EXECUTIVE SUMMARY - ENFORCEMENT MATTER DOCKET NO.: 2008-0687-AIR-E TCEQ ID: RN101619179 CASE NO.: 35799 RESPONDENT NAME: ConocoPhillips Company

ORDER TYPE:		
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		· · · · ·
<u>X</u> AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
i i i i i i i i i i i i i i i i i i i	· · · · · · · · · · · · · · · · · · ·	

SITE WHERE VIOLATION(S) OCCURRED: ConocoPhillips Sweeny Refinery, located at Highway 35 and Farm-to-Market Road 524, Old Ocean, Brazoria County

TYPE OF OPERATION: Refinery

SMALL BUSINESS: ____Yes ___X_No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

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 November 24, 2008. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. James Nolan, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-6634; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171

Respondent: Ms. Cynthia Jordy, Environmental Team Leader, ConocoPhillips Company, P.O. Box 866, Sweeny, Texas 77480 Mr. T. J. Rich, Sweeny General Manager, ConocoPhillips Company, P.O. Box 866, Sweeny, Texas 77480 **Respondent's Attorney:** Not represented by counsel on this enforcement matter

Page 1 of 4

VIOLATION SUMMARY CHART:							
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED					
Type of Investigation:	Total Assessed: \$40,000 at the state of the	Corrective Actions Taken: Constant State					
Complaint Routine Enforcement Follow-up	Total Deferred: \$8,000 <u>X</u> Expedited Settlement	The Executive Director recognizes that prior to March 3, 2008, training was					
X Records Review	Financial Inability to Pay	conducted regarding knock out drum level control for operators of Unit 26.1 to					
Date(s) of Complaints Relating to this Case: None	SEP Conditional Offset: \$0	prevent a reoccurrence of emissions events similar to the January 28, 2008 incident.					
Date of Investigation Relating to this Case: February 21 and March 24, 2008	Total Paid to General Revenue: \$32,000	Ordering Provisions:					
Date of NOV/NOE Relating to this Case:	Site Compliance History Classification <u>High X</u> Average Poor	The Order will require the Respondent to:					
March 24, April 29, and May 15, 2008 (NOE)	Person Compliance History Classification	a. Within 30 days after the effective date of this Agreed Order, implement appropriate measures to minimize and/or avoid the					
Background Facts: These were record reviews.	Major Source: X Yes No	reoccurrence of emissions events similar to the February 9, 14, and 25, 2008 incidents; and					
AIR	Applicable Penalty Policy: September 2002	b. Within 45 days after the effective date					
1) Failure to prevent unauthorized emissions during a one hour 35 minute emissions event which occurred on January 28, 2008. This was Incident No. 102949. Specifically, emissions from the coker flare were 138 pounds ("lbs") of carbon monoxide ("CO"), 3,270 lbs of sulfur dioxide ("SO ₂ "), 22 lbs of nitrogen oxides ("NO _x "), 36 lbs of hydrogen sulfide ("H ₂ S"), and 202 lbs of volatile organic compounds ("VOCs"), with permit limits of 0.83 pounds per hour ("lbs/hr") for CO, 0.06 lbs/hr for SO ₂ , and 0.11 lbs/hr for NO _x , respectively. Emissions from the Expansion HP flare were 118 lbs of CO, 21 lbs of NO _x , 3,240 lbs of SO ₂ , 35 lbs of H ₂ S, and 176 lbs of VOCs, with permit limits of 0.96 lbs/hr for CO, 0.11 lbs/hr for NO _x , and 0.07 lbs/hr for SO ₂ respectively. Emissions from the Expansion LP flare were 33 lbs of SO ₂ and 1 lb of CO, with permit limits of 21.25 lbs/hr for SO ₂ and 0.12 lbs/hr for CO, respectively. Since the emissions event was avoidable it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11) [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].		of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.					

RESPONDENT NAME: ConocoPhillips Company DOCKET NO.: 2008-0687-AIR-E

2) Failure to prevent unauthorized emissions during a four hour 23 minute emissions event which occurred on February 25, 2008. This was Incident No. 104186. Specifically, emissions from the coker flare were 21 lbs of CO, 227 lbs of SO_2 , 3 lbs of NO_x , 2 lbs of H_2S , and 24 lbs of VOCs, with permit limits of 0.83 lbs/hr for CO, 0.06 lbs/hr for SO₂, and 0.11 lbs/hr for NOx, respectively. Emissions from the Expansion HP flare were 121 lbs of CO, 18 lbs of NO_x, 707 lbs of SO₂, 8 lbs of H₂S, and 211 lbs of VOCs, with permit limits of 0.96 lbs/hr for CO, 0.11 lbs/hr for NO_x, and 0.07 lbs/hr for SO₂, respectively. Emissions from the Expansion LP flare were 639 lbs of SO₂, 96 lbs of CO, 7 lbs of H₂S, 14 lbs of NO_x, and 156 lbs of VOCs, with permit limits of 21.25 lbs/hr for SO₂ 0.12 lbs/hr for CO, 0.06 lbs/hr for NO_x and 0.61 lbs/hr for VOCs, respectively. Coker fugitive emissions were 47 lbs of H₂S and 148 lbs of VOCs, with permit limits of 0.04 lbs/hr for H₂S and 2.98 lbs/hr for VOCs, respectively. Since the emissions event was avoidable it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11) [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3) Failure to prevent unauthorized emissions during a four hour 40 minute emissions event which occurred on February 9, 2008. This was Incident No. 103533. Specifically, emissions from the incinerator stack were 15,427 lbs of SO₂, with a permit limit of 115.42 lbs/hr. Sulfur recovery unit fugitive emissions were 547 lbs of SO_2 and 558 lbs of H_2S , with a permit limit of 0.11 lbs/hr for H₂S. Since the emissions event was avoidable it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11) [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4) Failure to prevent unauthorized emissions during a four hour emissions event which occurred on February 14, 2008. This was Incident No. 103700. Specifically, emissions from the tank 69 vent were 48 lbs of VOCs. The emissions are not authorized by the permit. Since the emissions event was avoidable it does not meet the demonstrations for an affirmative

defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11) [30 TEX. ADMIN. CODE § 116.115(b)(2)(F), Air Permit No. 21265, General Condition 8, and TEX. HEALTH & SAFETY CODE § 382.085(b)].		
	$w_{1}^{(1)} = w_{1}^{(1)} + w_{2}^{(1)} + w_{1}^{(1)} + w_{2}^{(1)} + w_{1}^{(1)} + w_{2}^{(1)} + $	
		а - 4 ₄ ,

Additional ID No(s) .: Air Account No. BL0042G

Policy Revision 2 (Sep	Penalty Calculation Worksheet (PCW)	PCW Revision March 8, 2008
TCEQ		
DATES Assigned PCW	31-Mar-2008 28-Apr-2008 Screening 24-Apr-2008 EPA Due 2-Feb-2009	
RESPONDENT/FACILITY	INFORMATION ConocoPhillips Company	A Agence - A Constant
Reg. Ent. Ref. No.	RN101619179	
Facility/Site Region	12-Houston Major/Minor Source Major	
CASE INFORMATION		
Enf./Case ID No. Docket No.	35799 No. of Violations 3 2008-0687-AIR-E Order Type 1660	
Media Program(s) Multi-Media	Air Enf. Coordinator Audra L. R EC's Team Enforceme	
Admin. Penalty \$ I		
,	Penalty Calculation Section	· ·
TOTAL BASE PENAL	TY (Sum of violation base penalties) Subtota	// \$12,500
ADJUSTMENTS (+/-) Subtotals 2-7 are obtain	TO SUBTOTAL 1 red by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
Compliance Histo		\$70,125
Notes	The Respondent has received five 1660 Orders, eight Findings Orders, 39 NOVs for the same or similar violations, 20 NOVs for non-similar violations, one federal consent decree, and has submitted two NOIs with one associated DOV in the past five years.	
Culpability	No 0% Enhancement Subtota	14 \$0
Notes	The Respondent does not meet the culpability criteria.	
Good Faith Effor	to Comply 0% Reduction Subtota	15 \$0
Extraordinary	Before NOV NOV to EDPRP/Settlement Offer	· · · ·
Ordinary		
N/A	(mark with x)	
Notes	The Respondent does not meet the good faith effort criteria.	
	0% Enhancement Subtota	/ 6 \$0
Approx.	Total EB Amounts \$151 *Capped at the Total EB \$ Amount Cost of Compliance \$4,500	· · · · · ·
SUM OF SUBTOTAL	S 1-7 Final Subto	tal \$82,625
	S JUSTICE MAY REQUIRE 0% Adjustme	ent \$0
Reduces of enhances the Final S		
Notes		· · ·
	Final Penalty Amou	Int \$82,625
STATUTORY LIMIT A	DJUSTMENT Final Assessed Pena	lty \$30,000
DEFERRAL	20%) Reduction Adjustme	ent -\$6,000
	ally by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)	
Notes	Deferral offered for expedited settlement.	
PAYABLE PENALTY		\$24,000

	ing Date 24-Apr-2008 Docket No. 2008-0687-AIR-E		F	PCW
ara an	pondent ConocoPhillips Company	Policy Re	evision 2 (Septemb	ber 2002
the second state of second	se ID No. 35799	PC	W Revision March	h 8, 200
 An an additional state of the local st	ence No. RN101619179			
	[Statute] Air			
Ent. Coo	ordinator Audra L. Ruble			
	Compliance History Worksheet			
	/ Site Enhancement (Subtotal 2)	nin in the second	and and the shade of the second set of more have been it a	
Component		nter Number Here	Adjust.	
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	39	195%	
	Other written NOVs	20	40%	
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	5	100%	
Orders	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	8	200%	
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	1	30%	
and Consent Decrees		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 (<i>number of audits for which violations were disclosed</i>)	1	-2%	,
		e Enter Yes or No	·····	
	Environmental management systems in place for one year or more	No	0%	
Other	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 Pe	ercentage (Si	ıbtotal 2) 🗌	561%
Repeat Violator (Su 				
No	Adjustment Pe	ercentage (Si	ıbtotal 3)	0%
Compliance Histor Average F		ercentage (Si	ıbtotal 7)	0%
> Compliance Histor				
Compliance History Notes	The Respondent has received five 1660 Orders, eight Findings Orders, 39 NOVs for the sa violations, 20 NOVs for non-similar violations, one federal consent decree, and has submitted one associated DOV in the past five years.			
	Total Adjustment Percentage	(Subtotals 2	2. 3. & 7)	561%

