

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2009-0153-AIR-E TCEQ ID: RN102450756 CASE NO.: 37108
RESPONDENT NAME: EXXONMOBIL OIL CORPORATION

| | | |
|---|---|--|
| ORDER TYPE: | | |
| <input type="checkbox"/> 1660 AGREED ORDER | <input checked="" type="checkbox"/> FINDINGS AGREED ORDER | <input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING |
| <input type="checkbox"/> FINDINGS DEFAULT ORDER | <input type="checkbox"/> SHUTDOWN ORDER | <input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER |
| <input type="checkbox"/> AMENDED ORDER | <input type="checkbox"/> EMERGENCY ORDER | |
| 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 |
| <input type="checkbox"/> AGRICULTURE | <input type="checkbox"/> USED OIL | <input type="checkbox"/> WATER RIGHTS |

SITE WHERE VIOLATION(S) OCCURRED: 1795 Burt Street, Beaumont, Jefferson County

TYPE OF OPERATION: Petroleum refinery

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are two additional pending enforcement actions regarding this facility location (TCEQ Docket Nos. 2009-0568-AIR-E and 2009-1194-IWD-E).

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

COMMENTS RECEIVED: The *Texas Register* comment period expired on September 21, 2009. No comments were received.

CONTACTS AND MAILING LIST:
 TCEQ Attorney: Ms. Anna M. Treadwell, Litigation Division, MC 175, (512) 239-0974
 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019
 TCEQ Enforcement Coordinator: Ms. Kimberly Morales, Air Enforcement Section, MC R-12, (713) 422-8938
 TCEQ Regional Contact: Ms. Heather Ross, Beaumont Regional Office, MC R-10, (409) 898-3838
 Respondent: ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704
 Respondent's Attorney: Mr. Rodney Barnwell, ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704

VIOLATION SUMMARY CHART:

| VIOLATION INFORMATION | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS TAKEN/REQUIRED |
|--|--|--|
| <p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Dates of Investigations Relating to this Case: August 16, November 22, and November 30, 2004; December 2 through 16, 2004; and November 4 through November 6, 2008</p> <p>Dates of NOEs Relating to this Case: December 20, 2004, February 26, 2005, and January 15, 2009</p> <p>Background Facts: This Order combines two cases into one Order. The first case had an EDP RP filed on September 9, 2006. The Respondent filed an Answer on October 20, 2006. The parties held various settlements meetings and when an agreement was not achieved, the case was referred to SOAH on January 4, 2008. The parties began the discovery process and had additional settlement discussions. A signed Agreed Order was received on June 29, 2009.</p> <p>Current Compliance Status: There are no outstanding technical requirements.</p> <p>AIR:</p> <p>1. Failed to properly report on a September 28, 2003, shut down requiring two reports and seven other reports on emissions events beginning on September 4, 2003 through December 22, 2003 [30 TEX. ADMIN. CODE §§ 101.201(a)(2)(F), 101.201(2)(G), 101.201(b)(7), and 101.201(b)(9), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2. Failed to prevent unauthorized emissions during an emissions event in the Catalyst HydroDesulfurization - 1 Flare that began on September 23, 2003 and lasted 2 hours 23 minutes, releasing 1,113.40 pounds (lbs) of Hydrogen Sulfide (H₂S). Since this emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222. 30 TEX. ADMIN. CODE § 116.110(a)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> | <p>Total Assessed: \$38,494</p> <p>Total Deferred: \$0</p> <p><input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input type="checkbox"/> SEP Conditional Offset</p> <p>Total Paid to General Revenue: \$38,494</p> <p>The Respondent paid the administrative penalty in full.</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>Findings Order Justification: Human health and environmental receptors have been exposed to pollutants which exceed levels that are protective (violation nos. 3 and 6)</p> <p>Excessive Emissions Event Determination Factors:</p> <p>March 9, 2004: (violation No. 5) 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 112.3(c) and TEX. HEALTH & SAFETY CODE § 382.085(b): Excessive emissions event lasting 1 hour and 23 minutes occurred when inadequate installation of the refractory lining and rain shield caused heat from the Sulfur Plant 3 main burner to burn through the furnace shell resulting in a leak releasing 50.00 lbs of CO, 516.47 lbs of H₂S, 6.95 lbs of NO_x, 49,374.20 lbs of SO₂, and 19.98 lbs of VOC. In addition, results from the TCEQ air dispersion modeling audit showed the maximum predicted SO₂ ground level concentration was 0.61 parts per million by volume (ppmv) during the emission event; therefore the 30-minute average SO₂ net ground level concentration standard of 0.32 ppmv was exceeded by approximately 91 percent.</p> | <p>Corrective Actions Taken:</p> <p>The Respondent addressed the violation numbers 1 through 6 with the issuance of Flexible Permit Number 49138 on October 31, 2004.</p> <p>Ordering Provision(s):</p> <p>The Respondent shall undertake the following technical requirements:</p> <ol style="list-style-type: none"> 1. Within 30 days, implement measures designed to ensure the proper monitoring of boiler water feed levels in order to ensure that it does not drop below safe levels; 2. Within 45 days, submit written certification demonstrating compliance. |

VIOLATION SUMMARY CHART:

| VIOLATION INFORMATION | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS TAKEN/REQUIRED |
|---|------------------------|-----------------------------------|
| <p>3. Failed to prevent unauthorized emissions during an emissions event in the Gas Plant 5 East (GP5E) Unit Debutanizer Tower that began on October 8, 2003, and lasted 2 hours 51 minutes, releasing 162,511.4 lbs of butane, 165,029.5 lbs of n-isobutane, and 89.62 lbs of NOx. Since the emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222. [30 TEX. ADMIN. CODE § 116.110(a)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>4. Failed to properly report within 24 hours of an emissions event at the FCC Unit discovered on November 11, 2003, at 19:10, but not reported to the TCEQ until November 14, 2003, at 21:01; and an emissions event at the Flare Gas Recovery (FGR) Unit discovered on February 11, 2004, at 09:10, but not reported until February 12, 2004, at 14:24. ExxonMobil also failed to submit a copy of the final report to the TCEQ no later than within two weeks after the end of the emissions event at the FCC Unit which ended on November 11, 2003, at 23:04, but was not finally reported until November 26, 2003, at 13:27 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and (c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>5. Failed to prevent unauthorized emissions from the FGR Unit that began on February 11, 2004, at 09:10 hours and lasted until 16:40 hours (7 hours 30 minutes) releasing 28:18 lbs of H₂S. Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222. [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.116(a)(1), TCEQ Air Permit No. 18425 (application representation), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>6. Failed to prevent unauthorized emissions during an emissions event at the Sulfur Plant 3 that began on March 9, 2004, and lasted 1 hour and 23 minutes, releasing 50.00 lbs of CO, 516.47 lbs of H₂S, 6.95 lbs of NOx, 49,374.20 lbs of SO₂, and 19.98 lbs of VOC. In addition, results from the TCEQ air dispersion modeling audit showed the maximum predicted SO₂ ground level concentration was 0.61 parts per million by volume (ppmv) during the emission event; therefore the 30-minute average SO₂ net ground level concentration standard of 0.32 ppmv was exceeded by approximately 91 percent. Since these emissions were determined to be excessive ExxonMobil is prevented from asserting any affirmative defense in [30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 112.3(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> | | |

VIOLATION SUMMARY CHART:

| VIOLATION INFORMATION | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS TAKEN/REQUIRED |
|--|------------------------|-----------------------------------|
| <p>7. Failed to prevent unauthorized emissions. Specifically, the Respondent released 171,709.43 pounds ("lbs") of unauthorized carbon monoxide and 1,551.28 lbs of unauthorized ammonia from the Carbon Monoxide Boiler Unit during an avoidable emissions event that began May 10, 2008 and lasted seven hours and 18 minutes. The root cause of the event was the boiler water feed level dropping below a safe level, causing the unit to automatically shut down. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met. [30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), 101.20(3), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 46534/PSD-TX-992, Special Condition No. 1 and Permit No. O-02044, Special Terms and Conditions No. 11].</p> | | |



Penalty Calculation Worksheet (PCW)

DATES Assigned PCW Screening Priority Due EPA Due

RESPONDENT/FACILITY INFORMATION

Respondent
 Reg. Ent. Ref. No.
 Additional ID No(s) Major/Minor Source
 Facility/Site Region

CASE INFORMATION

Enf./Case ID No. No. of Violations
 Docket No. Order Type
 Case Priority Enf. Coordinator
 Media Program(s) EC's Team
 Multi-Media
 Admin. Penalty \$ Limit Minimum Maximum

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Subtotals 2, 3, & 7

Notes

Culpability Subtotal 4

Notes

Good Faith Effort to Comply Subtotal 5

| | Before NOV | NOV to EDRP/Settlement Offer |
|---------------|-------------------------------------|------------------------------|
| Extraordinary | <input type="text"/> | <input type="text"/> |
| Ordinary | <input type="text"/> | <input type="text"/> |
| N/A | <input checked="" type="checkbox"/> | <i>(mark with a small x)</i> |

Notes

Economic Benefit Subtotal 6
*Capped at the Total EB \$ Amount

| | |
|----------------------------|--------------------------------------|
| Total EB Amounts | <input type="text" value="\$8"/> |
| Approx. Cost of Compliance | <input type="text" value="\$2,550"/> |

SUM OF SUBTOTALS 1-7

Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE

Adjustment

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

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

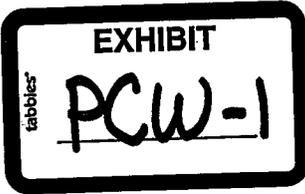
DEFERRAL

Reduction Adjustment

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

Notes

PAYABLE PENALTY



Screening Date 03-Feb-2005

Docket No. 2009-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37108

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN102450756

Additional ID No(s). Air Account No. JE00671

Media [Statute] Air Quality

Enf. Coordinator Kimberly Morales

Site Address 1795 Burt Street, Beaumont, Jefferson County

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) | 1 | 5% |
| | Other written NOVs | 6 | 12% |
| Orders | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) | 1 | 20% |
| | 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 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 disclosed) | 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% |
| 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% |

Please Enter Yes or No

Adjustment Percentage (Subtotal 2) 37%

>> 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 The respondent is an average performer with one order with denial, one same NOV, and six other NOVs, including 3 self-reported NOVs, for this plant.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 37%

Screening Date 03-Feb-2005

Docket No. 2009-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37108

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN102450756

Additional ID No(s). Air Account No. JE00671

Media [Statute] Air Quality

Enf. Coordinator Kimberly Morales

Violation Number

1

Primary Rule Cite(s)

30 Tex. Admin. Code § 101.201(a)(2)(F), (a)(2)(G), (b)(7), and (b)(9)

Secondary Rule Cite(s)

Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to properly report on a September 28, 2003 shutdown requiring two reports and seven other reports on emissions events beginning on September 4, 2003 through December 22, 2003. See Table One.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

| Release | Harm | | |
|-----------|-------|----------|-------|
| | Major | Moderate | Minor |
| Actual | | | |
| Potential | | | |

Percent

>> Programmatic Matrix

| Falsification | Major | Moderate | Minor |
|---------------|-------|----------|-------|
| | | | X |

Percent 1%

Matrix Notes

Less than 30% of the rule was not met.

Adjustment -\$9,900

Base Penalty Subtotal \$100

Violation Events

Number of Violation Events 9

| | |
|--------------|---|
| daily | |
| monthly | |
| quarterly | |
| semiannual | |
| annual | |
| single event | X |

Violation Base Penalty \$900

Nine single events, one for each improper report, as documented during the the August 16 and November 30, 2004 investigations.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$1,233

This violation Final Assessed Penalty (adjusted for limits) \$1,233

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37108
Reg. Ent. Reference No. RN102450756
Additional ID No(s). Air Account No. JE00671
Media [Statute] Air Quality
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 |
|--------------------------|-----------|---------------|-------------|-----|----------------|---------------|-----------|
| 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 | \$250 | 05-Sep-2003 | 23-Dec-2003 | 0.3 | \$4 | n/a | \$4 |
| 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 costs of reporting properly; the date required is the date the first report was due; the final date is one day after the last report was due.

| 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 \$250
TOTAL \$4

TABLE ONE: ExxonMobil Oil Corporation Beaumont Refinery

Violation 1: Failure to Properly Report - Nine Events

| Emission Event Starting Date | Comments |
|-------------------------------------|--|
| September 4, 2003 | CO emissions generated during the event were not included in final report and the NO _x emissions were not speciated therein. |
| September 28, 2003 | Initial reports (2) both stated that duration was "ongoing" which did not satisfy requirement to estimate duration of events. |
| October 8, 2003 | For the GP5E release to the pressure relief valve, CO emissions generated during the event were not included in final report and the NO _x emissions were not speciated therein. |
| October 8, 2003 | CO emissions when the GP5E Detthanizer Tower Bottoms accumulator broke were not included in final report. |
| October 8, 2003 | The initial (which became the final) report did not include the calculation methodology for the VOC, CO, nitrous oxide (NO), and nitrogen dioxide NO ₂ emissions generated. |
| November 17, 2003 | The final report failed to speciate NO _x into NO and NO ₂ |
| December 10, 2003 | The final report failed to speciate VOC and NO _x into NO and NO ₂ . |
| December 22, 2003 | The final report failed to speciate NO _x into NO and NO ₂ |

Screening Date 03-Feb-2005

Docket No. 2009-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37108

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN102450756

Additional ID No(s) Air Account No. JE00671

Media [Statute] Air Quality

Enf. Coordinator Kimberly Morales

Violation Number 2

Primary Rule Cite(s)

30 Tex. Admin. Code § 116.110(a)(1)

Secondary Rule Cite(s)

Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to prevent unauthorized emissions during an emissions event that began on September 23, 2003. See Table Two. Since the emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

| | | Harm | | |
|---------|-----------|-------|----------|-------|
| Release | | Major | Moderate | Minor |
| OR | Actual | | | X |
| | Potential | | | |

Percent 25%

>> Programmatic Matrix

| | | Major | Moderate | Minor |
|---------------|--|-------|----------|-------|
| Falsification | | | | |

Percent

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

Base Penalty Subtotal \$2,500

Violation Events

Number of Violation Events 1

| | | |
|--------------------------------|--------------|---|
| mark only one use a small x | daily | |
| | monthly | |
| | quarterly | |
| | semiannual | |
| | annual | |
| | single event | X |

Violation Base Penalty \$2,500

One single event is recommended, as documented during the August 16, 2004 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,425

This violation Final Assessed Penalty (adjusted for limits) \$3,425

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37108
Reg. Ent. Reference No. RN102450756
Additional ID No(s). Air Account No. JE00671
Media [Statute] Air Quality
Violation No. 2

| | |
|-------------------------|------------------------------|
| Percent Interest | Years of Depreciation |
| 5.0 | 15 |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|--------------------------|-----------|---------------|-------------|-----|----------------|---------------|-----------|
| No commas or \$ | | | | | | | |
| Delayed Costs | | | | | | | |
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 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) | \$500 | 23-Sep-2004 | 24-Sep-2004 | 0.0 | \$0 | n/a | \$0 |

Notes for DELAYED costs: Estimated costs of preventing the emissions event; the date required is the date the emissions event began; the final date is one day after the emissions event ended.

| Item Description | Yrs | Interest Saved | Onetime Costs | EB Amount |
|---|-----|----------------|---------------|-----------|
| 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 \$0

TABLE TWO: ExxonMobil Oil Corporation Beaumont Refinery**Violation 2: Three Emission Events**

| Emission Point | Starting Date | Duration | Emitted Compounds | Limits** | Total Emissions** | Emissions above Limits** |
|---|----------------------|-----------------|--------------------------|-----------------|--------------------------|---------------------------------|
| Catalyst HydroDesulfurization - 1 Flare | 09/23/03 | 2 hr 23 min | H ₂ S | 2.89 | 1,113.40 | 1,110.51 |

* pounds/hour

** pounds

Screening Date 03-Feb-2005

Docket No. 2009-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37108

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN102450756

Additional ID No(s). Air Account No. JE00671

Media [Statute] Air Quality

Enf. Coordinator Kimberly Morales

Violation Number 3

Primary Rule Cite(s) 30 Tex. Admin. Code § 116.110(a)(1)

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to prevent unauthorized emissions from the Gas Plant 5 East (GP5E) Unit Debutanizer Tower on October 8, 2003; during a 2 hr and 51 min period, 162,511.4 lbs of butane, 165,029.5 lbs of n-isobutane, and 89.62 lbs of NOx were released. Since the emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

| | | Harm | | | | |
|---------|-----------|-------|----------|-------|---------|------|
| Release | | Major | Moderate | Minor | | |
| OR | Actual | X | | | Percent | 100% |
| | Potential | | | | | |

>> Programmatic Matrix

| | | Major | Moderate | Minor | | |
|--|---------------|-------|----------|-------|---------|--|
| | Falsification | | | | Percent | |

Matrix Notes

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

Adjustment \$0

Base Penalty Subtotal \$10,000

Violation Events

Number of Violation Events 1

| | | |
|--------------------------------|--------------|---|
| mark only one use a small x | daily | X |
| | monthly | |
| | quarterly | |
| | semiannual | |
| | annual | |
| | single event | |

Violation Base Penalty \$10,000

One daily event is recommended, as documented during the August 16, 2004 investigation.

