The Respondent has paid Four Thousand Nine Hundred Forty Dollars (\$4,940) of the administrative penalty and One Thousand Two Hundred Thirty-Five Dollars (\$1,235) 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.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on July 24, 2008, the Respondent isolated Switch A at the P1 Substation and removed it from service.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), Flexible Air Permit No. 6618, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on August 7, 2008. Specifically, 62.27 pounds ("lbs") of 1,3-butadiene, 20.67 lbs of butene, 0.27 lb of styrene, 1.52 lbs of volatile organic compounds, 31.20 lbs of carbon monoxide and 6.12 lbs of nitrogen oxides were released when the Respondent failed to prevent an electrical ground-fault at the P1 Substation after rain water entered through a seal where the electrical cable enters the switch housing for Tie Switch A, resulting in an emissions event which began on July 24, 2008, and lasted for two hours (Incident No. 111554). Since the emissions event was avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Goodyear Tire & Rubber Company, Docket No. 2008-1379-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. 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, implement measures designed to prevent recurrence of emissions due to the same cause as the July 24, 2008, emissions event (Incident No. 111554); and
 - 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. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

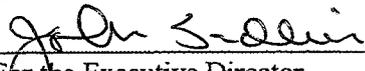
Air Section, Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

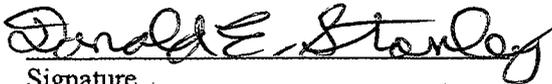
Date 11/14/2008

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.



Signature

Date 10/8/08

Donald E. Stanley

Name (Printed or typed)
Authorized Representative of
The Goodyear Tire & Rubber Company

V.P. Prod. Qual. & Plant Technology

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.