Screening I	Date 24-Apr-2008	D	ocket No. 2008-068	37-AIR-E	PCW
	dent ConocoPhillips	Company	nam a seda adam i ses	Policy Re	vision 2 (September 2002)
Case ID	No. 35799			PC	W Revision March 8, 2008
Reg. Ent. Reference	No. RN101619179				
Media [Stat	ute] Air				
Enf. Coordin	ator Audra L. Ruble				
Violation Nu	mber 1		·		
Rule C		n. Code §§ 101.20(3) and , Special Condition 1, and		Nos. 5920A and PSD-TX- Code § 382.085(b)	
Violation Descri	which occurred February 2	on January 28, 2008, as 1, 2008. This was Incider ent was avoidable it does	documented during a r nt No. 102949, see atta	rations for an affirmative	
	<u> </u>			Base Penalty[\$10,000
>> Environmental, Prope	rty and Human H	ealth Matrix			
	annan Fritzen Bernarden popular i gezzeniget zizen gezeniget zizen gezeniget i zuzen en deue	Harm		name	
		Moderate Minor	ส		
	ctual	X			
Pote	ential		Percent	50%	
>>Programmatic Matrix					
Falsifica	ation Major	Moderate Minor			
	aligen and the time of a		Percent	0%	and the second se
			<u>u</u> .	·	
Matrix The en	nissions event resulte	ed in the release of a signi	ficant amount of pollut	ants which do not exceed	and the second s
Notes		protective le	المحاجب والمرابع ويحرف الشبوك فالمراجع والشاري والمتلاف والمتلك والمراجع والمحاج والمحاج		2014年代 2014年 - 1914年 - 1914 - 191
			Adjustmer	nt \$5,000	
			Adjustmen	φ0,000	na na maria ana ana ana ana ana ana ana ana ana a
				[\$5,000
Violation Events	的过去世很非			1個國發 額子	
Number	of Violation Events	1	1 Number of	of violation days	
	doibe	·			
mark only with ar			· · · ·	Violation Base Penalty	\$5,000
	annual single event				
		One monthly event is	recommended.		
Economic Benefit (EB) fo	or this violation		Statuto	ry Limit Test	
Estir	nated EB Amount	\$7] Vio	lation Final Penalty Total	\$33,050
		This violatio	on Final Assessed Pe	nalty (adjusted for limits)	\$10,000
·····································					医肌带的 化乙酰氨基甲酰氨

1997 A.³

1.862.25%

	E	conomic E	Benefit W	orks	sheet		
Respondent	ConocoPhillips	Company	nandris Addressia di Ascheratore a consectión e s		an a	in and a first section of the sectio	
Case ID No.	35799						
Reg. Ent. Reference No.	RN101619179						
Media	Air					Percent Interest	Years of
Violation No.	1					I ercent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	이 걸 걸 못 들었.	Section 2				
na an an an an an an ann a An Ann an Ann	allenderseler og mender om ely allender	an manana di karang karang Karang karang	a pagagit manggan mang dan di Kabatata ng kabatatan karana s			an a ga anter a nter a statu anter anter a su a la fait la su a s	
Delayed Costs	90.1.1. is 90		MC SMP SI G			諸朝海やころで	
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 site	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$1,500	28-Jan-2008	3-Mar-2008	0.1	\$7	n/a	\$7
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0 \$0
Other (as needed)				0.0	\$0	n/a	م 0
Notes for DELAYED costs	violations. Date	e required is the date	e of the emission	s event receive	and Final date is w d.	drum level control to hen compliance doo one-time avoided c	umentation was
Disposal				0.0	\$0	\$0	\$0
Personnel	·····			0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment			All and a sec	0.0	\$0	\$0	\$0
Financial Assurance [2]	aligar na bhagar car	e v v andr		0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							
			· · ·				
Approx. Cost of Compliance		\$1,500			TOTAL		
Approx. Cost of Compliance		φ1,000 [IOIAL		\$7

	ning Date 24-Apr-2008	The second se	Oocket No. 2008-0687-AIR-E	PCW
	spondent ConocoPhillips	s Company		Policy Revision 2 (September 2002)
	se ID No. 35799			PCW Revision March 8, 2008
	ence No. RN101619179)		
	[Statute] Air		Y.	
have a subject of the state of the	ordinator Audra L. Ruble	9		
	on Number 2			
Violation D	TX-103M Failed to pro	3, Special Condition 1, and event unauthorized emission occurred on February 25, 20	16.115(c), Air Permit Nos. 5920A ar Tex. Health & Safety Code § 382.08 ns during a four hour 23 minute emis 008, as documented during a record	5(b) ssions review
VIOLATION	Since the em	issions event was avoidable	s Incident No. 104186, see attached it does not meet the demonstration Admin. Code § 101.222(b)(1-11).	
			Base	Penalty \$10,000
>> Environmental, Pro	operty and Human He	and a second		
	Release Major	Harm Moderate Minor		
OR	Actual			
	Potential		Percent 25%	
2. 法法署				
>>Programmatic Matr	ix iii ii			
and the second s	Isification Major	Moderate Minor	-	
			Percent 0%	and the second
Matrix Notes	he emissions event resulte	ed in the release of an insign exceed protective le	nificant amount of pollutants which d avels.	o.not
			Adjustment	\$7,500
			Adjuotnient	
				\$2,500
			-	
Violation Events		· 我已非常存在她是一個意义	山 雪岩 能 非非常加速器改进 金計	
Nu	mber of Violation Events		Number of violation da	Ne
110		 Operation of the state of the state 		iys
	daily	(a) and (a) and (b)		
	monthly			
mark	only one with quarterly	×	Violation Base	Penalty \$2,500
	^{an x} semiannual	 And And And And And And And And And And		
	annual			
	single event			
		One quarterly event is rec	ommended.	
Economic Benefit (EB	b) for this violation		Statutory Limit Te	est
	Estimated EB Amount	\$70	Violation Final Penal	ty Total \$16,525
		This violation Fir	nal Assessed Penalty (adjusted fo	r limits) \$10,000
	STATES AND A CONTRACTOR OF AN ADDRESS OF A	AND A REAL PROPERTY AND A REAL		

in the second	E	conomic E	Benefit W	orks	sheet		
	ConocoPhillips	Company	anna a naisean ann a na saobh na dar ag ann a stiúr agus fheada	an management of the field	an na mar an		
Case ID No							
Reg. Ent. Reference No.							
Media	.8						Years of
Violation No	24					Percent Interest	Depreciation
	44 					5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Ken Dan Station			e al a a a a a a a a a a a a a a a a a a				
Item Description	No commas or \$				<u>, and a state of the state of </u>		
Delaved Costs							
Equipment				1 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)	\$1,500	25-Feb-2008	1-Feb-2009	0.0	\$70	n/a	\$70
Notes for DELAYED costs			expecte	ed to be	achieved.	d Final date is when	
Avoided Costs	s <u>ANN</u>	NUALIZE [1] avoide	ed costs before e			one-time avoided c	
Disposal		1		0.0	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
					\$0 \$0	\$0 \$0	
Personnel	II	· II · · · · · · · · · · · · · · · · ·					
Inspection/Reporting/Sampling				0.0			\$0
Inspection/Reporting/Sampling Supplies/equipment				0.0	\$0	\$0	\$0 \$0
Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				0.0	\$0 \$0	\$0 \$0	\$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				0.0 0.0 0.0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				0.0	\$0 \$0	\$0 \$0	\$0 \$0 \$0
Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				0.0 0.0 0.0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0

Screening Da	te 24-Apr-2008	Docket	No. 2008-0687-AIR-E	PCW
Responder	nt ConocoPhillips Company	1 11 M	- M	Policy Revision 2 (September 2002)
Case ID N	o. 35799			PCW Revision March 8, 2008
Reg. Ent. Reference N	o. RN101619179			
Media [Statut				
Enf. Coordinate	or Audra L. Ruble			
Violation Numb	•			
Rule Cite(103M3, Special Co	ondition 1, and Tex. Hea), Air Permit Nos. 5920A and F Ith & Safety Code § 382.085(b)
Violation Description	which occurred on Februa on March 24, 2008. Thi incinerator stack were 1 recovery unit fugitive emi limit of 0.11 lbs/hr for H23	ary 9, 2008, as documen s was Incident No. 1035 15,427 lbs of SO2, with a ssions were 547 lbs of S S. Since the emissions of	a four hour 40 minute emission ted during a record review cor 33. Specifically, emissions fro permit limit of 115.42 lbs/hr. \$ O2 and 558 lbs of H2S, with a event was avoidable it does no 30 Tex. Admin. Code § 101.22	nducted om the Sulfur permit ot meet
			Base	Penalty \$10,000
>> Environmental, Property	And a second	trix		
Releas	e Major Moderate	Minor		
OR Actu				
Potenti			Percent 50%	
>>Programmatic Matrix				
Falsificatio	n Major Moderate	Minor		45 201
			Percent 0%	Astronom and
Matrix The emiss Notes	ions event resulted in the rele	protective levels.	unt of pollutants which do not	exceed
indies in the second		protective levels.		
			Adjustment	\$5,000
				<u> </u>
· · · · ·		· · · · · ·		\$5,000
Violation Events				
Number of V	/iolation Events]	Number of violation days	
		1 <u>1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 </u>		·
	daily			
	monthly x]		
mark only one	e quarterly		Violation Base	Penalty \$5,000
with an x	semiannual			
	annual			
	single event			
	One mo	nthly event is recommer	ided.	
Economic Benefit (EB) for t	his violation		Statutory Limit Test	
Estimat	ed EB Amount	\$74	Violation Final Penal	ty Total \$33,050
•		This violation Final As	sessed Penalty (adjusted for	limits) \$10,000
	이는 것 같은 것 같이 다 것 것 ??			<u> </u>

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COLUMN AND AND ADDRESS OF ADDRESS	E	conomic E	3enefit W	orks	sheet		
The second se	t ConocoPhillips	Company	an construction in addition water and the state of				
Case ID No	. 35799						
Reg. Ent. Reference No	RN101619179						
Media	a Air					Percent Interest	Years of
Violation No	. 3						Depreciation
	American and a substance of the					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Descriptio	D No commas or \$	射破波 起来的话					
No III DOSSII PIOS					ana an	and a second	, and a second descent second seco
Delayed Cost	sector and the sector of the s						27 39 54 29 C
Equipment	NW (0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	Andra 1997 to 199			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
							•••• • • 7 4•••
Other (as needed)	\$1,500 Estimated cos	<u>9-Feb-2008</u>	1-Feb-2009 ng procedures ar	<u>] 1.0</u> nd engine	\$74 eering controls at t	he No. 1 Tail Gas Ti	\$74 reatment Unit to
Notes for DELAYED costs	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e ed to be	eering controls at t emissions event a achieved.	he No. 1 Tail Gas T nd Final date is whe	reatment Unit to n compliance is
Notes for DELAYED costs	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e ed to be entering	eering controls at t emissions event a achieved. litem (except for	he No. 1 Tail Gas T nd Final date is whe one-time avoided o	reatment Unit to n compliance is costs)
Notes for DELAYED costs Avoided Cost Disposal	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e ed to be entering 0.0	eering controls at t emissions event a achieved. item (except for \$0	he No. 1 Tail Gas T nd Final date is whe one-time avoided o \$0	reatment Unit to n compliance is
Notes for DELAYED costs Avoided Cost Disposal Personnel	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e ed to be entering 0.0	eering controls at t emissions event a achieved. item (except for \$0 \$0	he No. 1 Tail Gas T nd Final date is whe one-time avoided o \$0 \$0	reatment Unit to n compliance is costs) \$0 \$0
Notes for DELAYED costs Avoided Cost Disposal Personnel Inspection/Reporting/Sampling	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e ed to be entering 0.0 0.0	eering controls at t emissions event a achieved. item (except for \$0 \$0 \$0	he No. 1 Tail Gas T nd Final date is whe one-time avoided o \$0	reatment Unit to n compliance is costs) \$0
Notes for DELAYED costs Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e ed to be entering 0.0 0.0 0.0 0.0	eering controls at t emissions event a achieved. item (except for \$0 \$0	he No. 1 Tail Gas Ti nd Final date is whe one-time avoided o \$0 \$0 \$0	reatment Unit to n compliance is costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e ed to be entering 0.0 0.0	eering controls at t emissions event a achieved. item (except for \$0 \$0 \$0 \$0	he No. 1 Tail Gas T nd Final date is whe one-time avoided o \$0 \$0 \$0 \$0 \$0	reatment Unit to n compliance is costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e ed to be entering 0.0 0.0 0.0 0.0 0.0 0.0	eering controls at t emissions event a achieved. item (except for \$0 \$0 \$0 \$0 \$0	he No. 1 Tail Gas T nd Final date is whe one-time avoided o \$0 \$0 \$0 \$0 \$0 \$0 \$0	reatment Unit to n compliance is costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	eering controls at t emissions event a achieved. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he No. 1 Tail Gas T nd Final date is whe one-time avoided o \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	reatment Unit tr n compliance is costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	eering controls at t emissions event a achieved. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he No. 1 Tail Gas T nd Final date is whe one-time avoided o \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	reatment Unit to n compliance is costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated cos prevent simila	it to improve operati ar violations. Date n	ng procedures ar equired is the dat expect	nd engine e of the e entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	eering controls at t emissions event a achieved. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he No. 1 Tail Gas Ti nd Final date is whe one-time avoided o \$0 \$0 \$0 \$0 \$0 \$0 \$0	reatment Unit to n compliance is costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