Economic Benefit (EB) for this violation

Estimated EB Amount \$0

Statutory Limit Test

Violation Final Penalty Total \$13,700

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

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37108
Reg. Ent. Reference No. RN102450756
Additional ID No(s). Air Account No. JE00671
Media [Statute] Air Quality
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 |
|--------------------------|-----------|---------------|-------------|-----|----------------|---------------|-----------|
| 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 | | 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) | \$500 | 08-Oct-2003 | 09-Oct-2003 | 0.0 | \$0 | n/a | \$0 |

Notes for DELAYED costs: Estimated costs of preventing the emissions event; the date required is the date the emissions event began; the final date is one day after the emissions event ended.

| Item | Yrs | Interest Saved | Onetime Costs | EB Amount |
|---|-----|----------------|---------------|-----------|
| 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 \$0

Screening Date 03-Feb-2005

Docket No. 2009-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37108

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN102450756

Additional ID No(s). Air Account No. JE00671

Media [Statute] Air Quality

Enf. Coordinator Kimberly Morales

Violation Number 4

Primary Rule Cite(s) 30 Tex. Admin. Code § 101.201(a)(1)(B) and (c)

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to properly (1) report within 24 hours of an emissions event (a) at the FCC Unit discovered on November 11, 2003 at 19:10, but not reported to the TCEQ until November 14, 2003 at 21:01 and (b) at the Flare Gas Recovery (FGR) Unit discovered on February 11, 2004 at 09:10, but not reported until February 12, 2004 at 14:24; and (2) submit a copy of the final record to the TCEQ no later than within two weeks after the end of the emissions event at the FCC Unit which ended on November 11, 2003 at 23:04, but which was not finally reported on until November 26, 2003 at 13:27.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

| Release | Harm | | |
|-----------|-------|----------|-------|
| | Major | Moderate | Minor |
| Actual | | | |
| Potential | | | |

Percent

>> Programmatic Matrix

| Falsification | Major | Moderate | Minor |
|---------------|-------|----------|-------|
| | | | X |

Percent 1%

Matrix Notes

Less than 30% of the rule was not met.

Adjustment -\$9,900

Base Penalty Subtotal \$100

Violation Events

Number of Violation Events 3

| | |
|--------------|---|
| daily | |
| monthly | |
| quarterly | |
| semiannual | |
| annual | |
| single event | X |

mark only one use a small x

Violation Base Penalty \$300

Three single events are recommended, one for each late report, as documented during the November 30, 2004 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$411

This violation Final Assessed Penalty (adjusted for limits) \$411

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37108
Reg. Ent. Reference No. RN102450756
Additional ID No(s). Air Account No. JE00671
Media [Statute] Air Quality
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 |
|--------------------------|-----------|---------------|-------------|-----|----------------|---------------|-----------|
| 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 | \$300 | 12-Nov-2003 | 13-Feb-2004 | 0.3 | \$4 | n/a | \$4 |
| 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 costs of reporting properly; the date required is the date the first report was due; the final date is one day after the last report was due.

| 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 \$300

TOTAL \$4

Screening Date 03-Feb-2005

Docket No. 2009-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37108

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN102450756

Additional ID No(s). Air Account No. JE00671

Media [Statute] Air Quality

Enf. Coordinator Kimberly Morales

Violation Number 5

Primary Rule Cite(s)

TCEQ Air Permit No. 18425 (application representation)

Secondary Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3) and 116.116(a)(1), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to prevent unauthorized emissions from the FGR Unit on February 11, 2004 from 09:10 to 16:40 (7 hrs 30 min). ExxonMobil represented that 28.18 lbs of H2S were released in excess of limits during this event. Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

| Release | Harm | | |
|-----------|-------|----------|-------|
| | Major | Moderate | Minor |
| Actual | | | X |
| Potential | | | |

Percent 25%

>> Programmatic Matrix

| Falsification | Major | Moderate | Minor |
|---------------|-------|----------|-------|
| | | | |

Percent

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

Base Penalty Subtotal \$2,500

Violation Events

Number of Violation Events 1

| | | |
|--------------------------------|--------------|---|
| mark only one use a small x | daily | |
| | monthly | |
| | quarterly | |
| | semiannual | |
| | annual | |
| | single event | X |

Violation Base Penalty \$2,500

One single event is recommended, as documented by the November 30, 2004 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$3,425

This violation Final Assessed Penalty (adjusted for limits) \$3,425

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37108
Reg. Ent. Reference No. RN102450756
Additional ID No(s). Air Account No. JE00671
Media [Statute] Air Quality
Violation No. 5

| | |
|-------------------------|------------------------------|
| Percent Interest | Years of Depreciation |
| 5.0 | 15 |

| Item Description | Item Cost <small>No commas or \$</small> | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|--------------------------|---|---------------|-------------|-----|----------------|---------------|-----------|
| Delayed Costs | | | | | | | |
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | n/a | \$0 |
| Permit Costs | | | | 0.0 | \$0 | n/a | \$0 |
| Other (as needed) | \$500 | 11-Feb-2004 | 12-Feb-2004 | 0.0 | \$0 | n/a | \$0 |

Notes for DELAYED costs Estimated costs of preventing the emissions event; the date required is the date the emissions event began; the final date is one day after the emissions event ended.

| 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 \$0

Screening Date 03-Feb-2005

Docket No. 2009-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37108

PCW Revision December 10, 2004

Reg. Ent. Reference No. RN102450756

Additional ID No(s). Air Account No. JE00671

Media [Statute] Air Quality

Enf. Coordinator Kimberly Morales

Violation Number 6

Primary Rule Cite(s) 30 Tex. Admin. Code § 112.3(c)

Secondary Rule Cite(s) Tex. Health & Safety Code § 382.085(b)

Violation Description Failure to prevent unauthorized emissions released from the Sulfur Plant 3 which began on March 9, 2004 and released 50.00 lbs of CO, 516.47 lbs of H2S, 6.95 lbs of NOx, 49,374.20 lbs of SO2, and 19.98 lbs of VOC during a 1 hr 23 min period. Additionally, results from a TCEQ air dispersion modeling audit showed the maximum predicted SO2 ground level concentration was 0.61 parts per million by volume (ppmv) during the emissions event; therefore the 30-minute average SO2 net ground level concentration standard of 0.32 ppmv was exceeded by approximately 91 percent. Since these emissions were determined to be excessive, ExxonMobil is prevented from asserting any affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

| | | Harm | | | |
|---------|-----------|-------|----------|-------|--------------|
| Release | | Major | Moderate | Minor | |
| OR | Actual | X | | | Percent 100% |
| | Potential | | | | |

>> Programmatic Matrix

| Falsification | Major | Moderate | Minor | Percent |
|---------------|-------|----------|-------|---------|
| | | | | |

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

Adjustment \$0

Base Penalty Subtotal \$10,000

Violation Events

Number of Violation Events 1

| | | |
|--------------------------------|--------------|---|
| mark only one use a small x | daily | X |
| | monthly | |
| | quarterly | |
| | semiannual | |
| | annual | |
| | single event | |

Violation Base Penalty \$10,000

One daily event is recommended, as documented during the December 2 - 16, 2004 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$13,700

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

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37108
Reg. Ent. Reference No. RN102450756
Additional ID No(s). Air Account No. JE00671
Media [Statute] Air Quality
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 |
|--------------------------|--|---------------|-------------|-----|----------------|---------------|-----------|
| 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) | \$500 | 09-Mar-2004 | 10-Mar-2004 | 0.0 | \$0 | n/a | \$0 |
| Notes for DELAYED costs | Estimated costs of preventing the emissions event; the date required is the date the emissions event began; the final date is one day after the emissions event ended. | | | | | | |

| 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 \$0

Compliance History Report

| | | | |
|-------------------------------------|--|-------------------------|-------------------|
| Customer/Respondent/Owner-Operator: | CN600920748 ExxonMobil Oil Corporation | Classification: AVERAGE | Rating: 1.550 |
| Regulated Entity: | RN102450756 EXXONMOBIL BEAUMONT REFINERY | Classification: AVERAGE | Site Rating: 1.60 |

| ID Number(s): | | | |
|---------------|------------------------|--------------|-------|
| | AIR NEW SOURCE PERMITS | REGISTRATION | 71938 |
| | AIR NEW SOURCE PERMITS | PERMIT | 655 |
| | AIR NEW SOURCE PERMITS | PERMIT | 1519 |
| | AIR NEW SOURCE PERMITS | PERMIT | 3913 |
| | AIR NEW SOURCE PERMITS | PERMIT | 7018 |
| | AIR NEW SOURCE PERMITS | PERMIT | 7208 |
| | AIR NEW SOURCE PERMITS | PERMIT | 7760 |
| | AIR NEW SOURCE PERMITS | PERMIT | 10291 |
| | AIR NEW SOURCE PERMITS | PERMIT | 11306 |
| | AIR NEW SOURCE PERMITS | PERMIT | 12139 |
| | AIR NEW SOURCE PERMITS | PERMIT | 12817 |
| | AIR NEW SOURCE PERMITS | PERMIT | 13120 |
| | AIR NEW SOURCE PERMITS | PERMIT | 15261 |
| | AIR NEW SOURCE PERMITS | PERMIT | 18276 |
| | AIR NEW SOURCE PERMITS | PERMIT | 18277 |
| | AIR NEW SOURCE PERMITS | PERMIT | 19566 |
| | AIR NEW SOURCE PERMITS | PERMIT | 20862 |
| | AIR NEW SOURCE PERMITS | PERMIT | 22999 |
| | AIR NEW SOURCE PERMITS | PERMIT | 24159 |
| | AIR NEW SOURCE PERMITS | PERMIT | 26121 |
| | AIR NEW SOURCE PERMITS | PERMIT | 27000 |
| | AIR NEW SOURCE PERMITS | PERMIT | 26860 |
| | AIR NEW SOURCE PERMITS | PERMIT | 27539 |
| | AIR NEW SOURCE PERMITS | PERMIT | 26859 |
| | AIR NEW SOURCE PERMITS | PERMIT | 30543 |
| | AIR NEW SOURCE PERMITS | PERMIT | 31227 |
| | AIR NEW SOURCE PERMITS | PERMIT | 33642 |
| | AIR NEW SOURCE PERMITS | PERMIT | 33907 |
| | AIR NEW SOURCE PERMITS | PERMIT | 34543 |
| | AIR NEW SOURCE PERMITS | PERMIT | 34963 |
| | AIR NEW SOURCE PERMITS | PERMIT | 37234 |
| | AIR NEW SOURCE PERMITS | PERMIT | 40837 |
| | AIR NEW SOURCE PERMITS | PERMIT | 42051 |
| | AIR NEW SOURCE PERMITS | PERMIT | 42730 |



| | | |
|------------------------|----------------|---------|
| AIR NEW SOURCE PERMITS | PERMIT | 42852 |
| AIR NEW SOURCE PERMITS | PERMIT | 42951 |
| AIR NEW SOURCE PERMITS | PERMIT | 43132 |
| AIR NEW SOURCE PERMITS | PERMIT | 43433 |
| AIR NEW SOURCE PERMITS | PERMIT | 43675 |
| AIR NEW SOURCE PERMITS | PERMIT | 44038 |
| AIR NEW SOURCE PERMITS | PERMIT | 45695 |
| AIR NEW SOURCE PERMITS | PERMIT | 46329 |
| AIR NEW SOURCE PERMITS | PERMIT | 46434 |
| AIR NEW SOURCE PERMITS | PERMIT | 46534 |
| AIR NEW SOURCE PERMITS | PERMIT | 46743 |
| AIR NEW SOURCE PERMITS | PERMIT | 47064 |
| AIR NEW SOURCE PERMITS | PERMIT | 47063 |
| AIR NEW SOURCE PERMITS | PERMIT | 47062 |
| AIR NEW SOURCE PERMITS | PERMIT | 47175 |
| AIR NEW SOURCE PERMITS | PERMIT | 47358 |
| AIR NEW SOURCE PERMITS | PERMIT | 47589 |
| AIR NEW SOURCE PERMITS | PERMIT | 47815 |
| AIR NEW SOURCE PERMITS | PERMIT | 48110 |
| AIR NEW SOURCE PERMITS | PERMIT | 49135 |
| AIR NEW SOURCE PERMITS | PERMIT | 49138 |
| AIR NEW SOURCE PERMITS | PERMIT | 49142 |
| AIR NEW SOURCE PERMITS | PERMIT | 49143 |
| AIR NEW SOURCE PERMITS | PERMIT | 49145 |
| AIR NEW SOURCE PERMITS | PERMIT | 49596 |
| AIR NEW SOURCE PERMITS | ACCOUNT NUMBER | JE00671 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72166 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71990 |
| AIR NEW SOURCE PERMITS | PERMIT | 52713 |
| AIR NEW SOURCE PERMITS | PERMIT | 52733 |
| AIR NEW SOURCE PERMITS | PERMIT | 52926 |
| AIR NEW SOURCE PERMITS | PERMIT | 53561 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 55220 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 55233 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 54963 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 55175 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75794 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76388 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75736 |

| | | |
|------------------------|--------------|------------|
| AIR NEW SOURCE PERMITS | PERMIT | 75302 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 55737 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75572 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75426 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75528 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75508 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75845 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76054 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70003 |
| AIR NEW SOURCE PERMITS | PERMIT | 56259 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70001 |
| AIR NEW SOURCE PERMITS | AFS NUM | 4824500018 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70104 |
| AIR NEW SOURCE PERMITS | PERMIT | 70613 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70541 |
| AIR NEW SOURCE PERMITS | PERMIT | 56617 |
| AIR NEW SOURCE PERMITS | PERMIT | 48623 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70376 |
| AIR NEW SOURCE PERMITS | PERMIT | 49134 |
| AIR NEW SOURCE PERMITS | PERMIT | 49125 |
| AIR NEW SOURCE PERMITS | PERMIT | 49146 |
| AIR NEW SOURCE PERMITS | PERMIT | 49148 |
| AIR NEW SOURCE PERMITS | PERMIT | 49151 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71024 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX932 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX768M |
| AIR NEW SOURCE PERMITS | PERMIT | 70805 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70983 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70794 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71302 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71378 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX768M1 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX992 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71100 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71277 |
| AIR NEW SOURCE PERMITS | PERMIT | 54483 |
| AIR NEW SOURCE PERMITS | PERMIT | 50669 |
| AIR NEW SOURCE PERMITS | PERMIT | 53040 |

| | | |
|------------------------|--------------|--------|
| AIR NEW SOURCE PERMITS | PERMIT | 53560 |
| AIR NEW SOURCE PERMITS | PERMIT | 52284 |
| AIR NEW SOURCE PERMITS | PERMIT | 55291 |
| AIR NEW SOURCE PERMITS | PERMIT | 56799 |
| AIR NEW SOURCE PERMITS | PERMIT | 56709 |
| AIR NEW SOURCE PERMITS | PERMIT | 52598 |
| AIR NEW SOURCE PERMITS | PERMIT | 52599 |
| AIR NEW SOURCE PERMITS | PERMIT | 54299 |
| AIR NEW SOURCE PERMITS | PERMIT | 54091 |
| AIR NEW SOURCE PERMITS | PERMIT | 55031 |
| AIR NEW SOURCE PERMITS | PERMIT | 54487 |
| AIR NEW SOURCE PERMITS | PERMIT | 54486 |
| AIR NEW SOURCE PERMITS | PERMIT | 71741 |
| AIR NEW SOURCE PERMITS | PERMIT | 71048 |
| AIR NEW SOURCE PERMITS | PERMIT | 50583 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 105370 |
| AIR NEW SOURCE PERMITS | PERMIT | 54768 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72569 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72780 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 73120 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72646 |
| AIR NEW SOURCE PERMITS | PERMIT | 55522 |
| AIR NEW SOURCE PERMITS | PERMIT | 55654 |
| AIR NEW SOURCE PERMITS | PERMIT | 55617 |
| AIR NEW SOURCE PERMITS | PERMIT | 56428 |
| AIR NEW SOURCE PERMITS | PERMIT | 52240 |
| AIR NEW SOURCE PERMITS | PERMIT | P802 |
| AIR NEW SOURCE PERMITS | PERMIT | 52300 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72659 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74104 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74072 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 73897 |
| AIR NEW SOURCE PERMITS | PERMIT | 72534 |
| AIR NEW SOURCE PERMITS | PERMIT | 73620 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74552 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74241 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74399 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74615 |
| AIR NEW SOURCE PERMITS | PERMIT | 75132 |

| | | |
|------------------------|--------------|----------|
| AIR NEW SOURCE PERMITS | PERMIT | 75054 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74990 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75143 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75172 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75350 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74993 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74994 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74995 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74997 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75133 |
| AIR NEW SOURCE PERMITS | PERMIT | 75180 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75329 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75308 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75279 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75267 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75281 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76471 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76838 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX799 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX802 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76779 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76467 |
| AIR NEW SOURCE PERMITS | PERMIT | 76869 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77009 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77375 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77460 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77712 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77844 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77932 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78100 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77363 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78516 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78190 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78247 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78250 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78290 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78475 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78609 |

