

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-1230-AIR-E TCEQ ID: RN102450756 CASE NO.: 36289

RESPONDENT NAME: ExxonMobil Oil Corporation

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: ExxonMobil Beaumont, 1795 Burt Street, Beaumont, Jefferson County</p> <p>TYPE OF OPERATION: Petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are five additional pending enforcement actions regarding this facility location; Docket Nos. 2005-0228-AIR-E, 2007-1410-AIR-E, 2007-1995-AIR-E, 2008-0153-AIR-E, and 2008-0821-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on January 26, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Mr. Raymond Marlow, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8785; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Daniel A. Risso, Agent and Attorney-In-Fact, ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: May 1, 2008</p> <p>Date of NOV/NOE Relating to this Case: June 11, 2008 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failure to prevent unauthorized emissions of 14,913 pounds of volatile organic compounds during an emissions event which began on January 13, 2008 and lasted for two hours and ten minutes. Specifically, hydrocarbons were spilled inside the dike levee area of Tank 1325 during filling operations because maintenance equipment left in the tank prevented the roof drain hose from freely extending. Since the emissions event was avoidable, the Respondent failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Federal Operating Permit No. O-02048, Special Condition ("SC") No. 11, Air Permit No. 19566/PSD-TX-768MI and PSD-TX-932, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$10,000</p> <p>Total Deferred: \$2,000 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$4,000</p> <p>Total Paid to General Revenue: \$4,000</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, design and implement procedures for contractors and staff to follow during maintenance activities to prevent the recurrence of emissions events due to the same or similar cause as the January 13, 2008 emissions event (Incident No. 102757); and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No 2.a.</p>

Additional ID No(s): JE00671

Attachment A
Docket Number: 2008-1230-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: ExxonMobil Oil Corporation
Payable Penalty Amount: Eight Thousand Dollars (\$8,000)
SEP Amount: Four Thousand Dollars (\$4,000)
Type of SEP: Pre-approved
Third-Party Recipient: Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles
Location of SEP: Jefferson County

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

1. Project Description

A. Project

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

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

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

B. Environmental Benefit

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

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

LECTURE 1

LECTURE 2

LECTURE 3

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

TCEQ

DATES	Assigned	30-Jul-2008	Screening	30-Jul-2008	EPA Due	26-Apr-2009
	PCW	6-Aug-2008				

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

CASE INFORMATION			
Enf./Case ID No.	36289	No. of Violations	1
Docket No.	2008-1230-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Daniel Siringi
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes: Penalty enhancement for 11 1660 orders, two findings orders, nine NOV's issued for the same or similar violations and 12 NOV's issued for unrelated violations of which six were self-reported effluent violations. Penalty reduction for two Notice of Audit letters and one Disclosure of Violation submitted.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 30-Jul-2008

Docket No. 2008-1230-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 36289

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	9	45%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	11	220%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 335%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement for 11 1660 orders, two findings orders, nine NOVs issued for the same or similar violations and 12 NOVs issued for unrelated violations of which six were self-reported effluent violations. Penalty reduction for two Notice of Audit letters and one Disclosure of Violation submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 335%