ConocoPhillips Company; Docket No. 2008-0687-AIR-E; Case No. 35799

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Emissions Table for V#1	(Incident 102949)	
Coker Flare	Emissions 138 lbs CO 3,270 lbs SO2 22 lbs NOx 36 lbs H2S 202 lbs VOCs	Permit Limit 0.83 lbs/hr 0.06 lbs/hr 0.11 lbs/hr n/a n/a
Expansion HP flare	118 lbs CO 21 lbs NOx 3,240 lbs SO2 35 lbs H2S 176 lbs VOCs	0.96 lbs/hr 0.11 lbs/hr 0.07 lbs/hr n/a n/a
Expansion LP flare	33 lbs SO2 1 lb CO	21.25 lbs/hr 0.12 lbs/hr
Emissions Table for V#2	(Incident 104186)	
Coker flare	Emissions 21 lbs CO 227 lbs SO2 3 lbs NOx 2 lbs H2S 24 lbs VOCs	Permit Limit 0.83 lbs/hr 0.06 lbs/hr 0.11 lbs/hr n/a n/a
Expansion HP flare	121 lbs CO 18 lbs NOx 707 lbs SO2 8 lbs H2S 211 lbs VOCs	0.96 lbs/hr 0.11 lbs/hr 0.07 lbs/hr n/a n/a
Expansion LP flare	639 lbs SO2 96 lbs CO 7 lbs H2S 14 lbs NOx 156 lbs VOCs	21.25 lbs/hr 0.12 lbs/hr n/a 0.06 lbs/hr 0.61 lbs/hr
Coker fugitives	47 lbs H2S 148 lbs VOCs	0.04 lbs/hr 2.98 lbs/hr
<u>Abbreviations</u> Carbon Monoxide Sulfur Dioxide Nitrogen Oxide Hydrogen Sulfide Volatile Organic Compounds Pounds per hour	CO SO2 NOx H2S VOCs Ibs/hr	

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land.	Penalty Calculation Worksheet (PCW)	
Policy Revision 2 (S	teptember 2002)	PCW Revision June 12, 2008
DATES Assign PC	a a de la companya de	
	TY INFORMATION nt ConocoPhillips Company o. [RN101619179	
Facility/Site Regio		
CASE INFORMATION Enf./Case ID N		
	o. 2008-0687-AIR-E Order Type 1660 s) Air Government/Non-Profit No	bla
	Limit Minimum \$0 Maximum \$10,000	
	Penalty Calculation Section	
TOTAL BASE PEN	ALTY (Sum of violation base penalties) Subtotal	1 \$2,500
ADJUSTMENTS (+		
Compliance Hi	story 561.0% Enhancement Subtotals 2, 3, &	7 \$14,025
Not	The Respondent has received five 1660 Orders, eight Findings Orders, 39 NOVs for the same or similar violations, 20 NOVs for non-similar violations, one federal consent decree, and has submitted two NOIs with one associated DOV in the past five years.	
Culpability	No 0.0% Enhancement Subtotal	4 \$0
Not	es The Respondent does not meet the culpability criteria.	
Good Faith Eff	ort to Comply Total Adjustments Subtotal	5 \$0
Economic Ben Appro	efit 0.0% Enhancement Subtotal Total EB Amounts \$73 *Capped at the Total EB \$ Amount xx. Cost of Compliance \$1,500 *	6 \$0
SUM OF SUBTOTA	LS 1-7 Final Subtota	a/\$16,525
	AS JUSTICE MAY REQUIRE 0.0% Adjustmer	nt \$0
Notes		
	Final Penalty Amour	nt \$16,525
STATUTORY LIMIT	ADJUSTMENT Final Assessed Penalt	y \$10,000
DEFERRAL Reduces the Final Assessed F	20.0% Reduction Adjustmer	nt\$2,000
Notes	Deferral offered for expedited settlement.	
PAYABLE PENALT	Υ	\$8,000

Scre	ening Date 11-Jun-2008 Docket No. 2008-0687-AIR-E			PCW
	espondent ConocoPhillips Company	Policy R	evision 2 (Sept	ember 2002
	ase ID No. 35799	P	CW Revision Ju	ine 12, 200
Construction of the property (Construction of the property	erence No. RN101619179			
	a [Statute] Air oordinator Audra L. Ruble		3	
Elli, G				
~	Compliance History Worksheet		STREET, STREET, STREET,	
	ory <i>Site</i> Enhancement (Subtotal 2) It Number of E	nter Number Here	Adjust.	NY CONSCR
	Written NOVs with same or similar violations as those in the current enforcement action			
NOVs	(number of NOVs meeting criteria)	39	195%	
	Other written NOVs	20	40%	
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	5	100%	
Orders	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	8	200%	
	emergency orders issued by the commission			
Judgment	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting</i> s criteria)	1	30%	
and Conse Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court	0	0%	
Conviction		0	0%	
Emission		_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).	.	-2%	an a
	Plea	se Enter Yes or No		الارام الم
	Environmental management systems in place for one year or more	No	0%	
Other	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	Nö	0%	
	Adjustment P	ercentage (Si	ubtotal 2)	561%
epeat Violator (Subtotal 3)	King the second		
	No Adjustment P	ercentage (Si	ubtotal 3)	0%
ompliance Hist	ory Person Classification (Subtotal 7)			<u> (1917)</u>
Average	Performer Adjustment P	ercentage (Si	ubtotal 7)	0%
ompliance Hist	ory Summary		in the second	
Complian History Notes	n har a substances a second			
		<u> </u>	· . ·	

Screening Date	11-Jun-2008	Docket	No. 2008-0687-AIR-E	PCW
	ConocoPhillips Company	in a second teach		Policy Revision 2 (September 2002)
Case ID No.				PCW Revision June 12, 2008
Reg. Ent. Reference No.				
Media [Statute] Enf. Coordinator				
Violation Number				
Rule Cite(s)		6.115(b)(2)(F), Air Perm ex. Health & Safety Code	it No. 21265, General Condi e § 382.085(b)	ition 8, and
	Failed to prevent unaut	horized emissions during	g a four hour emissions ever	nt which
Violation Description	occurred on February 1 March 24, 2008. Specific organic compounds. emissions event was av	4, 2008, as documented ally, emissions from the t The emissions are not a	during a record review cond ank 69 vent were 48 pounds uthorized by the permit. Sin the demonstrations for an a	ucted on s of volatile ice the
			Ва	se Penalty \$10,000
>> Environmental, Property an		rix		
Release	Harm Major Moderate	Minor		
OR Actual		×	,	,
Potential			Percent 25%	
>>Programmatic Matrix				· · · · · ·
Falsification	Major Moderate	Minor	-	
		e <u>1992 Besterow</u> te -	Percent 0%	
Matrix The emissions Notes	event resulted in the relea	se of an insignificant am protective levels.	ount of pollutants which do r	not exceed
			Adjustment	\$7,500
			in a final second s	
Violation Events	化化学 化化化学			
Number of Vi	olation Events		Number of violation da	ys jan an a
	daily			
	monthly		Violation Ba	se Penalty \$2,500
mark only one with an x	quarterly x		Violation Ba	
	annual		й. С	
	single event			
	One qua	irterly event is recomme	nded.	
Good Faith Efforts to Comply	0.0 Before NOV	6 Reduction NOV to EDPRP/Settlement	Offer	\$0
· · ·	Extraordinary			
	Ordinary			
	N/A	(mark with x)		1
	Notes The Resp	ondent does not meet the violation	e good faith criteria for this	
	· · · · · · · · · · · · · · · · · · ·		Violatic	on Subtotal \$2,500
Economic Benefit (EB) for this	violation		Statutory Limit To	
Estimate	d EB Amount	\$73	Violation Final Pe	nalty Total \$16,525
			ssessed Penalty (adjusted	I for limits) \$10,000
				the second second second second second

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Sec. 1

	E	conomic E	Benefit W	orks	sheet		관리가 물고
Respondent	ConocoPhillips	Company	alla historia anna a dh'anna anna a' an	na katalan sekarat T	a		an a
Case ID No.	35799						
Reg. Ent. Reference No.	RN101619179						
Media							Years of
Violation No.	1					Percent Interest	Depreciation
				tur i kestin Dir sestere		5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	la de Reveni	ale prosta				and the second sec
i an				فالمؤادية ومراجع الأرمعيية		internet and the second se	an Walan - Militi Othan Walan o
Delayed Costs	SHORE IN	C.F. COLLECTION			전 문제 같은 것이다.		a de la segue
Equipment			· · · · · · · · · · · · · · · · · · ·	0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	X		<u> </u>	0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling		ente d'altra des	an an ampar Allara	0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	14-Feb-2008	1-Feb-2009	0.97	\$73	n/a	\$73
	Estimated c	ast to improve one	atina procedures	and end		at the Wastewater Ti	eater I Init to
Notes for DELAYED costs	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a	emissions event a achieved.	at the Wastewater Ti nd Final date is wher	n compliance is
Avoided Costs	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a	emissions event a achieved. Item (except for	nd Final date is wher	osts)
Avoided Costs Disposal	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a entering	emissions event a achieved. Item (except for \$0	nd Final date is wher one-time avoided c	n compliance is osts) \$0
Avoided Costs Disposal Personnel	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a entering 0.00	emissions event a achieved. Item (except for \$0 \$0	nd Final date is wher one-time avoided c \$0 \$0	n compliance is osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a entering 0.00 0.00 0.00	emissions event a achieved. item (except for \$0 \$0 \$0	nd Final date is wher one-time avoided c \$0 \$0 \$0 \$0	n compliance is osts) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a entering 0.00 0.00 0.00 0.00	emissions event a achieved. Item (except for \$0 \$0 \$0 \$0 \$0	nd Final date is when one-time avoided c \$0 \$0 \$0 \$0	n compliance is osts) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a entering 0.00 0.00 0.00 0.00 0.00	emissions event a achieved. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nd Final date is when one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	n compliance is osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a ntering 0.00 0.00 0.00 0.00 0.00 0.00	emissions event a achieved. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nd Final date is when one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	n compliance is osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a entering 0.00 0.00 0.00 0.00 0.00	emissions event a achieved. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nd Final date is when one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	n compliance is osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a ntering 0.00 0.00 0.00 0.00 0.00 0.00	emissions event a achieved. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nd Final date is when one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	n compliance is osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	prevent simila	r violations. Date re	equired is the date expected	e of the e ed to be a ntering 0.00 0.00 0.00 0.00 0.00 0.00	emissions event a achieved. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nd Final date is when one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	n compliance is osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Compliance History