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| AIR NEW SOURCE PERMITS | REGISTRATION | 78676 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78792 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78799 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78982 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79185 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79620 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79853 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79506 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79641 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80078 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80495 |
| AIR NEW SOURCE PERMITS | PERMIT | 80203 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80819 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80595 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80461 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80978 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX992M1 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80037 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81505 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81398 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81188 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82073 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83337 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82555 |
| AIR NEW SOURCE PERMITS | PERMIT | 82413 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82685 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82299 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84577 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84778 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87985 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85988 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85464 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84615 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84900 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87903 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84867 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 88089 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87414 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 88127 |

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| AIR NEW SOURCE PERMITS | REGISTRATION | 82611 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82818 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84016 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82697 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82776 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84000 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84085 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82510 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84116 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82446 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82535 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85174 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 86452 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85876 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84158 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84159 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85192 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83382 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85990 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85376 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83296 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83912 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82813 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84673 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84607 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87029 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 88261 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87499 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84704 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85014 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87735 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85158 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87500 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 88020 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85184 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 86449 |
| WASTEWATER | PERMIT | WQ0003426000 |
| WASTEWATER | PERMIT | TPDES0118737 |
| WASTEWATER | PERMIT | TX0118737 |

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| AIR OPERATING PERMITS | PERMIT | 1999 |
| AIR OPERATING PERMITS | PERMIT | 1356 |
| AIR OPERATING PERMITS | PERMIT | 1871 |
| AIR OPERATING PERMITS | PERMIT | 2037 |
| AIR OPERATING PERMITS | ACCOUNT NUMBER | JE00671 |
| AIR OPERATING PERMITS | PERMIT | 1870 |
| AIR OPERATING PERMITS | PERMIT | 1998 |
| AIR OPERATING PERMITS | PERMIT | 2000 |
| AIR OPERATING PERMITS | PERMIT | 2036 |
| AIR OPERATING PERMITS | PERMIT | 2039 |
| AIR OPERATING PERMITS | PERMIT | 2040 |
| AIR OPERATING PERMITS | PERMIT | 2041 |
| AIR OPERATING PERMITS | PERMIT | 2042 |
| AIR OPERATING PERMITS | PERMIT | 2043 |
| AIR OPERATING PERMITS | PERMIT | 2044 |
| AIR OPERATING PERMITS | PERMIT | 2045 |
| AIR OPERATING PERMITS | PERMIT | 2046 |
| AIR OPERATING PERMITS | PERMIT | 2047 |
| AIR OPERATING PERMITS | PERMIT | 2048 |
| AIR OPERATING PERMITS | PERMIT | 2049 |
| AIR OPERATING PERMITS | ACCOUNT NUMBER | JE00671 |
| AIR OPERATING PERMITS | PERMIT | 1356 |
| AIR OPERATING PERMITS | PERMIT | 1998 |
| AIR OPERATING PERMITS | PERMIT | 1999 |
| AIR OPERATING PERMITS | PERMIT | 2000 |
| AIR OPERATING PERMITS | PERMIT | 2036 |
| AIR OPERATING PERMITS | PERMIT | 2037 |
| AIR OPERATING PERMITS | PERMIT | 2039 |
| AIR OPERATING PERMITS | PERMIT | 2040 |
| AIR OPERATING PERMITS | PERMIT | 2041 |
| AIR OPERATING PERMITS | PERMIT | 2042 |
| AIR OPERATING PERMITS | PERMIT | 2043 |
| AIR OPERATING PERMITS | PERMIT | 2044 |
| AIR OPERATING PERMITS | PERMIT | 2046 |
| AIR OPERATING PERMITS | PERMIT | 2047 |
| AIR OPERATING PERMITS | PERMIT | 2048 |
| AIR OPERATING PERMITS | PERMIT | 2049 |
| INDUSTRIAL AND HAZARDOUS WASTE PROCESSING | EPA ID | TXD990797714 |

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|---|----------------------------------|--------------|
| INDUSTRIAL AND HAZARDOUS WASTE PROCESSING | SOLID WASTE REGISTRATION # (SWR) | 30587 |
| STORMWATER | PERMIT | TXR05K942 |
| IHW CORRECTIVE ACTION | SOLID WASTE REGISTRATION # (SWR) | 30587 |
| INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS | PERMIT | 50139 |
| INDUSTRIAL AND HAZARDOUS WASTE STORAGE | PERMIT | 50139 |
| INDUSTRIAL AND HAZARDOUS WASTE GENERATION | EPA ID | TXD990797714 |
| INDUSTRIAL AND HAZARDOUS WASTE GENERATION | SOLID WASTE REGISTRATION # (SWR) | 30587 |

Location: 1795 BURT ST, BEAUMONT, TX, 77701

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: May 18, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 24, 2000 to February 24, 2005

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

Name: Kimberly Morales Phone: (713) 422-8938

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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2004 Repeat Violator: NO

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: 09/26/2004

ADMINORDER 2002-0722-AIR-E

Classification: Moderate

- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions 8 and 10 PERMIT

Description: Failed to repair Valve 3005 while the Hydrocracker facility was shutdown.

Classification: Moderate

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

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT

Special Conditions 1.F. & 8 PERMIT

Description: Failed to perform monthly monitoring of accessible valves following installation or discovery in order to establish two consecutive months of leak-free operation.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT

Description: Failed to report Valve 5922 in the 40 CFR Subpart VV semi-annual equipment leaks report for the period from July 1, 2000, through December 31, 2000,

Classification: Minor

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

Description: Failed to record daily notations for 24 days in the flare log for Process Flares (Emission Point Nos. 60FLR#003 and 60FLR#005) from January 1, 2001, through December 31, 2001

Classification: Moderate

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

Rqmt Prov: MAER PERMIT

Description: Failed to limit sulfur dioxide (SO₂) emissions of Crude B Vacuum Heater H-3102 Stack (Emission Point No. 05STK_002) on August 14, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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: MAER and Special Condition No. 35 PERMIT

Description: Failed to limit emissions of carbon monoxide (CO), particulate matter of ten microns or greater (PM₁₀), and oxides of nitrogen (NO_x) from the HDC Second Stage Furnace H-3303 Stack.

Classification: Moderate

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

Rqmt Prov: MAER PERMIT

Description: Failed to limit the hourly CO emissions from the HDC Stabilizer Reboiler Heater H-3304 Stack (Emission Point No. 20STK_004) during a two-hour event which began on December 12, 2001, at 0800 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 18277/PSD-TX-802 PERMIT
19566/PSD-TX-768M1 PERMIT
Special Condition 6.B. and 8 PERMIT
Special Condition No. 5 PERMIT
Special Condition No. 7 PERMIT

Description: Failed to limit the SO₂ emissions from 14 emission points during events which occurred on 7/22, 12/20/2001, and 01/21/2002. Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H₂S) to less than 150 parts per million by volume (ppmv) during events which occurred on 07/22, 12/20/2001.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Description: Failed to limit hourly SO₂ emissions from Boiler 22 (Emission Point No. 033S01) to the applicable Permitted MAER limits during an event which occurred at 1800 hours on June 15, 2001.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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: MAER and Special Condition No. 1 PERMIT
Special Condition No. 2 PERMIT

Description: Failed to limit the H₂S concentration in the fuel gas to 150 ppmv during an event which occurred at 1715 hours on June 15, 2001, and was caused by the infrequent purging of the dryer treater beds.

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

Description: Failed to monitor Pressure Relief Valve 2435 within 24 hours after it vented to the atmosphere on April 9, 2002, at 1845 hours.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valves 3595, 6027, 6071, 1537, and 5227 within 15 days after the leaks were detected during monitoring conducted on February 28, 2002.

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

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

Rqmt Prov: Special Condition No. 14 PERMIT

Description: Failed to provide a carbon absorption system (CAS) which consists of at least two activated carbon canisters connected in series for Tank 764.

Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valve 1249 in OMCC Unit 1 when the emissions of purged material resulting from immediate repair are not greater than the fugitive emissions likely to result from the delay of repair.

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

Rqmt Prov: 6.B. and 8 OP
Special Condition No. 5 OP

Special Condition No. 7 OP

Description: Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H₂S) to less than 150 parts per million by volume (ppmv) during events which occurred on July 22, December 20, 2001, and January 21, 2002.

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.)

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| 1 | 03/07/2000 | (138256) |
| 2 | 03/27/2000 | (138257) |
| 3 | 04/20/2000 | (138258) |
| 4 | 04/20/2000 | (138259) |
| 5 | 04/20/2000 | (138260) |
| 6 | 04/20/2000 | (138261) |
| 7 | 05/05/2000 | (138262) |
| 8 | 05/12/2000 | (138263) |
| 9 | 05/12/2000 | (138264) |
| 10 | 05/12/2000 | (138265) |
| 11 | 05/12/2000 | (138266) |
| 12 | 05/12/2000 | (138267) |
| 13 | 05/12/2000 | (138268) |
| 14 | 05/12/2000 | (138269) |
| 15 | 05/12/2000 | (138270) |
| 16 | 05/12/2000 | (138271) |
| 17 | 05/12/2000 | (138272) |
| 18 | 05/12/2000 | (138273) |
| 19 | 05/12/2000 | (138274) |
| 20 | 05/12/2000 | (138275) |
| 21 | 05/19/2000 | (138276) |
| 22 | 05/19/2000 | (138277) |
| 23 | 05/19/2000 | (138278) |
| 24 | 05/19/2000 | (138279) |
| 25 | 05/19/2000 | (138280) |
| 26 | 05/19/2000 | (138281) |
| 27 | 05/19/2000 | (138282) |
| 28 | 05/19/2000 | (138283) |
| 29 | 05/19/2000 | (138284) |
| 30 | 05/19/2000 | (138285) |
| 31 | 05/19/2000 | (138286) |
| 32 | 05/24/2000 | (138287) |
| 33 | 05/24/2000 | (138288) |
| 34 | 05/24/2000 | (138289) |
| 35 | 05/24/2000 | (138290) |
| 36 | 05/24/2000 | (138291) |
| 37 | 05/24/2000 | (138292) |
| 38 | 05/24/2000 | (138293) |
| 39 | 05/24/2000 | (138294) |
| 40 | 05/24/2000 | (138295) |
| 41 | 05/26/2000 | (138296) |
| 42 | 05/26/2000 | (138297) |
| 43 | 05/26/2000 | (138298) |
| 44 | 05/26/2000 | (138299) |
| 45 | 05/26/2000 | (138300) |
| 46 | 05/26/2000 | (138301) |
| 47 | 05/26/2000 | (138302) |
| 48 | 06/01/2000 | (138303) |

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| 49 | 06/01/2000 | (138304) |
| 50 | 06/06/2000 | (138305) |
| 51 | 06/06/2000 | (138306) |
| 52 | 06/18/2000 | (138307) |
| 53 | 07/07/2000 | (138308) |
| 54 | 07/20/2000 | (138309) |
| 55 | 07/20/2000 | (138310) |
| 56 | 07/20/2000 | (138311) |
| 57 | 07/20/2000 | (138312) |
| 58 | 07/28/2000 | (138313) |
| 59 | 07/28/2000 | (138314) |
| 60 | 07/28/2000 | (138315) |
| 61 | 08/01/2000 | (138316) |
| 62 | 08/01/2000 | (138317) |
| 63 | 08/01/2000 | (138318) |
| 64 | 08/02/2000 | (138319) |
| 65 | 08/09/2000 | (138320) |
| 66 | 08/18/2000 | (138321) |
| 67 | 08/30/2000 | (138322) |
| 68 | 08/30/2000 | (138323) |
| 69 | 09/21/2000 | (138324) |
| 70 | 09/28/2000 | (138325) |
| 71 | 09/28/2000 | (138326) |
| 72 | 11/15/2000 | (138327) |
| 73 | 11/22/2000 | (138328) |
| 74 | 11/30/2000 | (138329) |
| 75 | 11/30/2000 | (138330) |
| 76 | 12/21/2000 | (138331) |
| 77 | 12/21/2000 | (138332) |
| 78 | 12/21/2000 | (138333) |
| 79 | 12/21/2000 | (138334) |
| 80 | 02/14/2001 | (138335) |
| 81 | 02/14/2001 | (138336) |
| 82 | 02/28/2001 | (138337) |
| 83 | 03/08/2001 | (138338) |
| 84 | 03/19/2001 | (233710) |
| 85 | 04/11/2001 | (233715) |
| 86 | 04/20/2001 | (233713) |
| 87 | 04/27/2001 | (138339) |
| 88 | 04/27/2001 | (138340) |
| 89 | 04/27/2001 | (138342) |
| 90 | 04/27/2001 | (138343) |
| 91 | 06/01/2001 | (131251) |
| 92 | 06/01/2001 | (138344) |
| 93 | 06/01/2001 | (138345) |
| 94 | 06/01/2001 | (138346) |
| 95 | 06/01/2001 | (138347) |
| 96 | 06/01/2001 | (138348) |
| 97 | 06/01/2001 | (138349) |
| 98 | 06/01/2001 | (138350) |
| 99 | 06/15/2001 | (233717) |
| 100 | 07/24/2001 | (233720) |
| 101 | 08/15/2001 | (233722) |
| 102 | 09/24/2001 | (233724) |
| 103 | 10/19/2001 | (233726) |
| 104 | 11/19/2001 | (233728) |
| 105 | 12/06/2001 | (282365) |
| 106 | 12/17/2001 | (233730) |
| 107 | 01/25/2002 | (233732) |

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| 108 | 03/15/2002 | (233708) |
| 109 | 03/15/2002 | (233711) |
| 110 | 04/19/2002 | (233714) |
| 111 | 05/16/2002 | (233716) |
| 112 | 06/17/2002 | (233718) |
| 113 | 07/26/2002 | (233721) |
| 114 | 07/29/2002 | (5587) |
| 115 | 08/01/2002 | (6148) |
| 116 | 08/09/2002 | (5591) |
| 117 | 08/15/2002 | (233723) |
| 118 | 08/21/2002 | (7606) |
| 119 | 08/21/2002 | (7615) |
| 120 | 08/23/2002 | (3439) |
| 121 | 09/20/2002 | (233725) |
| 122 | 09/25/2002 | (11047) |
| 123 | 10/28/2002 | (233727) |
| 124 | 12/02/2002 | (233729) |
| 125 | 01/03/2003 | (233731) |
| 126 | 01/27/2003 | (233733) |
| 127 | 02/24/2003 | (233709) |
| 128 | 03/24/2003 | (233712) |
| 129 | 04/22/2003 | (327156) |
| 130 | 05/27/2003 | (327157) |
| 131 | 06/24/2003 | (233719) |
| 132 | 08/18/2003 | (119924) |
| 133 | 08/27/2003 | (151728) |
| 134 | 08/28/2003 | (150045) |
| 135 | 08/29/2003 | (145367) |
| 136 | 08/29/2003 | (35495) |
| 137 | 09/10/2003 | (327158) |
| 138 | 09/10/2003 | (327159) |
| 139 | 10/07/2003 | (327160) |
| 140 | 10/17/2003 | (251900) |
| 141 | 10/17/2003 | (252163) |
| 142 | 10/17/2003 | (252265) |
| 143 | 10/31/2003 | (327161) |
| 144 | 11/25/2003 | (327162) |
| 145 | 12/17/2003 | (255436) |
| 146 | 12/29/2003 | (327163) |
| 147 | 01/23/2004 | (327164) |
| 148 | 02/02/2004 | (260646) |
| 149 | 02/23/2004 | (327154) |
| 150 | 03/16/2004 | (327155) |
| 151 | 03/24/2004 | (261298) |
| 152 | 03/24/2004 | (261303) |
| 153 | 03/24/2004 | (262516) |
| 154 | 04/29/2004 | (366899) |
| 155 | 05/17/2004 | (366900) |
| 156 | 06/16/2004 | (273971) |
| 157 | 06/22/2004 | (264038) |
| 158 | 06/25/2004 | (366901) |
| 159 | 07/19/2004 | (366902) |
| 160 | 08/13/2004 | (276974) |
| 161 | 08/13/2004 | (280106) |
| 162 | 08/13/2004 | (280181) |
| 163 | 08/16/2004 | (264052) |
| 164 | 08/27/2004 | (366903) |
| 165 | 08/31/2004 | (292712) |
| 166 | 09/21/2004 | (366904) |