Customer/Respondent/Owner-Operator:	CN601674351	ConocoPhillips Company	Classification: AVERAGE	Rating: 2.78
Regulated Entity:	RN101619179	CONOCOPHILLIPS SWEENY REFINERY	Classification: AVERAGE	Site Rating: 7.39
ID Number(s):	INDUSTRIAL AND GENERATION	D HAZARDOUS WASTE	EPA ID	TXD048210645
	INDUSTRIAL AND	D HAZARDOUS WASTE	SOLID WASTE REGISTRATION #	30048
	GENERATION		(SWR)	70005
	AIR NEW SOURC		REGISTRATION	72035
	AIR NEW SOURC		REGISTRATION	72036
	AIR NEW SOURC		PERMIT	5689
	AIR NEW SOURC		PERMIT	10779
	AIR NEW SOURC		PERMIT	12344
	AIR NEW SOURC		PERMIT	12993
	AIR NEW SOURC		PERMIT	13744
	AIR NEW SOURC		PERMIT	13929
,	AIR NEW SOURC		PERMIT	13978
	AIR NEW SOURC		PERMIT	1313A
	AIR NEW SOURC		PERMIT	1314A
	AIR NEW SOURC		PERMIT	1486A
	AIR NEW SOURC		PERMIT	1514A
	AIR NEW SOURC		PERMIT	2849A
	AIR NEW SOURC		PERMIT	5679G
	AIR NEW SOURC	CE PERMITS	PERMIT	5689A
	AIR NEW SOURC	CE PERMITS	PERMIT	5920A
	AIR NEW SOURC	CE PERMITS	PERMIT	7467A
	AIR NEW SOURC	CE PERMITS	PERMIT	7754A
	AIR NEW SOURC	CE PERMITS	PERMIT	18142
	AIR NEW SOURC	CE PERMITS	PERMIT	18601 21265
	AIR NEW SOURC	CE PERMITS	PERMIT	21265
i te se	AIR NEW SOURC	E PERMITS	PERMIT	22086
	AIR NEW SOURC	CE PERMITS	PERMIT	24161
	AIR NEW SOURC	CE PERMITS	PERMIT	25004
	AIR NEW SOURC	CE PERMITS	PERMIT	24717
	AIR NEW SOURC	CE PERMITS	PERMIT	24162
	AIR NEW SOURC	CE PERMITS	PERMIT	26533
,	AIR NEW SOURC		PERMIT	25434
	AIR NEW SOURC	CE PERMITS	PERMIT	30513
	AIR NEW SOURC		PERMIT	33153
	AIR NEW SOURC		PERMIT	35367
	AIR NEW SOURC		PERMIT	35506
	AIR NEW SOURC		PERMIT	35780
	AIR NEW SOURC		PERMIT	39026
	AIR NEW SOURC		PERMIT	40944
	AIR NEW SOURC		PERMIT	42367
	AIR NEW SOURC		PERMIT	43038
	AIR NEW SOURC		ACCOUNT NUMBER	BL0042G
	AIR NEW SOURC	-	REGISTRATION	55489
	AIR NEW SOURC		REGISTRATION	75616
	AIR NEW SOURC		REGISTRATION	75905
	AIR NEW SOURC		REGISTRATION	75713
	AIR NEW SOURC		AFS NUM	4803900010
	AIR NEW SOURC		PERMIT	PSDTX103M2
	AIR NEW SOURC		PERMIT	70113
	AIR NEW SOURC		PERMIT	49140
				54666
			PERMIT PERMIT	52705
			PERMIT	53563
	AIR NEW SOUR			74130
	AIR NEW SOUR			PSDTX103M
	AIR NEW SOUR			76776
	AIR NEW SOUR		REGISTRATION	PSDTX103M2
	AIR NEW SOUR		EPA ID	PSDTX103W2 PSDTX998
	AIR NEW SOUR			76731
	AIR NEW SOUR	JE PERMITS	REGISTRATION	10/01
	AIR NEW SOUR		REGISTRATION	76644

	AIR NEW SOURCE PERMITS	EPA ID	PSDTX103M3
	AIR NEW SOURCE PERMITS	REGISTRATION	77648
	AIR NEW SOURCE PERMITS	REGISTRATION	77153
	AIR NEW SOURCE PERMITS	REGISTRATION	77156
	AIR NEW SOURCE PERMITS	REGISTRATION	77157
	AIR NEW SOURCE PERMITS	REGISTRATION	77152
A	AIR NEW SOURCE PERMITS	REGISTRATION	77154
	AIR NEW SOURCE PERMITS	REGISTRATION	77155
	AIR NEW SOURCE PERMITS	REGISTRATION	77336
	AIR NEW SOURCE PERMITS	REGISTRATION	78566
	AIR NEW SOURCE PERMITS	REGISTRATION	79552
	AIR NEW SOURCE PERMITS	PERMIT	80806
	AIR NEW SOURCE PERMITS	REGISTRATION	81104
	AIR NEW SOURCE PERMITS	REGISTRATION	82689
	AIR NEW SOURCE PERMITS	REGISTRATION	82601
	AIR QUALITY NON PERMITTED	ACCOUNT NUMBER	BL0042G
	AIR OPERATING PERMITS	PERMIT	1626
	AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0042G
	· · ·	PERMIT	
			2151
	WASTEWATER	PERMIT	· TX0007536
	WASTEWATER	PERMIT	TX0007536000
	WASTEWATER	PERMIT	WQ0000721000
	PETROLEUM STORAGE TANK	REGISTRATION	20580
	REGISTRATION		
	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30048
	INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50186
	COMPLIANCE PLANS		
	INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50186
	POST CLOSURE		
	WASTEWATER LICENSING	LICENSE	WQ0000721000
cation:	HIGHWAY 35 AND FM 524, OLD OCEAN, TX,		
		NO	
CEQ Region:	REGION 12 - HOUSTON April 15, 2008		,
ate Compliance History Prepared: gency Decision Requiring Compliance History:	Enforcement		
gency Decision Requiring Compliance History: ompliance Period: CEQ Staff Member to Contact for Additional Inforr	Enforcement April 15, 2003 to April 15, 2008 mation Regarding this Compliance History		· · · · · · · · · · · · · · · · · · ·
gency Decision Requiring Compliance History: ompliance Period:	Enforcement April 15, 2003 to April 15, 2008		
gency Decision Requiring Compliance History: ompliance Period: CEQ Staff Member to Contact for Additional Inforr	Enforcement April 15, 2003 to April 15, 2008 mation Regarding this Compliance History		
gency Decision Requiring Compliance History: ompliance Period: CEQ Staff Member to Contact for Additional Inform	Enforcement April 15, 2003 to April 15, 2008 mation Regarding this Compliance History	ponents	······································
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ency Decision Requiring Compliance History: mpliance Period: EQ Staff Member to Contact for Additional Information me: <u>Audra Ruble</u> Has the site been in existence and/or operation for Has there been a (known) change in ownership of riod? If Yes, who is the current owner? if Yes, who was/were the prior owner(s)? When did the change(s) in ownership occur? omponents (Multimedia) for the Site : Final Enforcement Orders, court judgerr	Enforcement April 15, 2003 to April 15, 2008 mation Regarding this Compliance History Phone: 361-825-3126 Site Compliance History Complete Compliance History Complete Compliance Priod? of the site during the compliance nents, and consent decrees of the state of Texas and	Yes Yes ConocoPhillips Company CHEVRON PHILLIPS CHEMICAL COMPANY LP 04/22/2004	
tency Decision Requiring Compliance History: ompliance Period: EQ Staff Member to Contact for Additional Information ame: <u>Audra Ruble</u> Has the site been in existence and/or operation for Has there been a (known) change in ownership or riod? If Yes, who is the current owner? if Yes, who was/were the prior owner(s)? When did the change(s) in ownership occur? omponents (Multimedia) for the Site :	Enforcement April 15, 2003 to April 15, 2008 mation Regarding this Compliance History Phone: 361-825-3126 Site Compliance History Complete full five year compliance period? of the site during the compliance	Yes Yes ConocoPhillips Company CHEVRON PHILLIPS CHEMICAL COMPANY LP 04/22/2004	
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30 TAC Chapter 101, SubChapter A 101.6(c) Citation: Description: Failure to submit Final Record for the May 23, 2002 upset w/in two wks of upset. Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.11(a) Citation: Rgmt Prov: SC 1 PERMIT Description: Failure to prevent unauthorized discharge of emissions on May 23, 2002. Effective Date: 08/30/2004 ADMINORDER 2002-1028-IWD-E Classification: Moderate TWC Chapter 26 26.121(a)(1) Citation: Ramt Prov: NOT LISTED PERMIT Description: Failure to comply w/the daily avg. and daily max. selenium limits of TCEQ WQ Permit 00721 for outfall 001. SNC violations are those which exceed the permitted limit by 40% for conv. pollutants & 20% for toxics. Effective Date: 05/23/2005 ADMINORDER 2004-0704-AIR-E Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(3) Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Permit # 5682A /PSD-TX-103M2, SC 19B PA Ramt Prov[.] Description: Failure to conduct successive guarterly cylinder gas audits (CGAs) on the Continuous Emission Monitoring System (CEMS) associated with Unit 27.1 Regenerator Stack (EPN 27.1-36-RE). Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(1) Citation: 30 TAC Chapter 116, SubChapter B 116,115(c) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4) 5C THC Chapter 382, SubChapter A 382.085(b) NSR Permit # 30513 SC # 2 PA Ramt Prov: Description: Failed to calibrate, certify, maintain, and operate a CEMS capable of continuously monitoring and recording the concentration of H2S in all fuel gases before being burned at the Unit 35 Furnace (EPN 35-36-1). Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 5C THC Chapter 382, SubChapter A 382.085(b) NSR Permit # 30513, SC # 26C PA Ramt Prov: Description: Failed to conduct a valid audit on the CEMS associated with the Unit 35 Furnace (EPN 35-36-1) during the September 11, 2003 quarterly CGA schedule. Classification: Moderate 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) Citation: 5C THC Chapter 382, SubChapter A 382.085(b) Description: Failure to note daily observations in the flare (EPN 56-61-17) operation log. Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(3) Citation: 30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) SC 14H PERMIT Ramt Prov: Description: Failed to comply with the 5 and 15 day requirements for leaking valves in Units 4, 20, 27.2, and 35. Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(2) Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i) 5C THC Chapter 382, SubChapter A 382.085(b) Description: Failure to demonstrate compliance with the required primary seal inspection for Tank (EPN 68-95-32) associated with Unit 15 - Hexane Isomerization. Effective Date: 06/09/2005 ADMINORDER 2003-0446-AIR-E Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(2) Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2) 5C THC Chapter 382, SubChapter A 382.085(b) 21265 SC 4B, C PERMIT Ramt Prov: Description: Failed to submit the semi-annual reports for the wastewater unit (EPN 56 and 56.1) and the copper treater unit (EPN 43) from January 1998 to December 2002.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

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

Rgmt Prov: 30513 SC 4 PERMIT

Description: Failed to implement a fugitive monitoring program for the Continuous Catalyst Reformer Unit No. 35 within 180 days after the initial start up on August 2, 2000.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(vii)

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

Description: Failed to include an explanation for the delay in repairing leaking components when repairs are required within 15 days of discovery in semi-annual reports for the periods of July - December 2000, January - June 2001, July - December 2001, and January - July 2002.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)

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

Description: Failed to submit semi-annual reports for Unit 35 to the TCEQ due in February 2001, August 2001, and February 2002.

Classification: Moderate

Citation:

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)

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

Ramt Prov: 5682A SC 18 PERMIT

Description: Failed to perform the initial compliance certification test on the Hydrogen Sulfide Continuous Emissions Monitoring System within 30 days of performance testing of the unit, conducted on March 16, 2001.

Effective Date: 09/30/2005 ADMINORDER 2004-1617-AIR-E Classification: Major Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rgmt Prov: TCEQ Air Permit #5682A, SC #1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Effective Date: 01/26/2006 ADMINORDER 2005-0163-AIR-E

Classification: Moderate

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

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

Rgmt Prov: No. 5682 & PSD-TX-103M2, S.C. #1 PERMIT

Description: Failure to prevent an unplanned shutdown of an incinerator resulting in unauthorized emissions.

Effective Date: 04/14/2006

ADMINORDER 2005-1660-AIR-E

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

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

Rgmt Prov: Permit # 49140 PA

Description: RE failed to prevent an avoidable emissions event.

Effective Date: 07/14/2006 ADMINORDER 2005-1904-AIR-E

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 A 382.085(b)

Ramt Prov: 7467A SC 1 PERMIT

Permit No. 5920A and PSD-TX-103M2, SC 1 PA

Description: RE failed to prevent avoidable emissions events.

Effective Date: 09/21/2006 ADMINORDER 2006-0252-AIR-E

Classification: Moderate

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

Rgmt Prov: TCEQ Air Permit No. 5682A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions

Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 5C THC Chapter 382, SubChapter A 382.085(b) Permit # 5682A & PSD-TX-103M2, SC 1 PERMIT Ramt Prov: Description: Failure to prevent unauthorized emissions. Classification: Minor 30 TAC Chapter 101, SubChapter F 101.201(b)(8) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Description: Failed to submit accurate final report after an emissions event Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 5C THC Chapter 382, SubChapter A 382.085(b) TCEQ Permit No. 5920A PERMIT Ramt Prov: Description: Failed to prevent unauthorized emissions. Classification: Minor 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Description: Failed to submit initial notification within 24 hours from the discovery date for a reportable emissions event. Effective Date: 12/02/2006 ADMINORDER 2006-0706-AIR-E Classification: Minor 30 TAC Chapter 101, SubChapter F 101.201(a)(1) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Description: Failed to submit the initial notification within 24 hours of discovery for the emission event that occurred on February 11, 2006. Specifically, the initial notification for Incident No. 71652 was submitted 46 hours after the emissions event. Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: Rqmt Prov: Special Condition 1 PERMIT Description: Failed to maintain an emission rate below the maximum allowable emission limits of 0.11 lbs/hr for nitrogen oxides, 0.83 lbs/hr for carbon monoxide, and 0.06 lbs/hr for sulfur dioxide from the Coker Flare (EPN 29-61-1) on February 11, 2006. Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: Rqmt Prov: Special Condition 1 PERMIT Description: Failed to maintain an emission rate below the maximum allowable emission limits of 0.11 lbs/hr for nitrogen oxides, 0.83 lbs/hr for carbon monoxide, 0.06 lbs/hr for sulfur dioxide, and zero lbs/hr for volatile organic compounds ("VOCs") Coker Flare [emission point number ("EPN") 29-61-1] on January 10.2006. Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1563(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(1)(i) 5C THC Chapter 382, SubChapter D 382.085(b) Permit 49140 Special Condition 12 PERMIT Ramt Prov: Description: Failed to comply with the permitted emission rate of 1.0 lbs of PM per 1,000 lbs of coke burned-off. Specifically, during the stack testings of November 3-4, 2004, June 30, 2005, and December 13, 2005 PM emissions from the Fluid Catalytic Cracking Unit (FCCU") No. 3 Regenerator Vent (EPN 3-95-3) were exceeded. ADMINORDER 2005-1212-AIR-E Effective Date: 05/25/2007 Classification: Minor 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) Citation: 5C THC Chapter 382, SubChapter A 382.085(b) Description: Failed to submit initial notification within 24 hours after the discovery of an emissions event that occurred on October 29-30, 2004 at Unit 26.2. Classification: Minor 30 TAC Chapter 101, SubChapter F 101.201(c) Citation: 5C THC Chapter 382, SubChapter A 382.085(b) Description: Failed to submit a final report within two weeks after the end of an emissions event which occurred on October 29-30, 2004 at Unit 26.2 Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(3) Citation:

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

#5682 and PSD-TX-103M2, S.C. #1 PERMIT Ramt Prov Description: failed to control unauthorized emissions at the LP Emergency Flare due to the unplanned shutdown of a compressor at Unit 26.2 on October 29-30, 2004 Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(3) Citation: 30 TAC Chapter 116, SubChapter B 116,115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Permit # 5862A/PSD-TX-103M2 PERMIT Ramt Prov: Description: Failed to control unauthorized emissions from the LP Emergency Flare during an emissions event which occurred on October 7, 2004 during the startup of Unit 26,1 Classification: Moderate 30 TAC Chapter 101, SubChapter A 101.20(3) Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) #5682A and PSD-TX-103M2, S.C. #1 PERMIT Ramt Prov: Description: failed to control unauthorized emissions from the LP Emergency Flare due to the unplanned shutdown of a compressor at Unit 26.2 on October 21, 2004. Classification: Minor 30 TAC Chapter 101, SubChapter F 101.201(a)(1) Citation: 30 TAC Chapter 101, SubChapter F 101,211(a) 5C THC Chapter 382, SubChapter A 382,085(b) Description: Failed to report an emissions event, which occurred on October 7, 2004, when the emissions during startup of Unit 26.1 exceeded the initial estimates in the startup notification. Effective Date: 06/29/2007 ADMINORDER 2006-1550-AIR-E Classification: Moderate 30 TAC Chapter 115, SubChapter B 115.112(a)(2) Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) General Condition 8 PERMIT Ramt Prov Description: Failed to prevent unauthorized emissions. Classification: Minor 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Description: Failed to submit an emissions event report within 24 hours after discovery of the event, Specifically, the emissions event was discovered on May 25, 2006 at 3:00 a.m., but was not reported until June 7, 2006 at 12:05 p.m. Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation[.] Rgmt Prov: Special Condition 1 PERMIT Description: Failed to prevent unauthorized emissions. Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: Special Condition 1 PERMIT Ramt Prov: Description: Failed to prevent unauthorized emissions. Classification: Minor 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) Citation: 5C THC Chapter 382, SubChapter D 382.085(b) Description: Failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on June 1, 2006 at 2:00 a.m., but was not reported until June 12, 2006 at 4:48 p.m. Effective Date: 07/13/2007 ADMINORDER 2006-2030-AIR-E Classification: Major 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 5C THC Chapter 382, SubChapter A 382.085(b) Special Condition 1 PERMIT Rgmt Prov: Description: Failure to prevent an avoidable emissions event. Effective Date: 03/08/2008 ADMINORDER 2007-0670-AIR-E Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 5C THC Chapter 382, SubChapter A 382.085(b) Special Condition 1 PERMIT Rgmt Prov: Description: Failed to prevent unauthorized emissions. Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:	Permit 49140, Special Condition 12 PERMIT
Description: burn-off.	Failed to comply with the permitted emission rate of 2.44 lbs of PM per 1,000 lbs of coke
Classification	n: Moderate
Citation:	30 TAC Chapter 116, SubChapter F 116.615(2)
•	5C THC Chapter 382, SubChapter D 382.085(b)
Ramt Prov:	Permit Representations PERMIT
•	Failed to prevent unauthorized emissions.
Classification	n: Moderate
Citation:	30 TAC Chapter 116, SubChapter F 116.615(2)
	5C THC Chapter 382, SubChapter A 382.085(b)
Rgmt Prov:	Permit Representations PERMIT
•	Failed to prevent unauthorized emissions.
Classification	: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)
0.12101.0	5C THC Chapter 382, SubChapter A 382.085(b)
Ramt Prov:	Special Condition 1 PERMIT
•	Failed to prevent unauthorized emissions.
Classificatior	•
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)
onadon.	5C THC Chapter 382, SubChapter D 382.085(b)
Ramt Prov:	TCEQ Air Permit No. 5920A, SC #1 PERMIT
•	Failed to prevent unauthorized emissions.
Classification	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)
onddorn.	5C THC Chapter 382, SubChapter A 382.085(b)
Rgmt Prov:	Special Condition 1 PERMIT
•	Failed to prevent unauthorized emissions.
Classification	•
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
onation.	30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
	5C THC Chapter 382, SubChapter D 382.085(b)
Description:	Failed to properly notify the TCEQ of emissions events that occurred on October 16, 2006
and January	
Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter F 116.615(2)
onddon.	5C THC Chapter 382, SubChapter D 382.085(b)
Ramt Prov:	Permit Representations PERMIT
•	Failed to prevent unauthorized emissions.
Classification	
Citation:	30 TAC Chapter 116, SubChapter F 116.615(2)
	5C THC Chapter 382, SubChapter D 382.085(b)
Ramt Prov:	Permit Representations PERMIT
require row.	-

See addendum for information regarding federal actions.

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

C. Chronic excessive emissions events.

· N/A

D.

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

1	04/23/2003	(160678)
2	04/23/2003	(33899)
3	05/02/2003	(10852)
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269	03/01/2007	(489392)
270	03/23/2007	(508787)
271	03/23/2007	(575761)
		. ,
272	03/28/2007	(554903)
273	03/28/2007	(555356)
274	03/30/2007	(541806)
275		
	04/04/2007	(553900)
276	04/05/2007	(554567)
277	04/12/2007	(555765)
278	04/18/2007	
		(535818)
279	04/20/2007	(541785)
280	04/23/2007	(575763)
281	04/27/2007	(536863)
282	04/27/2007	(538234)
283	05/02/2007	(557193)
284	05/08/2007	(536805)
		(200000)

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285	05/16/2007	(556084)	
286	05/16/2007	(543939)	
287	05/21/2007	(560688)	
288	05/21/2007	(607617)	
289	05/29/2007	(560939)	
290	05/30/2007	(558665)	
291	05/31/2007	(557887)	
292	05/31/2007	(557814)	
293	05/31/2007	(558933)	
294	05/31/2007	(558165)	
295	05/31/2007 06/08/2007	(561604) (563044)	
296 297	06/08/2007	(564174)	
297 298	06/20/2007	(563448)	
299	06/27/2007	(564004)	
300	06/27/2007	(564948)	
301	07/06/2007	(562320)	
302	07/06/2007	(566372)	
303	07/10/2007	(566109)	
304	07/12/2007	(566817)	
305	07/18/2007	(564160)	
306	07/18/2007	(562884)	
307	07/18/2007	(565411)	
308	07/20/2007	(575769)	
309	07/26/2007	(534491)	
310	07/30/2007	(570079)	
311	08/13/2007	(562652)	
312	08/20/2007	(572167) (570711)	
313 314	08/24/2007 09/05/2007	(570711) (572989)	
314	09/22/2007	(607618)	
316	09/22/2007	(607619)	
317	09/24/2007	(607621)	
318	09/26/2007	(594057)	
319	10/12/2007	(594704)	
320	10/12/2007	(595919)	
321	10/12/2007	(595879)	
322	10/15/2007	(557764)	
323	10/16/2007	(597749)	
324	10/22/2007	(607620)	
325	11/02/2007	(571706)	
326	11/06/2007	(599098)	
327	11/20/2007	(608723)	
328	11/20/2007	(608750)	
329	11/21/2007	(596538) (596539)	
330 331	11/21/2007 11/21/2007	(596540)	
332	12/03/2007	(609822)	
333	12/17/2007	(612145)	
334	12/18/2007	(599171)	
335	12/19/2007	(612456)	
336	12/21/2007	(600228)	
337	12/21/2007	(593859)	
338	12/21/2007	(612851)	
339	01/03/2008	(612155)	
340	01/04/2008	(612937)	
341	01/07/2008	(557934)	
342	01/14/2008	(613926)	
343	01/18/2008	(614903)	
344	01/18/2008	(615198)	
345	01/24/2008	(612103)	
346	01/28/2008	(613020) (612848)	
347	01/28/2008	(612848) (613321)	
348	01/31/2008 02/11/2008	(613321) (614276)	
349 350	02/11/2008	(616106)	
350	02/11/2008	(613195)	
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352	02/13/2008	(608867)	