167 10/20/2004 (366905)
 168 11/29/2004 (339535)
 169 11/29/2004 (389976)
 170 12/15/2004 (338648)
 171 12/20/2004 (264045)
 172 12/20/2004 (341746)
 173 12/27/2004 (389977)
 174 01/24/2005 (389978)
 175 01/31/2005 (345533)
 176 02/23/2005 (427483)

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

Date: 04/18/2000 (138260)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(A)
 Description: PROCESS DRAIN INSP.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 Description: DOUBLE BLOCK VOC LINE

Date: 06/06/2000 (138307)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)
 Description: COMPONENT TAGS
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.6
 Description: RECORDKEEPING

Date: 07/12/2000 (138312)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.6
 Description: UPSET REPORTING
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 PP15 OP
 Description: EXCEEDED PERMIT LIMIT
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 PP15 OP
 Description: EXCEEDED PERMIT LIMIT

Date: 06/30/2001 (233720) CN600920748
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2002 (233729) CN600920748
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2004 (366902) CN600920748
 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 (292712)

Self Report? NO

Classification: Moderate

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 Part 60, Subpart VV 60.482-6
5C THC Chapter 382, SubChapter A 382.085(b)
O-01998 OP

Description: Failure to operate Crude Unit B without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

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 A 382.085(b)

O-01998 OP

Description: Failure to report all instances of deviations on the semi-annual deviation report, dated January 9, 2004.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
O-01998 OP

Description: Failure to operate the Crude Unit B Heaters with refinery fuel gas which contains not more than 150 ppmv of H2S.

F. Environmental audits.

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



Penalty Calculation Worksheet (PCW)

| | | | | | | |
|--------------|----------|-------------|-----------|------------|---------|-------------|
| DATES | Assigned | 20-Jan-2009 | Screening | 2-Feb-2009 | EPA Due | 12-Oct-2009 |
| | PCW | 2-Feb-2009 | | | | |

| | | | |
|--|----------------------------|--------------------|-------|
| RESPONDENT/FACILITY INFORMATION | | | |
| Respondent | ExxonMobil Oil Corporation | | |
| Reg. Ent. Ref. No. | RN102450756 | | |
| Facility/Site Region | 10-Beaumont | Major/Minor Source | Major |

| | | | |
|---------------------------------|-----------------|-----------------------|--------------------|
| CASE INFORMATION | | | |
| Enf./Case ID No. | 37108 | No. of Violations | 1 |
| Docket No. | 2009-0153-AIR-E | Order Type | Findings |
| Media Program(s) | Air | Government/Non-Profit | No |
| Multi-Media | | Enf. Coordinator | John Muennink |
| | | 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 <input type="text" value="\$10,000"/> |

| | |
|---|--|
| ADJUSTMENTS (+/-) TO SUBTOTAL 1 | |
| <small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small> | |
| Compliance History | Subtotals 2, 3, & 7 <input type="text" value="\$34,400"/> |

Notes: Enhancement due to 10 NOVs with same or similar violations, 14 NOVs with unrelated violations, 11 1660 Agreed Orders and two Findings Orders. Reduction due to two Notice of Audit Letters submitted, with one containing a Disclosure of Violations.

| | | | |
|--------------------|----|------------------|--|
| Culpability | No | 0.0% Enhancement | Subtotal 4 <input type="text" value="\$0"/> |
|--------------------|----|------------------|--|

Notes: The Respondent does not meet the culpability criteria.

| | |
|--|--|
| Good Faith Effort to Comply Total Adjustments | Subtotal 5 <input type="text" value="\$0"/> |
|--|--|

| | | |
|----------------------------|-------------------|--|
| Economic Benefit | 0.0% Enhancement* | Subtotal 6 <input type="text" value="\$0"/> |
| Total EB Amounts | \$92 | |
| Approx. Cost of Compliance | \$1,500 | |

*Capped at the Total EB \$ Amount

| | |
|-----------------------------|---|
| SUM OF SUBTOTALS 1-7 | Final Subtotal <input type="text" value="\$44,400"/> |
|-----------------------------|---|

| | | |
|---|------|--|
| OTHER FACTORS AS JUSTICE MAY REQUIRE | 0.0% | Adjustment <input type="text" value="\$0"/> |
|---|------|--|

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount

| | |
|-----------------------------------|---|
| STATUTORY LIMIT ADJUSTMENT | Final Assessed Penalty <input type="text" value="\$10,000"/> |
|-----------------------------------|---|

| | | |
|-----------------|----------------|--|
| DEFERRAL | 0.0% Reduction | Adjustment <input type="text" value="\$0"/> |
|-----------------|----------------|--|

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

Notes: No deferral is recommended for Findings Orders.

| | |
|------------------------|---------------------------------------|
| PAYABLE PENALTY | <input type="text" value="\$10,000"/> |
|------------------------|---------------------------------------|



Screening Date 2-Feb-2009

Docket No. 2009-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37108

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator John Muennink

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) | 10 | 50% |
| | Other written NOVs | 14 | 28% |
| Orders | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) | 11 | 220% |
| | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | 2 | 50% |
| Judgments and Consent Decrees | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria) | 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) | 2 | -2% |
| | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) | 1 | -2% |
| <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) 344%

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

No

Adjustment Percentage (Subtotal 3) 0%

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

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Enhancement due to 10 NOVs with same or similar violations, 14 NOVs with unrelated violations, 11 1660 Agreed Orders and two Findings Orders. Reduction due to two Notice of Audit Letters submitted, with one containing a Disclosure of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 344%

| | | | | | |
|---|--|-------------------------------------|---------------------------------------|---------------------------------|---------------------------------------|
| Screening Date 2-Feb-2009 | Docket No. 2009-0153-AIR-E | PCW | | | |
| Respondent ExxonMobil Oil Corporation | <small>Policy Revision 2 (September 2002)</small> | | | | |
| Case ID No. 37108 | <small>PCW Revision October 30, 2008</small> | | | | |
| Reg. Ent. Reference No. RN102450756 | | | | | |
| Media [Statute] Air | | | | | |
| Enf. Coordinator John Muennink | | | | | |
| Violation Number 1 | | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code §§ 116.115(c), 122.143(4) and 101.20(3), Tex. Health & Safety Code § 382.085(b), Permit No. 46534/PSD-TX-992, Special Condition No. 1 and Permit No. O-02044, Special Terms and Conditions No. 11 | | | | |
| Violation Description | Failed to prevent unauthorized emissions. Specifically, the Respondent released 171,709.43 pounds ("lbs") of unauthorized carbon monoxide and 1,551.28 lbs of unauthorized ammonia from the Carbon Monoxide Boiler Unit during an avoidable emissions event that began May 10, 2008 and lasted seven hours and 18 minutes. The root cause of the event was the boiler water feed level dropping below a safe level, causing the unit to automatically shut down. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met. | | | | |
| Base Penalty | | \$10,000 | | | |
| >> Environmental, Property and Human Health Matrix | | | | | |
| OR | Harm | | | | |
| | Release | Major | Moderate | Minor | |
| | Actual | <input checked="" type="checkbox"/> | | | |
| | Potential | | | | |
| | | Percent | <input type="text" value="100%"/> | | |
| >> Programmatic Matrix | | | | | |
| | | | Harm | | |
| | | | Major | Moderate | Minor |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | Percent | <input type="text" value="0%"/> | |
| Matrix Notes | Human health or the environment has been exposed to a significant amount of pollutants that exceed levels protective of human health or environmental receptors. Human health and the environment in the Beaumont-Port Arthur non-attainment area has been exposed to 85.85 tons of criteria air pollutants. | | | | |
| Adjustment | | | <input type="text" value="\$0"/> | | |
| | | | <input type="text" value="\$10,000"/> | | |
| Violation Events | | | | | |
| | | Number of Violation Events | <input type="text" value="1"/> | Number of violation days | <input type="text" value="1"/> |
| <i>mark only one with an x</i> | daily | <input checked="" type="checkbox"/> | | | |
| | weekly | | | | |
| | monthly | | | | |
| | quarterly | | | | |
| | semiannual | | | | |
| | annual | | | | |
| single event | | | | | |
| | | Violation Base Penalty | <input type="text" value="\$10,000"/> | | |
| One daily event is recommended based on the event start and end date of May 10, 2008. | | | | | |
| Good Faith Efforts to Comply | | <input type="text" value="0.0%"/> | Reduction | | <input type="text" value="\$0"/> |
| | | | Before NOV | NOV to EDRP/Settlement Offer | |
| Extraordinary | | | | | |
| Ordinary | | | | | |
| N/A | <input checked="" type="checkbox"/> | (mark with x) | | | |
| Notes | The Respondent does not meet the good faith criteria for this violation. | | | | |
| | | Violation Subtotal | <input type="text" value="\$10,000"/> | | |
| Economic Benefit (EB) for this violation | | | Statutory Limit Test | | |
| Estimated EB Amount | | <input type="text" value="\$92"/> | Violation Final Penalty Total | | <input type="text" value="\$44,400"/> |
| This violation Final Assessed Penalty (adjusted for limits) | | | | | <input type="text" value="\$10,000"/> |

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37108
Reg. Ent. Reference No. RN102450756
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 |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|

Delayed Costs

| | | | | | | | |
|--------------------------|---------|-------------|-------------|------|------|-----|------|
| Equipment | | | | 0.00 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 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 | \$1,500 | 10-May-2008 | 31-Jul-2009 | 1.22 | \$92 | n/a | \$92 |
| Remediation/Disposal | | | | 0.00 | \$0 | n/a | \$0 |
| Permit Costs | | | | 0.00 | \$0 | n/a | \$0 |
| Other (as needed) | | | | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

Estimated expense to implement measures designed to ensure the proper monitoring of boiler water feed levels. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures are estimated 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

\$1,500

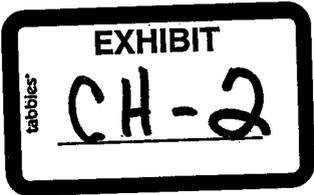
TOTAL

\$92

Compliance History Report

Customer/Respondent/Owner-Operator: CN600920748 ExxonMobil Oil Corporation Classification: AVERAGE Rating: 3.75
 Regulated Entity: RN102450756 EXXONMOBIL BEAUMONT REFINERY Classification: AVERAGE Site Rating: 17.31

| | | | |
|---------------|------------------------|--------------|-------|
| ID Number(s): | AIR NEW SOURCE PERMITS | REGISTRATION | 71938 |
| | AIR NEW SOURCE PERMITS | PERMIT | 655 |
| | AIR NEW SOURCE PERMITS | PERMIT | 1519 |
| | AIR NEW SOURCE PERMITS | PERMIT | 3913 |
| | AIR NEW SOURCE PERMITS | PERMIT | 7018 |
| | AIR NEW SOURCE PERMITS | PERMIT | 7208 |
| | AIR NEW SOURCE PERMITS | PERMIT | 7760 |
| | AIR NEW SOURCE PERMITS | PERMIT | 10291 |
| | AIR NEW SOURCE PERMITS | PERMIT | 11306 |
| | AIR NEW SOURCE PERMITS | PERMIT | 12139 |
| | AIR NEW SOURCE PERMITS | PERMIT | 12817 |
| | AIR NEW SOURCE PERMITS | PERMIT | 13120 |
| | AIR NEW SOURCE PERMITS | PERMIT | 15261 |
| | AIR NEW SOURCE PERMITS | PERMIT | 18276 |
| | AIR NEW SOURCE PERMITS | PERMIT | 18277 |
| | AIR NEW SOURCE PERMITS | PERMIT | 19566 |
| | AIR NEW SOURCE PERMITS | PERMIT | 20862 |
| | AIR NEW SOURCE PERMITS | PERMIT | 22999 |
| | AIR NEW SOURCE PERMITS | PERMIT | 24159 |
| | AIR NEW SOURCE PERMITS | PERMIT | 26121 |
| | AIR NEW SOURCE PERMITS | PERMIT | 27000 |
| | AIR NEW SOURCE PERMITS | PERMIT | 26860 |
| | AIR NEW SOURCE PERMITS | PERMIT | 27539 |
| | AIR NEW SOURCE PERMITS | PERMIT | 26859 |
| | AIR NEW SOURCE PERMITS | PERMIT | 30543 |
| | AIR NEW SOURCE PERMITS | PERMIT | 31227 |
| | AIR NEW SOURCE PERMITS | PERMIT | 33642 |
| | AIR NEW SOURCE PERMITS | PERMIT | 33907 |
| | AIR NEW SOURCE PERMITS | PERMIT | 34543 |
| | AIR NEW SOURCE PERMITS | PERMIT | 34963 |
| | AIR NEW SOURCE PERMITS | PERMIT | 37234 |
| | AIR NEW SOURCE PERMITS | PERMIT | 41034 |
| | AIR NEW SOURCE PERMITS | PERMIT | 40837 |
| | AIR NEW SOURCE PERMITS | PERMIT | 42063 |
| | AIR NEW SOURCE PERMITS | PERMIT | 42051 |
| | AIR NEW SOURCE PERMITS | PERMIT | 42730 |
| | AIR NEW SOURCE PERMITS | PERMIT | 42852 |
| | AIR NEW SOURCE PERMITS | PERMIT | 42951 |
| | AIR NEW SOURCE PERMITS | PERMIT | 43132 |
| | AIR NEW SOURCE PERMITS | PERMIT | 43433 |
| | AIR NEW SOURCE PERMITS | PERMIT | 43675 |
| | AIR NEW SOURCE PERMITS | PERMIT | 44038 |
| | AIR NEW SOURCE PERMITS | PERMIT | 45695 |
| | AIR NEW SOURCE PERMITS | PERMIT | 46329 |
| | AIR NEW SOURCE PERMITS | PERMIT | 46434 |
| | AIR NEW SOURCE PERMITS | PERMIT | 46534 |
| | AIR NEW SOURCE PERMITS | PERMIT | 46743 |
| | AIR NEW SOURCE PERMITS | PERMIT | 47064 |
| | AIR NEW SOURCE PERMITS | PERMIT | 47063 |



| | | |
|------------------------|----------------|------------|
| AIR NEW SOURCE PERMITS | PERMIT | 47062 |
| AIR NEW SOURCE PERMITS | PERMIT | 47175 |
| AIR NEW SOURCE PERMITS | PERMIT | 47358 |
| AIR NEW SOURCE PERMITS | PERMIT | 47589 |
| AIR NEW SOURCE PERMITS | PERMIT | 47815 |
| AIR NEW SOURCE PERMITS | PERMIT | 48110 |
| AIR NEW SOURCE PERMITS | PERMIT | 49135 |
| AIR NEW SOURCE PERMITS | PERMIT | 49138 |
| AIR NEW SOURCE PERMITS | PERMIT | 49142 |
| AIR NEW SOURCE PERMITS | PERMIT | 49143 |
| AIR NEW SOURCE PERMITS | PERMIT | 49145 |
| AIR NEW SOURCE PERMITS | PERMIT | 49596 |
| AIR NEW SOURCE PERMITS | ACCOUNT NUMBER | JE00671 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72166 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71990 |
| AIR NEW SOURCE PERMITS | PERMIT | 52713 |
| AIR NEW SOURCE PERMITS | PERMIT | 52733 |
| AIR NEW SOURCE PERMITS | PERMIT | 52926 |
| AIR NEW SOURCE PERMITS | PERMIT | 53561 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 55220 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 55233 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 54963 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 55175 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75794 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76388 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75736 |
| AIR NEW SOURCE PERMITS | PERMIT | 75302 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 55737 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75572 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75426 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75528 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75508 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75845 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76054 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70003 |
| AIR NEW SOURCE PERMITS | PERMIT | 56259 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70001 |
| AIR NEW SOURCE PERMITS | AFS NUM | 4824500018 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70104 |
| AIR NEW SOURCE PERMITS | PERMIT | 70613 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70541 |
| AIR NEW SOURCE PERMITS | PERMIT | 56617 |
| AIR NEW SOURCE PERMITS | PERMIT | 48623 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70376 |
| AIR NEW SOURCE PERMITS | PERMIT | 49134 |
| AIR NEW SOURCE PERMITS | PERMIT | 49125 |
| AIR NEW SOURCE PERMITS | PERMIT | 49146 |
| AIR NEW SOURCE PERMITS | PERMIT | 49148 |
| AIR NEW SOURCE PERMITS | PERMIT | 49151 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71024 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX932 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX768M |
| AIR NEW SOURCE PERMITS | PERMIT | 70805 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70983 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 70794 |

| | | |
|------------------------|--------------|------------|
| AIR NEW SOURCE PERMITS | REGISTRATION | 71302 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71378 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX768M1 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX992 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71100 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 71277 |
| AIR NEW SOURCE PERMITS | PERMIT | 54483 |
| AIR NEW SOURCE PERMITS | PERMIT | 50669 |
| AIR NEW SOURCE PERMITS | PERMIT | 53040 |
| AIR NEW SOURCE PERMITS | PERMIT | 53560 |
| AIR NEW SOURCE PERMITS | PERMIT | 52284 |
| AIR NEW SOURCE PERMITS | PERMIT | 55291 |
| AIR NEW SOURCE PERMITS | PERMIT | 56799 |
| AIR NEW SOURCE PERMITS | PERMIT | 56709 |
| AIR NEW SOURCE PERMITS | PERMIT | 52598 |
| AIR NEW SOURCE PERMITS | PERMIT | 52599 |
| AIR NEW SOURCE PERMITS | PERMIT | 54299 |
| AIR NEW SOURCE PERMITS | PERMIT | 54091 |
| AIR NEW SOURCE PERMITS | PERMIT | 55031 |
| AIR NEW SOURCE PERMITS | PERMIT | 54487 |
| AIR NEW SOURCE PERMITS | PERMIT | 54486 |
| AIR NEW SOURCE PERMITS | PERMIT | 71741 |
| AIR NEW SOURCE PERMITS | PERMIT | 71048 |
| AIR NEW SOURCE PERMITS | PERMIT | 50583 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 105370 |
| AIR NEW SOURCE PERMITS | PERMIT | 54768 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72569 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72780 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 73120 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72646 |
| AIR NEW SOURCE PERMITS | PERMIT | 55522 |
| AIR NEW SOURCE PERMITS | PERMIT | 55654 |
| AIR NEW SOURCE PERMITS | PERMIT | 55617 |
| AIR NEW SOURCE PERMITS | PERMIT | 56428 |
| AIR NEW SOURCE PERMITS | PERMIT | 52240 |
| AIR NEW SOURCE PERMITS | PERMIT | P802 |
| AIR NEW SOURCE PERMITS | PERMIT | 52300 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72659 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74104 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74072 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 73897 |
| AIR NEW SOURCE PERMITS | PERMIT | 72534 |
| AIR NEW SOURCE PERMITS | PERMIT | 73620 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74552 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74241 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74399 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74615 |
| AIR NEW SOURCE PERMITS | PERMIT | 75132 |
| AIR NEW SOURCE PERMITS | PERMIT | 75054 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74990 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75143 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75172 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75350 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74993 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74994 |

| | | |
|------------------------|--------------|------------|
| AIR NEW SOURCE PERMITS | REGISTRATION | 74995 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74997 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75133 |
| AIR NEW SOURCE PERMITS | PERMIT | 75180 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75329 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75308 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75279 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75267 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 75281 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76471 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76838 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX799 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX802 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76779 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76467 |
| AIR NEW SOURCE PERMITS | PERMIT | 76869 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77009 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77375 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77460 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77712 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77844 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77932 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78100 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77363 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78516 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78190 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78247 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78250 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78290 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78475 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78609 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78676 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78792 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78799 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78982 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79185 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79620 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79853 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79506 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79641 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80078 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80495 |
| AIR NEW SOURCE PERMITS | PERMIT | 80203 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80819 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80595 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80461 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80978 |
| AIR NEW SOURCE PERMITS | EPA ID | PSDTX992M1 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80037 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81505 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81398 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81188 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82073 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83337 |

| | | |
|------------------------|----------------|--------------|
| AIR NEW SOURCE PERMITS | REGISTRATION | 82555 |
| AIR NEW SOURCE PERMITS | PERMIT | 82413 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82685 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82299 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84577 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84778 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85988 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85464 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84615 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84900 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84867 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82611 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82818 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83880 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84016 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82697 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82776 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84000 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84085 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82510 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84116 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82446 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82535 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85174 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 86452 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85876 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84158 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84159 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85192 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83382 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85990 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85376 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83296 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 83912 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82813 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84673 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84607 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87029 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84704 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85014 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85158 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 85184 |
| AIR NEW SOURCE PERMITS | REGISTRATION | 86449 |
| WASTEWATER | PERMIT | WQ0003426000 |
| WASTEWATER | PERMIT | TPDES0118737 |
| WASTEWATER | PERMIT | TX0118737 |
| AIR OPERATING PERMITS | PERMIT | 1999 |
| AIR OPERATING PERMITS | PERMIT | 1356 |
| AIR OPERATING PERMITS | PERMIT | 1871 |
| AIR OPERATING PERMITS | PERMIT | 2037 |
| AIR OPERATING PERMITS | ACCOUNT NUMBER | JE00671 |
| AIR OPERATING PERMITS | PERMIT | 1870 |
| AIR OPERATING PERMITS | PERMIT | 1998 |
| AIR OPERATING PERMITS | PERMIT | 2000 |

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|---|----------------------------------|--------------|
| AIR OPERATING PERMITS | PERMIT | 2036 |
| AIR OPERATING PERMITS | PERMIT | 2039 |
| AIR OPERATING PERMITS | PERMIT | 2040 |
| AIR OPERATING PERMITS | PERMIT | 2041 |
| AIR OPERATING PERMITS | PERMIT | 2042 |
| AIR OPERATING PERMITS | PERMIT | 2043 |
| AIR OPERATING PERMITS | PERMIT | 2044 |
| AIR OPERATING PERMITS | PERMIT | 2045 |
| AIR OPERATING PERMITS | PERMIT | 2046 |
| AIR OPERATING PERMITS | PERMIT | 2047 |
| AIR OPERATING PERMITS | PERMIT | 2048 |
| AIR OPERATING PERMITS | PERMIT | 2049 |
| AIR OPERATING PERMITS | ACCOUNT NUMBER | JE00671 |
| AIR OPERATING PERMITS | PERMIT | 1356 |
| AIR OPERATING PERMITS | PERMIT | 1870 |
| AIR OPERATING PERMITS | PERMIT | 1871 |
| AIR OPERATING PERMITS | PERMIT | 1998 |
| AIR OPERATING PERMITS | PERMIT | 1999 |
| AIR OPERATING PERMITS | PERMIT | 2000 |
| AIR OPERATING PERMITS | PERMIT | 2036 |
| AIR OPERATING PERMITS | PERMIT | 2037 |
| AIR OPERATING PERMITS | PERMIT | 2039 |
| AIR OPERATING PERMITS | PERMIT | 2040 |
| AIR OPERATING PERMITS | PERMIT | 2041 |
| AIR OPERATING PERMITS | PERMIT | 2042 |
| AIR OPERATING PERMITS | PERMIT | 2043 |
| AIR OPERATING PERMITS | PERMIT | 2044 |
| AIR OPERATING PERMITS | PERMIT | 2046 |
| AIR OPERATING PERMITS | PERMIT | 2047 |
| AIR OPERATING PERMITS | PERMIT | 2048 |
| AIR OPERATING PERMITS | PERMIT | 2049 |
| INDUSTRIAL AND HAZARDOUS WASTE PROCESSING | EPA ID | TXD990797714 |
| INDUSTRIAL AND HAZARDOUS WASTE PROCESSING | SOLID WASTE REGISTRATION # (SWR) | 30587 |
| STORMWATER | PERMIT | TXR05K942 |
| IHW CORRECTIVE ACTION | SOLID WASTE REGISTRATION # (SWR) | 30587 |
| INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS | PERMIT | 50139 |
| INDUSTRIAL AND HAZARDOUS WASTE STORAGE | PERMIT | 50139 |
| INDUSTRIAL AND HAZARDOUS WASTE STORAGE | PERMIT | 50139 |
| INDUSTRIAL AND HAZARDOUS WASTE STORAGE | PERMIT | 50139 |
| INDUSTRIAL AND HAZARDOUS WASTE GENERATION | EPA ID | TXD990797714 |
| INDUSTRIAL AND HAZARDOUS WASTE GENERATION | SOLID WASTE REGISTRATION # (SWR) | 30587 |

Location: 1795 BURT ST, BEAUMONT, TX, 77701

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: February 03, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 02, 2004 to February 02, 2009

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

Name: John Muennink Phone: (361) 825-3423

Site Compliance History Components

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
6. Rating Date: 9/1/2008 Repeat Violator: NO

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: 09/26/2004

ADMINORDER 2002-0722-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions 8 and 10 PERMIT

Description: Failed to repair Valve 3005 while the Hydrocracker facility was shutdown.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT
Special Conditions 1.F. & 8 PERMIT

Description: Failed to perform monthly monitoring of accessible valves following installation or discovery in order to establish two consecutive months of leak-free operation.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT

Description: Failed to report Valve 5922 in the 40 CFR Subpart VV semi-annual equipment leaks report for the period from July 1, 2000, through December 31, 2000,

Classification: Minor

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

Description: Failed to record daily notations for 24 days in the flare log for Process Flares (Emission Point Nos. 60FLR#003 and 60FLR#005) from January 1, 2001, through December 31, 2001

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

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

Rqmt Prov: MAER PERMIT

Description: Failed to limit sulfur dioxide (SO₂) emissions of Crude B Vacuum Heater H-3102 Stack (Emission Point No. 05STK_002) on August 14, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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: MAER and Special Condition No. 35 PERMIT

Description: Failed to limit emissions of carbon monoxide (CO), particulate matter of ten microns or greater (PM₁₀), and oxides of nitrogen (NO_x) from the HDC Second Stage Furnace H-3303 Stack.

Classification: Moderate

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

Rqmt Prov: MAER PERMIT

Description: Failed to limit the hourly CO emissions from the HDC Stabilizer Reboiler Heater H-3304 Stack (Emission Point No. 20STK_004) during a two-hour event which began on December 12, 2001, at 0800 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18277/PSD-TX-802 PERMIT

19566/PSD-TX-768M1 PERMIT
Special Condition 6.B. and 8 PERMIT
Special Condition No. 5 PERMIT
Special Condition No. 7 PERMIT

Description: Failed to limit the SO₂ emissions from 14 emission points during events which occurred on 7/22, 12/20/2001, and 01/21/2002. Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H₂S) to less than 150 parts per million by volume (ppmv) during events which occurred on 07/22, 12/20/2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Description: Failed to limit hourly SO₂ emissions from Boiler 22 (Emission Point No. 033S01) to the applicable Permitted MAER limits during an event which occurred at 1800 hours on June 15, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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: MAER and Special Condition No. 1 PERMIT

Special Condition No. 2 PERMIT

Description: Failed to limit the H₂S concentration in the fuel gas to 150 ppmv during an event which occurred at 1715 hours on June 15, 2001, and was caused by the infrequent purging of the dryer treater beds.

Classification: Moderate

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

Description: Failed to monitor Pressure Relief Valve 2435 within 24 hours after it vented to the atmosphere on April 9, 2002, at 1845 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valves 3595, 6027, 6071, 1537, and 5227 within 15 days after the leaks were detected during monitoring conducted on February 28, 2002.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 14 PERMIT

Description: Failed to provide a carbon absorption system (CAS) which consists of at least two activated carbon canisters connected in series for Tank 764.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valve 1249 in OMCC Unit 1 when the emissions of purged material resulting from immediate repair are not greater than the fugitive emissions likely to result from the delay of repair.

Classification: Moderate

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

Rqmt Prov: 6.B. and 8 OP

Special Condition No. 5 OP

Special Condition No. 7 OP

Description: Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H₂S) to less than 150 parts per million by volume (ppmv) during events which occurred on July 22, December 20, 2001, and January 21, 2002.

Effective Date: 10/10/2005

ADMINORDER 2004-0987-AIR-E

Classification: Moderate

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

Description: Failure to properly submit initial and final emissions event notifications in a timely manner.

Classification: Moderate

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

Rqmt Prov: 46534 PERMIT

Description: Failure to prevent an unauthorized emissions release at the facility.

Classification: Moderate

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

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

Effective Date: 06/15/2006

ADMINORDER 2003-1470-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Part 63, Subpart CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform the final repair within 15 days after detecting leaks for two valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
40 CFR Part 63, Subpart CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor three valves for two successive leak-free months after detecting a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)

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

Description: Failure to comply with the 5 and 15 day requirements for leaking valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Part 63, Subpart CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of the valve with Component ID #27751 in May 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Part 63, Subpart CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of two pumps.

Classification: Moderate

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

Rqmt Prov: 19566 PERMIT

19566/PSD-TX-768M1, GC No. 8. PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Flare Gas Recovery Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(10)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for Incident No. 17640.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control 552 pounds of unauthorized Propylene emissions from entering the atmosphere from the vents of Tank 2203 when hot Propylene wash was sent from the 5E Degasser facility.

Classification: Minor

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

Description: Failure to properly report and maintain emission event records for an emissions event at the North Wet Gas Compressor.

Classification: Moderate

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

Rqmt Prov: 46534 PERMIT

Permit 46534/PSD-TX-992, SC 1 and GC 8 PERMIT

Description: Failure to control unauthorized emissions from the North Wet Gas Compressor Unit on March 2, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(10)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial and final record notification pursuant to the emissions event record keeping requirements.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit 49135 GC No. 8 and the MAERT PERMIT
Description: Failure to control emissions from your Flare Gas Recovery Compressor (FGRC) when it shut down due to an oxygen rich feed from the Crude Unit B Vacuum Tower.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to properly document emissions event initial notification and final records for the January 27, and February 16, 20, and 26, 2003, emissions events.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT
Description: Failure to control unauthorized emissions from the Low Pressure Compressor on February 26, 2003.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC No. 8 PERMIT
Description: Failure to control unauthorized emissions at the Coker Flare.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC 8 PERMIT
Description: Failure to control unauthorized emissions from entering the atmosphere from the PtR-4 Booster Compressor.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT
Description: Failure to control unauthorized emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares during an instrumentation malfunction.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 19566/PSD-TX-768M1, GC No. 8 PERMIT
Description: Failure to control unauthorized emissions at the Low Pressure Flare from the PtR-4 Reformer Heater during a fuel regulator malfunction.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.201(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to properly document the initial notification and final record for the emissions events for September 18, October 4 and 30 (2 events), and November 23, 2002.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT
Description: Failure to control emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares on November 23, 2002, when you allowed 7,961 pounds of unauthorized Sulfur Dioxide, 154 pounds of Nitrogen Oxide, and 144 pounds of Hydrogen Sulfide emissions to enter the atmosphere during an instrumentation malfunction.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

30 TAC Chapter 101, SubChapter F 101.201(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events at the Flare Gas Recovery Compressor on 11/17/02 and for Tank 1365 on 10/29/02..

Classification: Minor

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

Rqmt Prov: Permit No. 49135, GC 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from the Flare Gas Recovery Compressor during an emissions event on 11/17/02 and from the LP, HP, and FCC Flares on 10/30/02.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control unauthorized emissions from a levee during a tank roof malfunction and gasoline spill at Tank 1365.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.201(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions event at the HydroCracker facility.

Classification: Moderate

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

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Hydrocracker facility during an emissions event.