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353	02/14/2008	(618465)
354	02/15/2008	(617395)
355	03/13/2008	(613193)
356	03/24/2008	(639374)
357	03/27/2008	(639901)
358	04/02/2008	(640059)
359	04/04/2008	(640212)
360	04/04/2008	(640783)
361	04/04/2008	(637905)
362	04/09/2008	(641666)
363	04/09/2008	(641681)

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

Date: 04/30/200	(296409)		
Self Report?	/ES	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	r	
Date: 06/30/200	3 (296413)		
Self Report?	/ES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
<u>Olimitetti</u>	TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter	r	
Date: 07/10/200			
		Classification:	Moderate
oon nopont.		Classification:	Moderate
Citation:	30 TAC Chapter 335, SubChapter A 335.6(c)		
Description:	NOR updates are required.		
Date: 07/31/200	3 (296415)		
Self Report?	/ES	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	r	
Date: 08/23/200	3 (61968)	÷	
Self Report?	00	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)	0.000.000	
Citation.	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 21265		1997 - A.
	ConocoPhillips failed to route unauthorized emissions fro	m agration tank (TK 60)
Description:	to a control device.	A a cracioti tank (11 (05)
Date: 08/31/200			
Dutt.			Madavata
Con Report.	/ES	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	er	
Date: 09/30/200)3 (296419)		
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	er	
Date: 10/31/200)3 (296420)		
	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	Classification.	
Citation.			
. . <i></i>	TWC Chapter 26 26.121(a) Failure to meet the limit for one or more permit paramete	or.	
Description:		21	
Date: 11/24/200			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3)		
	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:	PERMIT 5682A and PSD-TX-103M2, SC No. 1		
Description:	Conoco Phillips failed to submit the initial notification with	hin 24 hours of the	e start
•	of the incident (CCEDS #17799).		
Date: 11/25/200	03 (254294)		
Self Report?	NO	Classification:	Moderate

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	Citation:	30 TAC Chapter 101, SubChapter A 101.20(3)				
		30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)				
	Darrah Dara u	30 TAC Chapter 116, SubChapter B 116.115(c)				
	Rqmt Prov:	PERMIT Permit No. 5682A & PSD-TX-103M2, SC 1				
	Description:	Conoco Phillips failed to submit the initial notification within of the incident # 10377.	in 24 hours of the	start		
	Date: 11/30/2003	(296421)				
	Self Report? YE	ES	Classification:	Moderate		
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)				
	Description: Date: 12/31/2003	Failure to meet the limit for one or more permit parameter (255587)				
	Self Report? NO	D	Classification:	Moderate		
	Citation: Rgmt Prov:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) PERMIT 21265, GC #8				
	Description:	Failure to comply with General Condition #8 o TCEQ Air F	Permit 21265.			
	Date: 12/31/2003					
	Self Report? YE	ES	Classification:	Moderate		
•	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	ondonnoution			
		TWC Chapter 26 26.121(a)				
	Description: Date: 01/31/2004	Failure to meet the limit for one or more permit parameter				
•			Classification	Moderate		
	Self Report? YE Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	Classification:	Moderate		
		TWC Chapter 26 26.121(a)				
	Description: Date: 02/29/2004	Failure to meet the limit for one or more permit parameter (296406)	•			
	Self Report? YE	ES	Classification:	Moderate		
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)				
	Description: Date: 03/18/2004	Failure to meet the limit for one or more permit parameter (257314)				
	Self Report? NO		Classification:	Moderate		
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)	Classification.	Moderate	-	and the p
	Rqmt Prov:	PA 5682A SC 1				
	Description:	Failure to maintain the emissions below the allowables in	the MAERT.			
	Self Report? NO	0	Classification:	Moderate		
	Citation:	30 TAC Chapter 117, SubChapter B 117.213(e)(1)				
	Description:	Failure to conduct CGA fourth quarter audit in 2002, for up pollutants NOx and CO.	nit 25.1, F-1, for			÷ ,
	Self Report? NO	D	Classification:	Moderate		
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)	٤			
	Rqmt Prov:	PA 5920A SC(6)(E)				
	Description:	Failure to conduct second quarter cylinder gas audit in 20 heater.	03, for unit 9, F-4	crude		
	Date: 03/31/2004	(296407)				
	Self Report? YE	S	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: 04/12/2004					
	Self Report? NO		Classification:	Minor		
	Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)				
		30 TAC Chapter 115, SubChapter D 115.354	·			
		30 TAC Chapter 116, SubChapter B 116.115(c)				
	Rgmt Prov:	40 CFR Part 60, Subpart GGG 60.592(a) PERMIT Permit No. 21265, Special Condition #4.B				
	Description:	ConocoPhillips failed to include components associated w	ith VOC Table 454	Lin		
	Desonption.	fugitive emission monitoring.	nai VOO Talik 404			
	Date: 04/30/2004	(296410)				
	Self Report? YE	-	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: 05/31/2004	(352588)			
Self Report? YE	ES	Classification:	Moderate	
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description: Date: 07/12/2004	Failure to meet the limit for one or more permit parameter (258107)	er	-	
Self Report? NO)	Classification:	Moderate	
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov: Description: Date: 07/12/2004	PERMIT No. 22690 and PSD-TX-751M1, S.C. #1 Exceeded permit emission limits during an avoidable er (259068)	nissions event.		
Self Report? NC		Classification:	Minor	
Citation:	30 TAC Chapter 101, SubChapter F 101.201(c) 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov: Description:	PERMIT Air Permit #5682A/PSD-TX-103M2 SC #1 Failure to submit a final notification of an emissions even	nt in a timely manne	:	
Date: 08/31/2004	(271547)			
Self Report? NC		Classification:	Moderate	
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D) 30 TAC Chapter 101, SubChapter F 101.201(b)(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT No. 5682A and PSD-TX-103M2, S.C. 1			
Description:	Failure to submit separate notification for each facility, as	nd failure to identify		
Date: 12/30/2004	correct facility names. (345626)			
Self Report? NC		Classification:	Moderate	
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A) 5C THC Chapter 382, SubChapter A 382.085(b)			
Description:	Failure to prevent an inadvertent electrical short circuit re opacity.	esulting in unauthori	zed	
Date: 12/30/2004	(277696)			
Self Report? NC		Classification:	Moderate	
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 50 THC Chapter 282, SubChapter A 282 085(c)			
Rqmt Prov:	5C THC Chapter 382, SubChapter A 382,085(b) PERMIT #5682A and PSD-TX-103M2, S.C. #1			
Description: Date: 01/31/2005	Failure to maintain cooling water flow to debutanizer resu emissions. (382045)	uning in unautionze	u	
			Madamia	
Self Report? YE Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)	Classification:	Moderate	
Description:	TWC Chapter 26 26.121(a) Failure to meet the limit for one or more permit paramete	er		
Date: 10/21/2005	(433893)	_		
Self Report? NC Citation:	30 TAC Chapter 101, SubChapter F 101.201(e)	Classification:	Minor	
Description: Date: 03/22/2006	Failed to report the opacity event within 24 hours of the s (438894)	start of the event.		
Self Report? NC		Classification:	Moderate	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov: Description: Date: 05/04/2006	PERMIT SC 12 Failure to properly control the torch oil atomizing steam i (461458)	njection rate.		
		Classification	Minor	
		Classification:	Minor	
Citation: Description:	30 TAC Chapter 101, SubChapter F 101.201(a)(1) Failure to determine if the event is a reportable emission of discovery a of a reportable emissions event and failure TCEO Regional Office within 24 hours of discovery		· · · · · · · · · · · · · · · · · · ·	
Citation:	Failure to determine if the event is a reportable emission of discovery a of a reportable emissions event and failure TCEQ Regional Office within 24 hours of discovery.		· · · · · · · · · · · · · · · · · · ·	

Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b) PERMIT Special Condition 1			
Description:	Failure to keep emissions of SO2 and CO from the C Maximum Allowable Emisison Rate limits under TCE			
Date: 05/17/20			· · · ·	
Self Report?	NO	Classification:	Moderate	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Special Condition 1	i		
Description:	Failed to keep regenerator flue gas opacity within pe	rmitted limits.		
Date: 06/16/20		· · · · ·	Mandamata	
Self Report?	NO	Classification:	Moderate	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Special Condition 12			
Description:	Failure to keep the opacity level at the Regenerator I while returning the unit to full operating rates following		it limits	
Date: 06/28/20	06 (480331)	1 ¹ -		
Self Report?	NO	Classification:	Moderate	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
	5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Special Condition 1			
Description: Date: 06/28/20	Failure to prevent overpressures in Units 7 and 35. 06 (480326)	9 . L		•
Self Report?	NO	Classification:	Moderate	÷.,
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
	5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Special Condition 12	-		
Description: Date: 07/07/2	Failed to properly design the electrostatic precipitato (460719)			
Self Report?	NO	Classification:	Minor	
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(C			
Description:	Failure to include the several light paraffins on the fin unauthorized pollutants released.	nal report and amount	s of all	
Date: 07/12/2	そうぶろう 使わら あたい しょうごう しょう			
Self Report?	NO	Classification:	Moderate	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Special Condition 12			
Description:	Failure to properly control opacity from the Regeneration opacity event.	ator resulting in the ex	cess	
Date: 07/31/2				
Self Report?	NO	Classification:	Minor	
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(E	3)		
Description:	Failure to submit the Initial Notification for an Emissi 24 hours of discovery.	ons Event to the TCE	Q within	
Self Report?	NO	Classification:	Moderate	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Special Condition 1			
Description:	Failure to prevent an avoidable emissions event.			
Date: 08/29/2	06 (485092)			
Self Report?	NO	Classification:	Moderate	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Special Condition 1			
Description:	Failed to properly design, maintain, and operate feed interruption of the feed stream and of process opera		ading to	
Self Report?	NO	Classification:	Moderate	
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E	3)		
	5C THC Chapter 382, SubChapter A 382.085(b)			
Description:	Failure to keep the opacity of the Regenerator Flue	Gas Stream at or belo	w 20%.	
Date: 11/30/2	06 (514772)			