Classification: Moderate

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

Rqmt Prov: Permit 49135, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor. Start date was actually 10/30/02 @ 1431.

Classification: Moderate

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

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control emissions at the Flare Gas Recovery Unit.

Classification: Moderate

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

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor.

Classification: Minor

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

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Satellite Instrumentation Building.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the regional office of a reportable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 49135, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event at the refinery.

Effective Date: 07/22/2006

ADMINORDER 2006-0057-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: O-02042, Special Condition 2F OP

Description: Failure to properly report within 24 hours of discovery of an emissions event (Incident Number 61285) at Tank 2221 (FIN 50TEF#2221) and (Incident Number 63113) at the Hydrocracker Unit (FIN 20FUG#001).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Effective Date: 10/02/2006

ADMINORDER 2005-0644-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include the compound descriptive type of all individually listed compounds or mixtures of air contaminants in the final record for an emissions event that occurred on March 6, 2004 (Incident No. 35969).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 6, 2004 (Incident Number 35969).

Classification: Minor

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

Description: Failure to submit a copy of the final record of an emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event that occurred on March 16, 2004 (Incident No. 36493).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 16, 2004 (Incident Number 36493).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37398).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37400).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent unauthorized emissions from the HDC Unit on June 24, 2004 (Incident Number 41629).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on June 23, 2004 (Incident Number 41733).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Alkylolation Unit 2 that occurred on August 6, 2004 (Incident Number 44117).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45107).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45113).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45116).

Effective Date: 05/25/2007

ADMINORDER 2006-1704-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: 47358 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from the Ketone 1 Unit to the authorized limit found in Permit 47358.

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: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2121 to the authorized limit found in Permit 49125.

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: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2177 to the authorized limit found in Permit 49125.

Effective Date: 10/25/2007

ADMINORDER 2007-0210-AIR-E

Classification: Moderate

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

Description: Failed to notify the commission of a reportable emission event no later than 24 hours after the discovery of the event.

Classification: Moderate

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

Rqmt Prov: 1202 PERMIT
18277 PERMIT
19566, PSD-TX-768M1, and PSD-TX-932 PERMIT
49134 PERMIT
49151 PERMIT

Description: Failed to properly operate emission control equipment during normal operations, which resulted in an emission of sulfur dioxide ("SO2") above the maximum allowable emission rate.

Classification: Moderate

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

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of hydrogen sulfide ("H2S").

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 D 382.085(b)

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of volatile organic carbons ("VOCs").

Effective Date: 11/19/2007

ADMINORDER 2005-1906-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)

Description: Failure to comply with an emissions limitation.

Effective Date: 01/12/2008

ADMINORDER 2007-0729-IWD-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Moderate

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

Rqmt Prov: Self-reporting Requirements PERMIT

Description: Failure to submit monitoring results at the intervals specified in the permit as documented by a TCEQ record review.

Effective Date: 02/18/2008

ADMINORDER 2007-0812-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: SC 1 PERMIT

Description: Failed to comply with permitted emission limits. Specifically, vacuum tower off gas was rerouted to the B-2 and B-3 vacuum heaters for combustion due to the shutdown of a transfer piping line from April 11 through May 16, 2007, resulting in a total emissions release of 219,430 pounds of sulfur dioxide ("SO2") over a period of 839 hours and 43 minutes, or approximately 261 pounds per hour. The permitted hourly limit for SO2 is 2.48 pounds per hour.

Effective Date: 05/22/2008

ADMINORDER 2007-1658-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter M 116.1520(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to submit a completed Best Available Retrofit Technology ("BART") analysis by April 30, 2007.

Effective Date: 06/05/2008

ADMINORDER 2007-1547-AIR-E

Classification: Moderate

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

Rqmt Prov: 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound ("VOC") emissions for the CHD-1 flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the CHD-1 flare exceeded its permitted limit of 17.98 tons per year ("tpy") during January 2006 and February 2006 with rolling averages o

Classification: Moderate

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

Rqmt Prov: NSR Permit 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for VOC emissions for the Low Pressure ("LP") flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the LP flare exceeded the permitted limit of 13.13 tpy in March 2006 with a rolling average of 37.85 tpy.

Classification: Moderate

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

Rqmt Prov: 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for VOC emissions for the High Pressure ("HP") flare. Specifically, the HP flare exceeded the permitted limit of 15.1 tpy in March 2006 with a rolling average of 17.7 tpy.

Effective Date: 06/19/2008

ADMINORDER 2007-1606-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent a nuisance condition.

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.)

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| 1 | 02/02/2004 | (260646) |
| 2 | 02/23/2004 | (327154) |
| 3 | 03/16/2004 | (327155) |
| 4 | 03/24/2004 | (261298) |
| 5 | 03/24/2004 | (261303) |
| 6 | 03/24/2004 | (262516) |
| 7 | 04/29/2004 | (366899) |
| 8 | 05/17/2004 | (366900) |
| 9 | 06/16/2004 | (273971) |
| 10 | 06/22/2004 | (264038) |
| 11 | 06/25/2004 | (366901) |
| 12 | 07/19/2004 | (366902) |

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| 13 | 08/13/2004 | (276974) |
| 14 | 08/13/2004 | (280106) |
| 15 | 08/13/2004 | (280181) |
| 16 | 08/16/2004 | (264052) |
| 17 | 08/27/2004 | (366903) |
| 18 | 08/31/2004 | (292712) |
| 19 | 09/21/2004 | (366904) |
| 20 | 10/20/2004 | (366905) |
| 21 | 11/29/2004 | (339535) |
| 22 | 11/29/2004 | (389976) |
| 23 | 12/15/2004 | (338648) |
| 24 | 12/20/2004 | (264045) |
| 25 | 12/20/2004 | (341746) |
| 26 | 12/27/2004 | (389977) |
| 27 | 01/24/2005 | (389978) |
| 28 | 01/31/2005 | (345533) |
| 29 | 02/23/2005 | (427483) |
| 30 | 02/25/2005 | (267873) |
| 31 | 03/09/2005 | (346617) |
| 32 | 03/10/2005 | (345884) |
| 33 | 03/10/2005 | (346611) |
| 34 | 03/10/2005 | (346613) |
| 35 | 03/10/2005 | (346614) |
| 36 | 03/10/2005 | (346615) |
| 37 | 03/10/2005 | (346616) |
| 38 | 03/10/2005 | (346618) |
| 39 | 03/10/2005 | (346619) |
| 40 | 04/28/2005 | (427484) |
| 41 | 04/28/2005 | (427485) |
| 42 | 05/18/2005 | (374451) |
| 43 | 05/18/2005 | (377810) |
| 44 | 05/18/2005 | (377819) |
| 45 | 05/24/2005 | (379947) |
| 46 | 05/24/2005 | (427486) |
| 47 | 06/07/2005 | (393785) |
| 48 | 06/14/2005 | (381060) |
| 49 | 06/21/2005 | (394212) |
| 50 | 06/21/2005 | (427487) |
| 51 | 06/23/2005 | (395768) |
| 52 | 07/05/2005 | (395074) |
| 53 | 07/05/2005 | (395563) |
| 54 | 07/15/2005 | (396321) |
| 55 | 07/25/2005 | (395338) |
| 56 | 07/28/2005 | (447521) |
| 57 | 08/02/2005 | (402062) |
| 58 | 08/02/2005 | (402309) |
| 59 | 08/23/2005 | (401849) |
| 60 | 08/25/2005 | (402894) |
| 61 | 08/29/2005 | (447522) |
| 62 | 08/31/2005 | (344208) |
| 63 | 10/24/2005 | (492450) |
| 64 | 10/24/2005 | (492452) |
| 65 | 11/15/2005 | (406621) |
| 66 | 11/22/2005 | (492453) |
| 67 | 12/06/2005 | (437354) |
| 68 | 12/09/2005 | (435820) |
| 69 | 12/13/2005 | (492454) |
| 70 | 01/04/2006 | (437358) |
| 71 | 01/13/2006 | (439898) |

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| 72 | 01/18/2006 | (492455) |
| 73 | 01/27/2006 | (438715) |
| 74 | 02/03/2006 | (438108) |
| 75 | 02/16/2006 | (452454) |
| 76 | 02/24/2006 | (457000) |
| 77 | 03/07/2006 | (492448) |
| 78 | 03/22/2006 | (492449) |
| 79 | 04/12/2006 | (457576) |
| 80 | 04/12/2006 | (457598) |
| 81 | 04/21/2006 | (458117) |
| 82 | 04/21/2006 | (506263) |
| 83 | 04/24/2006 | (456876) |
| 84 | 05/05/2006 | (438988) |
| 85 | 05/11/2006 | (460411) |
| 86 | 05/16/2006 | (506264) |
| 87 | 06/26/2006 | (506265) |
| 88 | 07/14/2006 | (480861) |
| 89 | 07/21/2006 | (528497) |
| 90 | 07/26/2006 | (483331) |
| 91 | 08/22/2006 | (528498) |
| 92 | 08/24/2006 | (528500) |
| 93 | 08/31/2006 | (449600) |
| 94 | 09/06/2006 | (510836) |
| 95 | 09/08/2006 | (490101) |
| 96 | 09/11/2006 | (510537) |
| 97 | 09/21/2006 | (510357) |
| 98 | 09/27/2006 | (528499) |
| 99 | 10/18/2006 | (551856) |
| 100 | 11/09/2006 | (518560) |
| 101 | 11/29/2006 | (551857) |
| 102 | 12/08/2006 | (519497) |
| 103 | 12/08/2006 | (531717) |
| 104 | 12/11/2006 | (518157) |
| 105 | 12/11/2006 | (533072) |
| 106 | 12/15/2006 | (551858) |
| 107 | 12/28/2006 | (292610) |
| 108 | 12/28/2006 | (497673) |
| 109 | 12/28/2006 | (518617) |
| 110 | 01/18/2007 | (532456) |
| 111 | 01/24/2007 | (531178) |
| 112 | 01/31/2007 | (535664) |
| 113 | 02/01/2007 | (517030) |
| 114 | 02/01/2007 | (538035) |
| 115 | 02/13/2007 | (483611) |
| 116 | 02/14/2007 | (534587) |
| 117 | 02/22/2007 | (589095) |
| 118 | 02/22/2007 | (589100) |
| 119 | 02/26/2007 | (538573) |
| 120 | 02/27/2007 | (538681) |
| 121 | 02/28/2007 | (538222) |
| 122 | 03/01/2007 | (538654) |
| 123 | 03/21/2007 | (553990) |
| 124 | 03/23/2007 | (589096) |
| 125 | 04/16/2007 | (589097) |
| 126 | 04/21/2007 | (401393) |
| 127 | 04/21/2007 | (497645) |
| 128 | 04/23/2007 | (553970) |
| 129 | 05/11/2007 | (559959) |
| 130 | 05/18/2007 | (589098) |

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| 131 | 05/25/2007 | (561932) |
| 132 | 06/01/2007 | (562352) |
| 133 | 06/14/2007 | (558039) |
| 134 | 06/25/2007 | (589099) |
| 135 | 06/26/2007 | (561757) |
| 136 | 07/03/2007 | (566239) |
| 137 | 07/24/2007 | (564244) |
| 138 | 07/25/2007 | (562752) |
| 139 | 07/25/2007 | (563491) |
| 140 | 07/25/2007 | (565599) |
| 141 | 08/14/2007 | (565531) |
| 142 | 08/20/2007 | (605719) |
| 143 | 08/23/2007 | (565800) |
| 144 | 08/28/2007 | (557812) |
| 145 | 08/28/2007 | (563149) |
| 146 | 08/30/2007 | (554099) |
| 147 | 08/31/2007 | (483835) |
| 148 | 08/31/2007 | (573644) |
| 149 | 09/14/2007 | (563130) |
| 150 | 09/21/2007 | (605720) |
| 151 | 10/03/2007 | (573096) |
| 152 | 10/05/2007 | (572014) |
| 153 | 10/08/2007 | (571920) |
| 154 | 10/08/2007 | (572040) |
| 155 | 10/08/2007 | (572051) |
| 156 | 10/11/2007 | (572058) |
| 157 | 10/15/2007 | (574177) |
| 158 | 10/23/2007 | (631302) |
| 159 | 10/23/2007 | (631305) |
| 160 | 11/07/2007 | (508947) |
| 161 | 11/07/2007 | (512385) |
| 162 | 11/19/2007 | (631303) |
| 163 | 11/20/2007 | (595467) |
| 164 | 11/27/2007 | (596296) |
| 165 | 12/13/2007 | (631304) |
| 166 | 12/17/2007 | (594318) |
| 167 | 12/17/2007 | (601083) |
| 168 | 12/17/2007 | (601087) |
| 169 | 12/28/2007 | (610948) |
| 170 | 12/28/2007 | (613083) |
| 171 | 01/14/2008 | (610848) |
| 172 | 01/17/2008 | (613632) |
| 173 | 02/25/2008 | (677292) |
| 174 | 02/25/2008 | (677293) |
| 175 | 02/28/2008 | (613307) |
| 176 | 02/29/2008 | (614701) |
| 177 | 02/29/2008 | (617754) |
| 178 | 03/03/2008 | (613306) |
| 179 | 03/06/2008 | (614501) |
| 180 | 03/10/2008 | (617338) |
| 181 | 03/14/2008 | (639150) |
| 182 | 03/20/2008 | (695967) |
| 183 | 04/21/2008 | (695968) |
| 184 | 04/22/2008 | (640288) |
| 185 | 04/23/2008 | (639997) |
| 186 | 04/25/2008 | (653577) |
| 187 | 04/28/2008 | (641898) |
| 188 | 05/12/2008 | (640530) |
| 189 | 05/20/2008 | (695969) |

190 06/02/2008 (641290)
 191 06/06/2008 (682314)
 192 06/11/2008 (654705)
 193 06/17/2008 (683447)
 194 06/18/2008 (670745)
 195 06/18/2008 (670786)
 196 06/18/2008 (670813)
 197 06/18/2008 (671590)
 198 06/19/2008 (671251)
 199 06/24/2008 (717575)
 200 07/10/2008 (685796)
 201 07/11/2008 (682224)
 202 08/02/2008 (684254)
 203 08/22/2008 (717576)
 204 08/25/2008 (685007)
 205 08/25/2008 (685012)
 206 08/27/2008 (700540)
 207 10/02/2008 (688787)
 208 10/07/2008 (689613)
 209 10/08/2008 (700569)
 210 11/18/2008 (701943)
 211 01/15/2009 (708625)
 212 01/27/2009 (709901)

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

Date: 06/30/2004 (366902)
 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 (292712)
 Self Report? NO Classification: Moderate
 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 Part 60, Subpart VV 60.482-6
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-01998 OP

Description: Failure to operate Crude Unit B without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

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 A 382.085(b)
 O-01998 OP

Description: Failure to report all instances of deviations on the semi-annual deviation report, dated January 9, 2004.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 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)
 O-01998 OP

Description: Failure to operate the Crude Unit B Heaters with refinery fuel gas which contains not more than 150 ppmv of H₂S.

Date: 08/25/2005 (402894)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.340

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 CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
655 PERMIT
O-01356 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 22FUG#001, 23FUG#001, 33FUG#001, 15FUG#001, and 16FUG#001.

Self Report? NO Classification: Moderate

Citation: 19566 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
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 QQQ 60.698(c)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01356 OP

Description: Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about DEA-3 sewer repairs and corrective actions taken Unit ID 18SEW#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)(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 VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
655 PERMIT
O-01356 OP

Description: Failure to repair an accessible valve within 15 days after a leak is found in Unit ID 16FUG#001.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
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 QQQ 60.698(c)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01870 OP

Description: Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about Sulfur Recovery Unit (SRU) sewer repairs and corrective actions taken for Unit ID 32SEW#002.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01998 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service in Unit ID 05FUG#001.

Self Report? NO Classification: Moderate

Citation: 20862/PSD-TX-799 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
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 60.7(c)
5C THC Chapter 382, SubChapter A 382.085(b)

O-01999 OP

Description: Failure to provide two quarterly reports, for Unit ID 55TRB#GTG, within 30 days following the end of each calendar quarter as required in 40 CFR 60.334(j)(5).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(a)
O-01999 OP

Description: Failure to operate two sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 67FUG#001 and 67FUG#002.