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 12		
Description:	The RE failed to properly design the electrostatic precip Regenerator.	itator on the Unit 3	
Date: 12/11/20	06 . (514770)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 6		
Description:	The RE failed to route the vent stream from Aeration Ta Thermal Oxidizer.	-	
Self Report?		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to meet the affirmative defense.		
Date: 12/21/20			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 12	·	
Description:	The RE failed to properly design the electrostatic precip avoidable periods of excess opacity, and thereby failed and intensities of periods of excess opacity.		-
Date: 01/05/20	07 (514904)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 1		
Description:	The RE failed to prevent an unnecessary maintenance of unauthorized emissions.	event resulting in	
Date: 01/26/20	07 (535014)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)		
Description:	CP failed to submit a complete final report.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter F 116.615(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Air Permit No. 75864, GC #8		
Description: Date: 01/26/20	CP failed to prevent overfilling of Drum D-1. (531232)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 12	ecognize within a	timely
Description:	The RE failed to properly design the ESP and failed to r manner, the underlying causes of the event, resulting in opacity event.	- ·	-
Date: 01/28/20			
	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 1		
Description: Date: 01/29/20	The RE failed to prevent a leak caused by avoidable co 007 (531242)	rrosion.	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter F 116.615(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT General Condition 2		
Description:	The RE failed to promptly refill the Coker Flare water se spike.	al following a pres	sure
Date: 03/30/20	007 (541806)		
Self Report?	NO	Classification:	Moderate

	Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)				
		30 TAC Chapter 116, SubChapter B 116.115(c)				
		5C THC Chapter 382, SubChapter D 382.085(b)				
	Rqmt Prov:	PERMIT TCEQ Air Permit No. 49140, SC #12				
	Description:	Chevron failed to control excess opacity.				
	Date: 04/04/200					
			01	Moderate		
		NO	Classification:	Nouerate		
	Citation:	30 TAC Chapter 116, SubChapter F 116.615(1)				
		5C THC Chapter 382, SubChapter D 382.085(b)				
	Rqmt Prov:	PERMIT TCEQ Air Permit No. 75864, GC #8				
	Description:	Conoco failed to completely remove trapped water from	m the bottom pumps	prior		
		to a unit startup resulting in unauthorized emissions				
	Date: 04/26/200	07 (542918)				
	Self Report?	NO	Classification:	Moderate		
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)				
	0.1210-11	5C THC Chapter 382, SubChapter D 382.085(b)	5			
	Rqmt Prov:	PERMIT Special Condition 1	,			
	•	The RE failed to prevent a coke conveyor belt fire.				
	Description: Date: 05/22/200	-				
	Self Report?	NO	Classification:	Moderate		
	Citation:	30 TAC Chapter 101, SubChapter A 101.4				
		5C THC Chapter 382, SubChapter D 382.085(b)				
	Description:	ConocoPhillips Sweeny refinery caused nuisance dust	t emissions as a resu	It of		
		transportation of Coker product in uncovered railcars.				
•	Date: 05/31/200					
			Oleasification	Moderate		
	• · · · · · · · · · · · · · · · · · · ·		Classification:	wouerate		
	Citation:	30 TAC Chapter 116, SubChapter F 116.615(2)				
		5C THC Chapter 382, SubChapter D 382.085(b)				
	Description:	Conoco failed to properly maintain the governor valve	on the C-111 compre	essor		
		in Unit 26.2 resulting in unauthorized emissions.				÷
	Date: 07/06/200	07 (543586)				
	Self Report?	YES	Classification:	Minor		
	Citation:	30 TAC Chapter 115, SubChapter D 115.354(2)(C)		· •	4	
		30 TAC Chapter 115, SubChapter H 115.781(b)				
		30 TAC Chapter 116, SubChapter B 116.115(c)				
		30 TAC Chapter 122, SubChapter B 122.143(4)	and the			
		40 CFR Chapter 60, SubChapter C, PT 60, SubPT GC	C 60 502(a)			
		40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 6				
		40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC	, 03.040(a)			
	David David	5C THC Chapter 382, SubChapter A 382.085(b)	1			
	Ramt Prov:	OP FOP O-01626, ST&C 19				
		OP FOP O-01626, ST&C 1A				
		PERMIT Permit 30513, Special Condition 15F				
		PERMIT Permit 49140, Special Condition 6F				
		PERMIT Permit 5920A, Special Condition 16F	<u></u>			
	Description:	Failure to perform initial Method 21 monitoring of 38 no	ew LDAR component	ls.		
	Self Report?	NO	Classification:	Minor		
	Citation:	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 GG	G 60.592(a)		•	
		40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 6				
		40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC				
		40 CFR Chapter 63, SubChapter C, PT 63, SubPT H	• •			
		5C THC Chapter 382, SubChapter A 382.085(b)				
	Rgmt Prov:	OP FOP O-01626, ST&C 19				
		OP FOP 0-01626, ST&C 1A				
		PERMIT Permit 18142, Special Condition 7H				
		PERMIT Permit 22086, Special Condition 6H	1			
		PERMIT Permit 49140, Special Condition 6H				
		PERMIT Permit 5920A Special Condition 17H		£ '		
	Description:	Failure to repair 34 leaking components within 15 days	δ.	•	2	
	Self Report?	NO	Classification:	Minor		
	Citation:	30 TAC Chapter 115, SubChapter D 115.352(2)				
		30 TAC Chapter 122, SubChapter B 122.143(4)				

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	•	40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
		40 CFR Chapter 60, SubChapter C, PT 60, SubPT (3GG 60.592(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT (V/.60.482-7(d)(2)
		40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c)
		40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
		5C THC Chapter 382, SubChapter A 382.085(b)
	Rqmt Prov:	OP FOP O-01626, ST&C 1A
		Failure to make a first attempt of repair to 27 leaking components within 5 days.
	Description:	
	Self Report?	
	Citation:	30 TAC Chapter 115, SubChapter H 115.781(b)
		30 TAC Chapter 122, SubChapter B 122.143(4)
	Barnt Brev	5C THC Chapter 382, SubChapter A 382.085(b)
	Rqmt Prov:	OP FOP O-01626, ST&C 1A OP FOP O-01626, ST&C 1N(v)
	Descriptions	Failure to repair HRVOC-service leaks within 1 business day.
	Description:	
	Self Report?	
	Citation:	30 TAC Chapter 115, SubChapter D 115.352(4)
		30 TAC Chapter 116, SubChapter B 116.115(c)
,		30 TAC Chapter 122, SubChapter B 122.143(4)
		40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
		40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242 6(a)
		40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63 648(a)
		40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63,648(a)
		40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)
	Rqmt Prov:	OP FOP 0-01626, ST&C 19
	Rqint Flov.	OP FOP 0-01028, 31&C 19
		PERMIT Permit 18142, Special Condition 7E
		PERMIT Permit 22086, Special Condition 6E
		PERMIT Permit 30513, Special Condition 15E
		PERMIT Permit 49140, Special Condition 6E BERMIT Permit 50304, Special Condition 175
	Descriptions	PERMIT Permit 5920A Special Condition 17E Failure to cap or plug open-ended valves/lines.
	Description:	
	Self Report?	
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)
		30 TAC Chapter 122, SubChapter B 122.143(4)
	Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b)
	Rquit Flow.	OP FOP O-01626, ST&C 19 PERMIT Permit 49140, Special Condition 12
	Description:	Failure to comply with the limit of 1.0 lbs of PM per 1000 lbs of Cokeburn.
	Description:	
	Self Report?	
	Citation:	30 TAC Chapter 117, SubChapter B 117.214(a)(1)
		30 TAC Chapter 122, SubChapter B 122.143(4)
	Part Prov	5C THC Chapter 382, SubChapter A 382.085(b)
	Rqmt Prov:	OP FOP O-01626, ST&C 1A
	Description:	Failure to perform weekly ammonia sampling to the Crude Charge Heater on Unit
	0-16 0 10	25.1.
	Self Report?	NO Classification: Minor
	Citation:	30 TAC Chapter 116, SubChapter B 116,115(c)
		30 TAC Chapter 122, SubChapter B 122.143(4)
	Dent D	5C THC Chapter 382, SubChapter A 382.085(b)
	Rqmt Prov:	OP FOP 0-01626, ST&C 19
		OP FOP O-01626, ST&C 1A
	_	PERMIT Permit 49140, Special Condition 14B
	Description:	Failure to perform Cylinder Gas Audits.
	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 J 60.104(a)(1)
	Deret D.	5C THC Chapter 382, SubChapter A 382.085(b)
	Rqmt Prov:	OP FOP 0-01626, ST&C 19
		OP FOP O-01626, ST&C 1A
	_	PERMIT Permit 5920A, Special Condition 3
	Description:	Failure to comply with the 162 ppm H2S limit in fuel gas streams.
		NO Classification: Minor
	Self Report?	
	Self Report? Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

		5C THC Chapter 382, SubChapter A 382.085(b)					
F	Rgmt Prov:	OP FOP O-01626, ST&C 19					
	•	PERMIT Permit 49140, Special Condition 12					
Γ	Description:	Failure to comply with the 200 PPM NOX Limit.					
5	Self Report?	NO	Classification:	Minor			
(Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(1)					
		30 TAC Chapter 122, SubChapter B 122.143(4)	واقده				
		5C THC Chapter 382, SubChapter A 382.085(b)					
F	Rqmt Prov:	OP FOP O-01626, ST&C 1A					
ſ	Description:	Failure to make roof repairs to Tank 96 within the requir	ed time frames.				
		NO	Classification:	Minor			
(Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)					
		40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 6	30.115b(b)(4)				
	D 1 D	5C THC Chapter 382, SubChapter A 382.085(b)					
	Rqmt Prov:	OP FOP O-01626, ST&C 1A Failure to submit NSPS Inspection Results letter for Tan	k 240				
	Description:	NO		Minor			
	Self Report? Citation:		Classification:	WILLOU			
, i		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)					
		5C THC Chapter 382, SubChapter A 382.085(b)					
F	Rqmt Prov:	OP FOP O-01626, ST&C 19					
		OP FOP O-01626, ST&C 1A			1		
		PERMIT Permit 18142, Special Condition 7F					
		PERMIT Permit 49140, Special Condition 6F					
		PERMIT Permit 5920A, Special Condition 17F					
I	Description:	Failure to perform Method 21 monitoring to leaking com	ponents on Delay o	of .			
		Repair.		. · · · · · · · · · · · · · · · · · · ·			
5	Self Report?	NO	Classification:	Minor			
C	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)					
		30 TAC Chapter 122, SubChapter B 122.143(4)	2				
		40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60	.102(a)(2)				
_	.	5C THC Chapter 382, SubChapter A 382.085(b)					
ł	Rqmt Prov:	OP FOP O-01626, ST&C 19					
		OP FOP O-01626, ST&C 1A DEEDMIT Permit 40140, Special Condition 12					
,	Description:	PERMIT Permit 49140, Special Condition 12 Failure to Comply with Opacity Emissions Limits during	the second quarter	of			
· · ·	Description:	2005	the second quarter				
9	Self Report?	NO	Classification:	Minor			
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)	0.200.002.000				
		30 TAC Chapter 122, SubChapter B 122.143(4)				·	
		40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60	.105(a)(2)				
		5C THC Chapter 382, SubChapter A 382.085(b)					
F	Rqmt Prov:	OP FOP O-01626, ST&C 19					
		OP FOP O-01626, ST&C 1A					
		PERMIT Permit 49140, Special Condition 14					
Ĩ	Description:	Failure to perform continuous monitoring for CO on EPN	N-3 - 95-3.				
ŧ	Self Report?	NO	Classification:	Minor			
(Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)					
		30 TAC Chapter 122, SubChapter B 122.145(2)(A)					
		5C THC Chapter 382, SubChapter A 382.085(b)					
	Rqmt Prov:	OP FOP O-01626 General Terms and Conditions					
	Description:	Failure to include all deviations in the deviation reports.	•				
Ĩ	Date: 09/30/20						
		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	er				
	Date: 11/20/20	*					
	Bon Roporti	NO	Classification:	Moderate			
	Citation:	30 TAC Chapter 305, SubChapter F 305.125					
	Rqmt Prov:	PERMIT PP V-A-1	numbere				
	Description:	Permitted units were not marked with the TCEQ permit	numbers.				
	Date: 12/18/20			Madar			
5	Self Report?	NO	Classification:	Moderate			

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Citatio	n:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)		
Rgmt	Prov:	5C THSC Chapter 382 382.085(b) PERMIT TCEQ Permit No. 21265, GC #8		
Descri		Failure to prevent valve malfunctioning.	•	
Date:	·			
Self R	eport? No	C	Classification:	Moderate
Citatio	n:	30 TAC Chapter 116, SubChapter B 116.115(c)		
		5C THSC Chapter 382 382.085(b)		
Rqmt		PERMIT No. 5920A, S.C. No. 1		
Descri	ption: 02/15/2008	ConocoPhillips exceeded the MAERT limit for NOx emiss (617395)	ssion.	
Self R			Classification:	Moderate
Citatio		30 TAC Chapter 116, SubChapter B 116.115(c)	Classification.	
		5C THSC Chapter 382 382.085(b)		
Rqmt	Prov:	PERMIT TCEQ Permit No. 49140, SC #1		
Descri	-	Conoco failed to prevent a valve fitting blow out.		
Date:	04/02/2008			•• • •
Self R	-		Classification:	Moderate
Citatio	n:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B) 5C THSC Chapter 382 382.085(b)		
Descri	otion:	ConocoPhillips failed to prevent an excess opacity in Uni	t 27.1.	
Date:	04/04/2008	(637905)		
Self R	eport? NO	D	Classification:	Moderate
Citatio	n:	30 TAC Chapter 116, SubChapter B 116.115(c)		
		5C THSC Chapter 382 382.085(b)		
Rqmt		PERMIT TCEQ Air Permit No. 49140, SC #12		
Descri	ption: 04/04/2008	Failure to control excess opacity. (640212)		
Self R			Classification:	Moderate
Citatio		30 TAC Chapter 116, SubChapter B 116.115(b)(2)	Classification.	moderate
		5C THSC Chapter 382 382.085(b)		
Rqmt I	Prov:	PERMIT TCEQ Permit No. 21265, GC #8	-	
Descri	ption:	Failure to prevent failure of #2 chamber valve pin.		
Environmenta	al audits.			
	ntent Date: OV Associate	09/27/2005 (434812)		
	ntent Date:	08/02/2007 (594140)		
	sure Date:	01/03/2008		
	ssification:	Moderate		
Citation		AC Chapter 115, SubChapter D 115.352		
· · · ·		AC Chapter 115, SubChapter D 115.354		
		AC Chapter 115, SubChapter H 115.781		
		FR Chapter 60, SubChapter C, PT 60, SubPT VV 60.480	4	
		FR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482- FR Port 60, Subport \0/ 60,482,7	l -	-
Descriptio		FR Part 60, Subpart VV 60.482-7 to close open ended lines.		
Descriptio Viol Cla	ssification:	Moderate		
Citation		AC Chapter 115, SubChapter D 115.352		
	30 T/	AC Chapter 115, SubChapter D 115.354		
	30 T/	AC Chapter 115, SubChapter H 115.781		
	30 T/	AC Chapter 115, SubChapter H 115.783		
	40 C	FR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2	2(d)	
	40 C	FR Part 63, Subpart H 63.168		
Descriptio		to properly communicate management of change; therefor inted, tagged and monitored in a timely manner.	e, components we	re not evaluated,
Type of enviro	onmental mai	nagement systems (EMSs).		
N/A				
Voluntary on-	site complian	ce assessment dates.		
N/A				
1977				

Participation in a voluntary pollution reduction program.

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G.

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N/A

J. Early compliance.

1. A.V.

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N/A

Sites Outside of Texas

N/A

Addendum to Compliance History Federal Enforcement Actions

CUSTOMER (Defendant):	ConocoPhillips		CUSTOMER NO .:	CN601674351
REGULATED ENTITY:	Sweeny Refinery	REG. ENTITY NO .:	RN101619179	
REG. ENTITY ADDRESS;	Highway 35 & FM 524, Old Ocean, TX]		
REG. ENTITY CITY;	Old Ocean			
		iolations	、	
EPACASENO	02-2004-0014	CLASSIFICATIONE	MODERATE	
ORDER ISSUED DATE (YAA	YMIMDD)にア 20051205 つけたい		SECTROF STATUTE: 11	
ENFORCEMENT ACTION TY	RE Consent Decree/Court Order	A STATE OF A	CITIE PART 60,61, CITES	ECIL
CASE RESULT	Final Order With Penalty		Permit:Requirements UST Leak Detection and Repa	in
			oo, Leak Detection and Repa	
EPACASE NO.	02-2004-0014	CLASSIFICATION:	MODERATE	
ORDER ISSUED DATE (YAY)	YMMDD));; 20051205		SECTINOF STATUTE 16	29/CC2/12/04/04/2012/2012/2
ENFORCEMENT ACTION TH	RE Consent Decree/Court Order	Company of the second se	CITTERPART 52 CITES	ECT 21
CASE RESULT	Final Order With Penalty		State Implementation Plan Prevention Of Significant Dete	
			inevention of alginiticate pere	nioration
EPATCASE NO	02-2004-0014	CLASSIEICATION:	MODERATE	
ORDER ISSUED DAVES (NY)	YMMDD) 20051205		SECT OF SHARUTE M	
ENFORCEMENT ACTION IN	RE: Consent Decree/Court Order	· Control of the second s	CITE PARE 61 CITES	ECT Subpart FF
CASEIRESULT	Final Order With Penalty		NESHAPs NESHAP for Benzene Waste G	
			NESHAF for benzene waste G	perations
ERACASEND	02-2004-0014	CLASSIFICATION-	MODERATE	
ORDER USSUED DATE (AYA	YMMDD) 20057205		SECT OF STATUTE 11	
ENFORCEMENT AGTION FY	RE: Consent Decree/Court Order	CITIATION 40CFR	And the second se	EGIC Subparts.A
CASERESULT			NSPS	
	Final Order With Penalty		Refinery NSPS Regulations	

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING CONOCOPHILLIPS COMPANY RN101619179

BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-0687-AIR-E

I. JURISDICTION AND STIPULATIONS

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

- 1. The Respondent owns and operates a refinery located at Highway 35 and Farm-to-Market Road 524 in Old Ocean, Brazoria County, Texas (the "Plant").
- 2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
- 3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notices of the violations alleged in Section II ("Allegations") on or about March 29, May 4, and May 20, 2008.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Forty Thousand Dollars (\$40,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Thirty-Two Thousand Dollars (\$32,000) of the administrative penalty and Eight Thousand Dollars (\$8,000) is deferred contingent upon the Respondent's timely and satisfactory

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> compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that prior to March 3, 2008, training was conducted regarding knock out drum level control for operators of Unit 26.1 to prevent a reoccurrence of emissions events similar to the January 28, 2008 incident.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

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2. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

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

Failed to prevent unauthorized emissions during a one hour 35 minute emissions event which occurred on January 28, 2008, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on February 21, 2008. This was Incident No. 102949. Specifically, emissions from the coker flare were 138 pounds ("Ibs") of carbon monoxide ("CO"), 3,270 lbs of sulfur dioxide ("SO₂"), 22 lbs of nitrogen oxides ("NO_x"), 36 lbs of hydrogen sulfide ("H₂S"), and 202 lbs of volatile organic compounds ("VOCs"), with permit limits of 0.83 pounds per hour ("Ibs/hr") for CO, 0.06 lbs/hr for SO₂, and 0.11 lbs/hr for NO_x, respectively. Emissions from the Expansion HP flare were 118 lbs of CO, 21 lbs of NO_x, 3,240 lbs of SO₂, 35 lbs of H₂S, and 176 lbs of VOCs, with permit limits of 0.96 lbs/hr for CO, 0.11 lbs/hr for NO_x, and 0.07 lbs/hr for SO₂, respectively. Emissions from the Expansion LP flare were 33 lbs of SO₂ and 1 lb of CO, with permit limits of 21.25 lbs/hr for SO₂ and 0.12 lbs/hr for CO, respectively. Since the emissions event was avoidable it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11).

2. Failed to prevent unauthorized emissions during a four hour 23 minute emissions event which occurred on February 25, 2008, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on March 24. 2008. This was Incident No. 104186. Specifically, emissions from the coker flare were 21 lbs of CO, 227 lbs of SO₂, 3 lbs of NO_x, 2 lbs of H₂S, and 24 lbs of VOCs, with permit limits of 0.83 lbs/hr for CO, 0.06 lbs/hr for SO₂, and 0.11 lbs/hr for NO_x, respectively. Emissions from the Expansion HP flare were 121 lbs of CO, 18 lbs of NOx, 707 lbs of SO2, 8 lbs of H2S, and 211 lbs of VOCs, with permit limits of 0.96 lbs/hr for CO, 0.11 lbs/hr for NOx, and 0.07 lbs/hr for SO2, respectively. Emissions from the Expansion LP flare were 639 lbs of SO2, 96 lbs of CO, 7 lbs of H₂S, 14 lbs of NO_x, and 156 lbs of VOCs, with permit limits of 21.25 lbs/hr for SO₂ 0.12 lbs/hr for CO, 0.06 lbs/hr for NOx, and 0.61 lbs/hr for VOCs, respectively. Coker fugitive emissions were 47 lbs of H₂S and 148 lbs of VOCs, with permit limits of 0.04 lbs/hr for H₂S and 2.98 lbs/hr for VOCs, respectively. Since the emissions event was avoidable it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11).

Failed to prevent unauthorized emissions during a four hour 40 minute emissions event which occurred on February 9, 2008, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on March 24, 2008. This was Incident No. 103533. Specifically, emissions from the incinerator stack were 15,427 lbs of SO₂, with a permit limit of 115.42 lbs/hr. Sulfur recovery unit fugitive emissions were 547 lbs of SO₂ and 558 lbs of H₂S, with a permit limit of 0.11 lbs/hr for H₂S. Since the emissions event was avoidable it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11).

Failed to prevent unauthorized emissions during a four hour emissions event which occurred on February 14, 2008, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F), Air Permit No. 21265, General Condition 8, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on March 24, 2008. This was Incident No. 103700. Specifically, emissions from the tank 69 vent were 48 lbs of VOCs. The emissions are not authorized by the permit. Since the emissions event was avoidable it does not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11).

III. DENIALS

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

IV. ORDERING PROVISIONS

It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ConocoPhillips Company, Docket No. 2008-0687-AIR-E" to:

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

2. It is further ordered that the Respondent shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Agreed Order, implement appropriate measures to minimize and/or avoid the reoccurrence of emissions events similar to the February 9, 14, and 25, 2008 incidents; and
 - Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Air Section, Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Street, Suite H Houston, Texas 77023-1452

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

If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The

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Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in 6. a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Executive Director

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

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

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

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

Name (Printed or typed) Authorized Representative of ConocoPhillips Company

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

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