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 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 61.351(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

Description: Failure to operate five tank access hatches and gauge float wells without gasket and bolted covers for Unit ID's 47TIF#0411, 47TIF#0412, 47TIF#0413, 47TIF#1312, and 47TIF#1313.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

Description: Failure to repair an accessible valve, for Unit ID 67FUG#002, within 15 days after a leak is found.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

Description: Failure to tag a leaking valve, located in Unit ID 67FUG#002, following discovery of the leak.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

Description: Failure to maintain records, for Unit ID 67FUG#002, of any audio, visual, and olfactory inspections of connectors if a leak is detected.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

Description: Failure to monitor in each calendar quarter, with a hydrocarbon gas analyzer, the screening concentration for components in VOC service for Unit ID's 67FUG#001 and 67FUG#002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
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 CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
O-02037 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 52FUG#001, 53FUG#001, and

54FUG#001.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
O-02037 OP
Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Date: 10/31/2005 (492453)
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: 04/25/2006 (456876)
Self Report? NO Classification: Minor
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
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 CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01870 OP
O-01871 OP
O-02039 OP
O-02040 OP
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
O-01870 OP

Description: Failure to maintain the minimum oxygen level at three percent for the thermal oxidizer at Unit ID 32STK#001.

Self Report? NO Classification: Moderate
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
O-01870 OP

Description: Failure to route emissions from the Sulfur Truck Loading System to the Carbon Absorption System at Unit ID 32VNT_005.

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)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
49138 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-01871 OP

Description: Failure to operate smokeless flare.

Self Report? NO **Classification:** Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02039 OP

Description: Failure to maintain the tank opening, on Tank 4029, in a closed position during normal operations.

Self Report? NO **Classification:** Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 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)
 O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile.

Self Report? NO **Classification:** Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 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 60.482-7(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02039 OP
 O-02040 OP

Description: Failure to conduct follow-up monitoring in April, 2005 for two leaks repaired in March, 2005. Failure to conduct follow-up monitoring in April, 2005 for four leaks repaired in March, 2005. Failure to conduct the second month follow-up monitoring in May, 2005 for three leaks repaired in March, 2005.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02040 OP

Description: Failure to operate one sample system with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02040 OP

Description: Failure to control emissions to an efficiency of at least 90 % for one hotwell.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02040 OP

Description: Failure to monitor six pressure relief valves (PRVs) in Volatile Organic Compound (VOC) service.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02040 OP

Description: Failure to keep quarterly records of visible emission inspections on heaters.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.340
 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 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 49134 PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02040 OP

Description: Failure to make the first attempt of repair on a leaking valve within five days.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-01871 OP

Description: Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 49134 PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02040 OP

Description: Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.
 Self Report? NO Classification: Moderate
 Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 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 QQQ 60.692-2(a)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
 O-01356 OP
 O-01870 OP
 O-02042 OP
 O-02043 OP

Description: Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly inspections for active drains.
 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 deviations in the annual compliance certification reports for OP O-01870, O-01871, O-02039, and O-02040.

Date: 05/05/2006 (438988)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter R 335.513

Description: Failure to complete waste classifications on non-hazardous, industrial wastes.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter C 335.62
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

Description: Failure to complete a hazardous waste determination for each solid waste generated.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C)
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)
 HW-50139-000 PERMIT

Description: Failure to provide notification of associated waste management units, wastes managed in units, and an industrial, class 2 waste stream.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)
 Description: Failure to keep records of all hazardous waste and industrial solid waste activities in a format which is retrievable and easy to copy.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)
 Description: Failure to maintain a record of the location of each satellite accumulation area (SAA).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(c)
 50139 PP V.B.3. PERMIT
 Description: Failure to manage hazardous wastes as authorized by permit.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(b)(1)
 II.C.1.f. PERMIT
 Description: Failure to maintain the hazardous waste storage area so that the base is free from cracks and gaps.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(1)
 PP.II.C.1.f. PERMIT
 PP.II.C.2.a. PERMIT
 Description: Failure to develop and follow an adequate written inspection plan to prevent, detect or respond to environmental or human health hazards.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(3)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)
 PP.II.C.1.f. PERMIT
 PP.II.C.2.c. PERMIT
 Description: Failure to maintain a list of persons qualified to act as emergency coordinator.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.163(4)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)
 PP. VI.D.1.c. IHWPERMTCP
 Description: Failure to follow the Sampling and Analysis Plan as required by permit.

Date: 07/18/2006 (480861)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02042 OP
 Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor
 Citation: 19566/PSD-TX-768M1 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 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 CC 63.648(a)
 49135 PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02042 OP
 O-02043 OP
 O-02044 OP
 O-02047 OP
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate

Citation: 18277/PSD-TX-802 PERMIT
 19566/PSD-TX-768M1 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 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 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02042 OP
 O-02043 OP

Description: Failure to make the first attempt of repair within five days for the following operating permits and Unit ID's: O-02042 - one component in 27FUG#001 and four components in 28FUG#001; O-02043 - two components in 19FUG#001.

Self Report? NO Classification: Moderate
 Citation: 19566/PSD-TX-768M1 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 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 60.482-7(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02042 OP
 O-02044 OP
 O-02047 OP

Description: Failure to conduct follow-up monitoring in April, 2005 for leaks repaired in March, 2005.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 46534/PSD-TX-922 PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02044 OP

Description: Failure to reduce monitoring data to hourly concentrations for the Wet Gas Scrubber CEMS at least daily for thirty-four days. The Wet Gas Scrubber CEMS is located in Unit ID 06STK_002.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02047 OP

Description: Failure to submit the annual Stratospheric Ozone Report within 45 days after the annual applicable reporting period of January 1, 2006.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit the annual compliance certifications for OP O-02036, O-02043, and O-02047 within 30 days of the certification period.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02042 OP

Description: Failure to maintain the Platinum Reformer (PTR) 3 Regenerator pH above the regulatory limit.

Date: 08/31/2006 (528499)

Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

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

Date: 10/31/2006 (551857)

Self Report? YES

Classification: Moderate

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

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

Date: 12/12/2006 (518157)

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)
O-02048 OP
O-02048, General Terms and Conditions OP
O-02049 OP
O-02049, General Terms and Conditions OP

Description: Failure to submit the annual compliance certifications for OP O-02048 and O-02049 within 30 days of the certification period.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01998 OP
O-02037 OP
O-02041 OP
O-02048 OP
O-02049 OP

Description: Failure to submit the second 2005 semiannual 40 CFR Part 60, Subpart VV fugitive report within 60 days after the end of the applicable reporting period of December 31, 2005.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01998 OP
O-02037 OP
O-02048 OP

Description: Failure to monitor nine components in Volatile Organic Compound (VOC) service located in Unit ID 05FUG#001, two components in VOC service located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001, and sixteen components in VOC service located in Unit ID 49FUG#001.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
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 CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP
O-02041 OP

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 Unit ID's: O-02037 - 79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and 54FUG#001; O-02041 - 1 valve in Unit ID 36FUG#001.

Self Report? NO

Classification: Moderate

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

30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP
O-02048 OP

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02037 - three sample systems in 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one sample system in 49FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02041 OP

Description: Failure to conduct follow-up monitoring in April, 2005 for a leak repaired in March, 2005 for a component located in Unit ID O-02041.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49146 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP

Description: Failure to maintain an aggregate tank vapor pressure to less than 0.5 psia at the maximum expected operating temperature between December 12, 2005 and June 11, 2006 for Tank 49TFX#0334.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02049 OP

Description: Failure to conduct the five year primary seal inspections for several tanks.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02049 OP

Description: Failure to repair twenty-seven components located in Unit ID 49FUG#001 and seventy-eight components located in Unit ID 50FUG#001, within 15 days after a leak is found.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02049 OP

Description: Failure to submit the company's Emissions Inventory within the required time-frame for Unit ID's 48FUG#001 and 50FUG#001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP

Description: Failure to submit a notification within ten days following modification of a facility located in fugitive area 48FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02049 OP

Description: Failure to conduct the annual visual primary seal inspection for tanks 49TIF#0782, 50TIF#2133 and 50TIF#2203.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 115, SubChapter B 115.114(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02049 OP

Description: Failure to conduct the semiannual visual secondary seal inspection for tank 50TEF#2211 and the annual gap measurement on the secondary seal for tanks 50TEF#2235 and 50TEF#2239.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02049 OP

Description: Failure to maintain the vapor pressure for tank 49TIF#0782 below 11 pounds per square in atmosphere (psia).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49125 PERMIT
56617 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP
O-02049 OP

Description: Failure to switch the initial saturation canister with the second canister (polishing), and place a fresh canister as the new polishing canister within four hours of detection of breakthrough.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
56617 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP

Description: Failure to maintain the loading rate for diesel below 3,743 bbls/hr and Naphtha below 4,000 bbls/hr.

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 deviations in the annual compliance certification reports for OP O-02037 and O-02049.

Date: 02/28/2007 (589096)

Self Report? YES Classification: Moderate

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

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

Date: 03/01/2007 (538222)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
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 CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01356 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP

Description: Failure to make the first attempt of repair within five days for one valve located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP

Description: Failure to monitor nineteen valves in Volatile Organic Compound (VOC) service located in Unit ID 67FUG#002 and fifteen valves in VOC service located in Unit ID 67FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP

Description: Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.

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)
O-01999 OP

Description: Failure to report deviations in the appropriate deviation report and in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP

Description: Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.

Date: 08/29/2007 (557812)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
49125 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare.

Date: 08/30/2007 (554099)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01870 OP
O-02036 OP

Description: Failure to monitor a pressure relief valve (PRV) in Volatile Organic Compound (VOC) service located in Unit ID 32FUG#001 and four hundred components in VOC service located in Unit ID 61FUG#001.

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)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
49138 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
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 CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP
O-02039 OP
O-02040 OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO

Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
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 QQQ 60.692-2(a)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02036 OP

Description: Failure to conduct nine weekly inspections for inactive drains located in Unit ID 61SEW#001.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02036 OP

O-02040 OP

Description: Failure to operate one sample system, located in Unit ID 61FUG#001, and four sample systems, located in 39FUG#001, with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart QQQ 60.698(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02036 OP

Description: Failure to certify the New Source Performance Standards (NSPS), Subpart QQQ inspection in the semiannual report.

Self Report? NO Classification: Minor
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

Description: Failure to replace seven rupture disks located in Unit ID 42FUG#001 within five days following a release.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(f)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

Description: Failure to provide notification of the addition of Group 1 emission points in the Notification of Compliance Status Report within 60 days following the end of the 6-month period.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

Description: Failure to control emissions to an efficiency of at least 90 % for two hotwells located in Unit ID 41FUG#001.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

Description: Failure to repair nine components, located in Unit ID's 37FUG#001 and 42FUG#001, within 15 days after discovery of a leak.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02036 OP
O-02040 OP

Description: Failure to submit the deviation reports for OP O-02036 and O-02040 within 30 days after the end of the reporting period.

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)
O-01871 OP

Description: Failure to report three violations as deviations that were documented during an on-site compliance investigation (Investigation No. 456876) conducted on February 2 through 15, 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(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)
49138 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP

Description: Failure to operate the plant flares with a flame present at all times.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on October 11, 2006.

Date: 08/30/2007 (563149)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
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 CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP
O-02047 OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service. C10 cannot be picked.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter D 115.352(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP
O-02043 OP
O-02046 OP
O-02047 OP

Description: Failure to repair the following components within 15 days after a leak is found. C10 cannot be picked.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP
O-02043 OP
O-02044 OP

Description: Failure to monitor components in VOC service. C10 cannot be picked.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP

Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Moderate
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT

30 TAC Chapter 101, SubChapter A 101.20(3)
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 QQQ 60.692-2(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02043 OP

Description: Failure to document a weekly inspection for inactive drains and two monthly inspections for active drains located in the following Unit ID 20SEW#001.

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)
O-02043 OP
O-02044 OP

Description: Failure to include deviations for missing NSPS QQQ inspections for January and February, 2006 within the semiannual deviation report (SDR) submitted in April, 2006 and failure to include a deviation for the January 26, 2006 Fluidized Catalytic Cracker Wet Gas Scrubber (FCCWGS) Carbon Monoxide (CO) exceedance within the SDR submitted in March, 2006.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP

Description: Failure to submit the deviation report for OP O-02042 within 30 days after the end of the reporting period.

Date: 09/30/2007 (631302)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 12/18/2007 (594318)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter D 115.352(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP
O-02041 OP
O-02048 OP

Description: Failure to repair the following components within 15 days after a leak is found for the following operating permits and Unit Identifications (IDs): O-02037 - five components located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02041 - five components located in Unit ID 36FUG#001; and O-02048 - twenty components located in Unit ID 49FUG#001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
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 CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

O-02037 OP
O-02048 OP
O-02049 OP

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 Unit IDs:
O-02042 - seventy-nine sample systems located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one open ended line located in Unit ID 49FUG#001; and O-02049 - two missing bull plugs located in Unit ID 50FUG#001.

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP

Description: Failure to operate three sample systems, located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001, with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
56617 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP

Description: Failure to operate the Wharf Loading Operations, Unit ID 53LBS#001, below the permitted loading limit of 4054 barrels per hour for gasoline components on twenty- three days between January 3, 2006 and December 7, 2006.

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02041 OP

Description: Failure to monitor two hundred, eleven components in VOC service that are located in Unit ID 36FUG#001.

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.112(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02049 OP

Description: Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 718 (Unit ID 49TEF#0718), Tank 1352 (Unit ID 49TEF#1352), Tank 1366 (Unit ID 49TEF#1366), and Tank 782 (Unit ID 49TIF#0782).

Self Report? NO Classification: Moderate
Citation:

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)
O-02048 OP

Description: Failure to submit a PI-7 prior to construction of Tank 5015 (Unit ID 49TEF#5015).

Self Report? NO Classification: Minor
Citation:

30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02049 OP

Description: Failure to make the first attempt of repair within five days for three components located in Unit ID 50FUG#001.

Date: 02/29/2008 (613307)

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 THSC Chapter 382 382.085(b)
O-01356 OP
O-01999 OP

Description: Failure to include deviations within the Federal Operating Permit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-01999 OP

Description: Failure to repair one component within 15 days after a leak is found for FOP O-01999 and located in Unit ID 67FUG#001.

Date: 06/02/2008 (641290)

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on the following dates; January 12, 2007, July 17, 2007, and August 7, 2007.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
O-01870 OP

Description: Failure to limit the in-stack concentration of SO2 from the thermal oxidizer (Unit ID 32STK#001) to less than 250 ppmv on the following dates; April 28, 2007 and May 7, 2007.

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(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)
49138 PERMIT
5C THSC Chapter 382 382.085(b)
O-01871 OP

Description: Failure to operate the plant flares with a flame present at all times.

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)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
49138 PERMIT
5C THSC Chapter 382 382.085(b)
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(4)
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 AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-01871 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for one component located in Unit ID 04BLW#004 and one component located in Unit ID 60BLW#003.

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)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
5C THSC Chapter 382 382.085(b)
O-01871 OP

Description: Failure to include two deviations within the Federal Operating Permit (FOP) O-01871 semiannual deviation report (SDR) submitted in May 31, 2007.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02036 OP

Description: Failure to conduct the second and third quarter, 2007, cylinder gas audit for CEMS located in Cogeneration Turbine 1, Unit 41 (Unit ID: 61STK_001) and the second quarter, 2007, cylinder gas audit for CEMS located in Congeneration Turbine 3, Unit 43 (Unit ID: 61STK_003).

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02036 OP

Description: Failure to maintain the concentration limit of NOx and NH3 for Cogeneration Turbine 3, Unit 43 (Unit ID 61STK_003) on October 12, 2007.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THSC Chapter 382 382.085(b)
O-02039 OP

Description: Failure to conduct one weekly inspection from December 10 through 17, 2006, for inactive drains located in Unit ID 04SEW#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(c)
5C THSC Chapter 382 382.085(b)
O-02039 OP

Description: Failure to conduct the first quarter, 2007 tank inspection for Tanks 4026, 4028, and 4029.

Self Report? NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(g)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)

O-02039 OP
Description: Failure to make the first attempt of repair within five days for a compressor located in Unit ID 04FUG#001.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Part 60, Subpart VV 60.482-3(g)(1)
5C THSC Chapter 382 382.085(b)
O-02039 OP
Description: Failure to repair the following components within 15 days after a leak is found for a compressor located in Unit ID 04FUG#001.

Date: 06/30/2008 (677293)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/14/2008 (682224)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02042 OP
Description: Failure to report Nitrogen Oxides (NOx) pounds per Million British thermal unit (lb/MMBtu) 30 day average exceedances from the PtR3 Heater in the NOx Reasonably Available Control Technology (RACT) Semiannual Report.
Self Report? NO Classification: Moderate
Citation: 18277 PERMIT
19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
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 J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
O-02042 OP
O-02043 OP
Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North Fuel Gas Drum to 150 ppm.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02043 OP
Description: Failure to monitor a flange, located in Unit ID 20FUG#001, after final repair within 15 days of discovery of a leak.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-02043 OP
O-02046 OP
O-02047 OP
Description: Failure to operate sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02043 - sample system located in 20FUG#001, O-02046 - sample systems located in 02FUG#001, 08FUG#001, and 09FUG#001, and O-02047 - sample systems located in several operating units in 25FUG#001.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)
5C THSC Chapter 382 382.085(b)
O-02043 OP

Description: Failure to report wastewater system inspection findings in the semiannual report as required by 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
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 THSC Chapter 382 382.085(b)
O-02043 OP
O-02046 OP
O-02047 OP

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 Unit ID's:
O-02043 - one bullplug found missing in Unit ID 19FUG#001, O-02046 - two bullplugs found missing in Unit ID 02FUG#001, and O-02047 - one bullplug found missing in Unit ID 25FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(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 VV 60.482-7(a)
46534 PERMIT
5C THSC Chapter 382 382.085(b)
O-02044 OP

Description: Failure to monitor Carbon Monoxide (CO), Nitrogen Oxides (Nox), and Sulfur Dioxide (SO2) pound per hour emissions at Unit ID 06STK_003.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart VV 60.482-4(b)(1)
5C THSC Chapter 382 382.085(b)
O-02044 OP

Description: Failure to monitor a relief valve, located in Unit ID 06FUG#001 and discovered venting to the atmosphere.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(m)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(1)
5C THSC Chapter 382 382.085(b)
O-02046 OP

Description: Failure to control vent gas streams located in the following Unit ID's: 02BLW#007, 03BLW#007, 08BLW#007, 09BLW#007, 10BLW#007, 11BLW#007, 12BLW#007, 08VNT_001, 10VNT_001, 11TVV_001, and 12TVV_001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49148 PERMIT
5C THSC Chapter 382 382.085(b)
O-02047 OP

Description: Failure to conduct a stack test on the pre-treater charge heater, Unit ID 25HTR#001, within 180 days of installation of low NOx burners.

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)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
5C THSC Chapter 382 382.085(b)
O-02047 OP

Description: Failure to include a deviation within the Federal Operating Permit (FOP) O-02047 semiannual deviation report (SDR) submitted on October 1, 2007. The deviation was documented in the second six month SDR submitted on March 31, 2008. The original deviation, documented in violation track number 337432, was for not conducting a stack test on the pre-treater charge heater within 180 days of installation of low NOx burners.

Date: 07/31/2008 (717576)

Self Report? YES

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 11/18/2008 (701943)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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 QQQ 60.692-2(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THSC Chapter 382 382.085(b)
O-02042 OP
O-02043 OP
Permit 19566/PSD-TX-768M1 PERMIT

Description: Failure to conduct seven weekly inspections and seven monthly inspections as documented in the 40 CFR Part 60, Subpart QQQ semiannual report and certification for the period of January 1, 2008 through June 30, 2008,

Date: 01/27/2009 (709901)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
56617 PERMIT
5C THSC Chapter 382 382.085(b)
O-02037 OP

Description: Failure to operate the Loading and Unloading Operations, Unit ID 52LBA#001, below the permitted loading limit of 1700 barrels per hour for caustic on August 1, 2007.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01999 OP
O-02037 OP
O-02048 OP

Description: Failure to submit a PI-7 for the Marine Vapor Flare, Unit ID 60FLR#009, multiple sources in the North Tanks operating area, and fugitive component additions found in Unit ID 57FUG#001.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-02041 OP

Description: Failure to make the first attempt of repair within five days for one pump located in Unit ID 36FUG#001.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)
5C THSC Chapter 382 382.085(b)
O-02041 OP

Description: Failure to monitor Hydrogen Sulfide concentrations for Crude Unit A B2 and B3 Heaters, Unit ID's 36HTR#006 and 36HTR#007.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.112(a)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
5C THSC Chapter 382 382.085(b)
O-02048 OP

Description: Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 1365 (Unit ID 49TEF#1365) and Tank 1366 (Unit ID 49TEF#1366) from July 8 through July 12, 2007.

Self Report? NO Classification: Moderate
Citation:

19566, PSD-TX-768M1, PSD-TX-932 PERMIT
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 Kb 60.113b(b)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8)
5C THSC Chapter 382 382.085(b)
O-02048 OP

Description: Failure to comply with reporting and maintenance procedures for Tank 1378, Unit ID 49TEF#1378.

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 115, SubChapter D 115.352(4)
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 THSC Chapter 382 382.085(b)
O-02048 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service. Two bull plugs were discovered missing in Unit ID 9FUG#001.

Self Report? NO Classification: Moderate
Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(2)
5C THSC Chapter 382 382.085(b)
O-02049 OP

Description: Failure to maintain the side gauge hatch on Tank 2224, Unit ID 50TEF#2224, in a closed position during normal operations.

Self Report? NO Classification: Moderate
Citation:

19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
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 J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
O-01998 OP

Description: Failure to limit the concentration of Hydrogen Sulfide (H₂S) from the North Fuel Gas Drum to 150 ppm.

F. Environmental audits.

Notice of Intent Date: 08/22/2005 (455176)

Disclosure Date: 11/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7

Description: Failure to properly identify valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7

Description: Failure to monitor components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

Description: Failure to complete repair attempt within allotted time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6

Description: Failure to close open-ended lines.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5

Description: Failure to properly handle purged process fluids.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9

Description: Failure to meet the requirements for difficult to monitor components.

Notice of Intent Date: 06/10/2008 (685906)

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
EXXONMOBIL OIL
CORPORATION;
RN102450756**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2009-0153-AIR -E**

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ExxonMobil Oil Corporation ("ExxonMobil") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and ExxonMobil, represented by Rodney Barnwell, in-house counsel of ExxonMobil, presented this agreement to the Commission.

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

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

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

FINDINGS OF FACT

1. ExxonMobil owns and operates a petroleum refinery located at 1795 Burt Street, Beaumont, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. During the investigations conducted between August 16, 2004 and December 16, 2004, a TCEQ Beaumont Office investigator documented that ExxonMobil:
- a. Failed to properly report on a September 28, 2003 shut down requiring two reports and seven other reports on emissions events beginning on September 4, 2003 through December 22, 2003 as documented during investigations conducted on August 16 and November 30, 2004.
 - b. Failed to prevent unauthorized emissions during an emissions event in the Catalyst HydroDesulfurization – 1 Flare that began on September 23, 2003 and lasted 2 hours 23 minutes, releasing 1,113.40 pounds (“lbs”) of Hydrogen Sulfide (“H₂S”) as documented during an investigation conducted on August 16, 2004. Since this emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
 - c. Failed to prevent unauthorized emissions during an emissions event in the Gas Plant 5 East (“GP5E”) Unit Debutanizer Tower that began on October 8, 2003 and lasted 2 hours 51 minutes, releasing 162,511.4 lbs of butane, 165,029.5 lbs of n-isobutane, and 89.62 lbs of NO_x as documented during an investigation conducted on August 16, 2004. Since the emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
 - d. Failed to properly report within 24 hours of an emissions event at the FCC Unit discovered on November 11, 2003 at 19:10, but not reported to the TCEQ until November 14, 2003 at 21:01; and an emissions event at the Flare Gas Recovery (“FGR”) Unit discovered on February 11, 2004 at 09:10, but not reported until February 12, 2004 at 14:24. ExxonMobil also failed to submit a copy of the final report to the TCEQ no later than within two weeks after the end of the emissions event at the FCC Unit which ended on November 11, 2003 at 23:04, but was not finally reported until November 26, 2003 at 13:27, as documented during an investigation conducted on November 30, 2004.
 - e. Failed to prevent unauthorized emissions from the FGR Unit that began on February 11, 2004 at 09:10 hours and lasted till 16:40 hours (7 hours 30 minutes) releasing 28.18 lbs of H₂S as documented during an investigation conducted on November 30, 2004. Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
 - f. Failed to prevent unauthorized emissions during an emissions event at the Sulfur Plant 3 that began on March 9, 2004 and lasted 1 hour and 23 minutes, releasing 50.00 lbs of CO, 516.47 lbs of H₂S, 6.95 lbs of NO_x, 49,374.20 lbs of SO₂, and 19.98

lbs of VOC. In addition, results from the TCEQ air dispersion modeling audit showed the maximum predicted SO₂ ground level concentration was 0.61 parts per million by volume ("ppmv") during the emission event; therefore the 30-minute average SO₂ net ground level concentration standard of 0.32 ppmv was exceeded by approximately 91 percent. This violation was documented during an investigation conducted on December 2 – 16, 2004. Since these emissions were determined to be excessive, ExxonMobil is prevented from asserting any affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

4. During the investigations conducted November 4, 2008 through November 6, 2008, a TCEQ Beaumont Office investigator documented that ExxonMobil failed to prevent unauthorized emissions. Specifically, ExxonMobil released 171,709.43 pounds ("lbs") of unauthorized carbon monoxide and 1,551.28 lbs of unauthorized ammonia from the Carbon Monoxide Boiler Unit during an avoidable emissions event that began May 10, 2008 and lasted seven hours and 18 minutes. The root cause of the event was the boiler water feed level dropping below a safe level, causing the unit to automatically shut down. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.
5. ExxonMobil received notice of the violations in paragraph 3 on or about December 25, 2004 and March 2, 2005.
6. ExxonMobil received notice of the violation in paragraph 4 on or about January 20, 2009.
7. The Executive Director recognizes that the violations in paragraph 3 were corrected with the issuance of Flexible Permit Number 49138.

CONCLUSIONS OF LAW

1. As evidenced by Findings of Fact Nos. 1 and 2, ExxonMobil is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3.a., ExxonMobil failed to properly report on a September 28, 2003 shut down requiring two reports and seven other reports on emissions events beginning on September 4, 2003 through December 22, 2003 as documented during investigations conducted on August 16 and November 30, 2004, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(2)(F), 101.201(a)(2)(G), 101.201(b)(7), and 101.201(b)(9), and TEX. HEALTH & SAFETY CODE § 382.085(b).

3. As evidenced by Findings of Fact No. 3.b., ExxonMobil failed to prevent unauthorized emissions during an emissions event in the Catalyst HydroDesulfurization – 1 Flare that began on September 23, 2003 and lasted 2 hours 23 minutes, releasing 1,113.40 lbs of H₂S as documented during an investigation conducted on August 16, 2004, in violation of 30 TEX. ADMIN. CODE § 116.110(a)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
4. As evidenced by Findings of Fact No. 3.c., ExxonMobil failed to prevent unauthorized emissions during an emissions event in the Gas Plant 5 East (GP5E) Unit Debutanizer Tower that began on October 8, 2003 and lasted 2 hours 51 minutes, releasing 162,511.4 lbs of butane, 165,029.5 lbs of n-isobutane, and 89.62 lbs of NO_x as documented during an investigation conducted on August 16, 2004, in violation of 30 TEX. ADMIN. CODE § 116.110(a)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
5. As evidenced by Findings of Fact No. 3.d., ExxonMobil failed to properly report within 24 hours of an emissions event at the FCC Unit discovered on November 11, 2003 at 19:10, but not reported to the TCEQ until November 14, 2003 at 21:01; and an emissions event at the Flare Gas Recovery (FGR) Unit discovered on February 11, 2004 at 09:10, but not reported until February 12, 2004 at 14:24. ExxonMobil also failed to submit a copy of the final report to the TCEQ no later than within two weeks after the end of the emissions event at the FCC Unit which ended on November 11, 2003 at 23:04, but was not finally reported until November 26, 2003 at 13:27, as documented during an investigation conducted on November 30, 2004, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and (c) and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. As evidenced by Findings of Fact No. 3.e., ExxonMobil failed to prevent unauthorized emissions from the FGR Unit that began on February 11, 2004 at 09:10 hours and lasted till 16:40 hours (7 hours 30 minutes) releasing 28.18 lbs of H₂S as documented during an investigation conducted on November 30, 2004, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.116(a)(1), TCEQ Air Permit No. 18425 (application representation), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

7. As evidenced by Findings of Fact No. 3.f., ExxonMobil failed to prevent unauthorized emissions during an emissions event at the Sulfur Plant 3 that began on March 9, 2004 and lasted 1 hour and 23 minutes, releasing 50.00 lbs of CO, 516.47 lbs of H₂S, 6.95 lbs of NO_x, 49,374.20 lbs of SO₂, and 19.98 lbs of VOC. In addition, results from the TCEQ air dispersion modeling audit showed the maximum predicted SO₂ ground level concentration was 0.61 parts per million by volume (ppmv) during the emission event; therefore the 30-minute average SO₂ net ground level concentration standard of 0.32 ppmv was exceeded by approximately 91 percent. This violation was documented during an investigation conducted on December 2 – 16, 2004, in violation of 30 TEX. ADMIN. CODE § 112.3(c) and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were determined to be excessive, ExxonMobil is prevented from asserting any affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
8. As evidenced by Findings of Fact No. 4, ExxonMobil failed to prevent unauthorized emissions. Specifically, ExxonMobil released 171,709.43 pounds ("lbs") of unauthorized carbon monoxide and 1,551.28 lbs of unauthorized ammonia from the Carbon Monoxide Boiler Unit during an avoidable emissions event that began May 10, 2008 and lasted seven hours and 18 minutes. The root cause of the event was the boiler water feed level dropping below a safe level, causing the unit to automatically shut down, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), 101.20(3), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 46534/PSD-TX-992, Special Condition No. 1 and Permit No. O-02044, Special Terms and Conditions No. 11. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.
9. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against ExxonMobil for violations of state statutes within the Commission's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
10. An administrative penalty in the amount of thirty-eight thousand four hundred ninety-four dollars (\$38,494.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. ExxonMobil paid thirty-eight thousand four hundred ninety-four dollars (\$38,494.00) of the administrative penalty.

ORDERING PROVISIONS

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

1. It is, therefore, ordered by the TCEQ that ExxonMobil pay an administrative penalty as set forth in Conclusion of Law No. 10, above. The payment of this administrative penalty and ExxonMobil's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: ExxonMobil Oil Corporation; Docket No. 2009-0153-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. ExxonMobil shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, ExxonMobil shall implement measures designed to ensure the proper monitoring of boiler water feed levels in order to ensure that it does not drop below safe levels; and
 - b. Within 45 days after the effective date of the Commission Order, ExxonMobil shall 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., above.

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."

Exxon Mobil shall submit copies of documentation necessary to demonstrate compliance with these Ordering Provisions 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:

Heather Ross, Air Section Manager
Texas Commission on Environmental Quality
Beaumont Regional Office
3870 Eastex Freeway
Beaumont, Texas 77703-1892

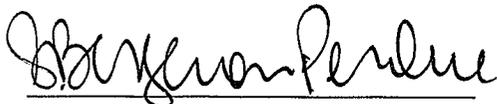
3. The provisions of this Agreed Order shall apply to and be binding upon ExxonMobil. ExxonMobil is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order
4. If ExxonMobil fails to comply with any of the Ordering 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, ExxonMobil's failure to comply is not a violation of this Agreed Order. ExxonMobil shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. ExxonMobil shall notify the Executive Director within seven days after ExxonMobil 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 ExxonMobil shall be made in writing to the Executive Director. Extensions are not effective until ExxonMobil receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to ExxonMobil if the Executive Director determines that ExxonMobil has not complied with one or more of the terms or conditions in this Agreed Order.

7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against ExxonMobil in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
10. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to ExxonMobil, or three days after the date on which the Commission mails notice of the Order to ExxonMobil, 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

9/2/2009

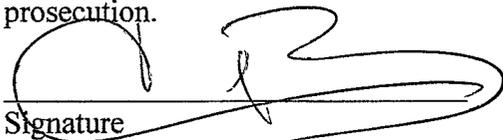
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of ExxonMobil Oil Corporation, 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 in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on ExxonMobil's compliance history;
- Greater scrutiny of any permit applications submitted by ExxonMobil;
- 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 against ExxonMobil;
- Automatic referral to the Attorney General's Office of any future enforcement actions against ExxonMobil; and
- TCEQ seeking other relief as authorized by law.

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



Signature

09/24/09

Date

Daniel Rizzo
Name (Printed or typed)

ExxonMobil Oil Corporation

Agent and Attorney-In-Fact
Title