Screening Date 30-Jul-2008	Docket No. 2008-1230-AIR-E	PCW												
Respondent ExxonMobil Oil Corporation		<small>Policy Revision 2 (September 2002)</small>												
Case ID No. 36289		<small>PCW Revision June 12, 2008</small>												
Reg. Ent. Reference No. RN102450756														
Media [Statute] Air														
Enf. Coordinator Daniel Siringi														
Violation Number <input type="text" value="1"/>														
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c), 122.143(4), Federal Operating Permit No. O-02048, Special Condition ("SC") No. 11, Air Permit No. 19566/PSD-TX-768M1 and PSD-TX-932, SC No. 1 and Tex. Health & Safety Code § 382.085(b)													
Violation Description	Failed to prevent unauthorized emissions of 14,913 pounds of volatile organic compounds during an emissions event which began on January 13, 2008 and lasted for two hours and ten minutes. Specifically, hydrocarbons were spilled inside the dike levee area of Tank 1325 during filling operations because maintenance equipment left in the tank prevented the roof drain hose from freely extending. Since the emissions event was avoidable, the Respondent failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.													
	Base Penalty	<input type="text" value="\$10,000"/>												
>> Environmental, Property and Human Health Matrix														
	Harm													
	Major Moderate Minor													
OR	Release													
	Actual	<input type="text" value="x"/>												
	Potential	<input type="text"/>												
	Percent	<input type="text" value="50%"/>												
>> Programmatic Matrix														
	Falsification Major Moderate Minor													
	<input type="text"/>	<input type="text" value="0%"/>												
Matrix Notes	Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.													
	Adjustment	<input type="text" value="\$5,000"/>												
		<input type="text" value="\$5,000"/>												
Violation Events														
	Number of Violation Events <input type="text" value="1"/>	Number of violation days <input type="text" value="1"/>												
	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text" value="x"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text" value="x"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	Violation Base Penalty <input type="text" value="\$5,000"/>
daily	<input type="text"/>													
monthly	<input type="text" value="x"/>													
quarterly	<input type="text"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text"/>													
<small>mark only one with an x</small>														
	<input type="text" value="One monthly event is recommended."/>													
Good Faith Efforts to Comply														
	<input type="text" value="0.0%"/> Reduction	<input type="text" value="\$0"/>												
	Before NOV NOV to EDPRP/Settlement Offer													
Extraordinary	<input type="text"/>													
Ordinary	<input type="text"/>													
N/A	<input type="text" value="x"/> (mark with x)													
Notes	The Respondent does not meet the good faith criteria for this violation.													
	Violation Subtotal	<input type="text" value="\$5,000"/>												
Economic Benefit (EB) for this violation														
	Statutory Limit Test													
Estimated EB Amount <input type="text" value="\$132"/>	Violation Final Penalty Total	<input type="text" value="\$21,750"/>												
	This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$10,000"/>												

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 36289
Reg. Ent. Reference No. RN102450756
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)	\$2,500	13-Jan-2008	31-Jan-2009	1.05	\$132	n/a	\$132

Notes for DELAYED costs

Estimated cost of developing new maintenance procedures for tank cleaning. Date required based on the date of the emissions event. Final date based on the date the corrective actions are expected to be completed.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,500

TOTAL

\$132

Compliance History

Customer/Respondent/Owner-Operator:	CN600920748 ExxonMobil Oil Corporation	Classification: AVERAGE	Rating: 4.06
Regulated Entity:	RN102450756 EXXONMOBIL BEAUMONT	Classification: AVERAGE	Site Rating: 16.61

ID Number(s):

AIR NEW SOURCE PERMITS	REGISTRATION	71938
AIR NEW SOURCE PERMITS	PERMIT	655
AIR NEW SOURCE PERMITS	PERMIT	1202
AIR NEW SOURCE PERMITS	PERMIT	1519
AIR NEW SOURCE PERMITS	PERMIT	3913
AIR NEW SOURCE PERMITS	PERMIT	7018
AIR NEW SOURCE PERMITS	PERMIT	7208
AIR NEW SOURCE PERMITS	PERMIT	7760
AIR NEW SOURCE PERMITS	PERMIT	10291
AIR NEW SOURCE PERMITS	PERMIT	11306
AIR NEW SOURCE PERMITS	PERMIT	12139
AIR NEW SOURCE PERMITS	PERMIT	12817
AIR NEW SOURCE PERMITS	PERMIT	13120
AIR NEW SOURCE PERMITS	PERMIT	15261
AIR NEW SOURCE PERMITS	PERMIT	18276
AIR NEW SOURCE PERMITS	PERMIT	18277
AIR NEW SOURCE PERMITS	PERMIT	18424
AIR NEW SOURCE PERMITS	PERMIT	19566
AIR NEW SOURCE PERMITS	PERMIT	20862
AIR NEW SOURCE PERMITS	PERMIT	22999
AIR NEW SOURCE PERMITS	PERMIT	24159
AIR NEW SOURCE PERMITS	PERMIT	26121
AIR NEW SOURCE PERMITS	PERMIT	27000
AIR NEW SOURCE PERMITS	PERMIT	26860
AIR NEW SOURCE PERMITS	PERMIT	27539
AIR NEW SOURCE PERMITS	PERMIT	26859
AIR NEW SOURCE PERMITS	PERMIT	30543
AIR NEW SOURCE PERMITS	PERMIT	31227
AIR NEW SOURCE PERMITS	PERMIT	33642
AIR NEW SOURCE PERMITS	PERMIT	33907
AIR NEW SOURCE PERMITS	PERMIT	34543
AIR NEW SOURCE PERMITS	PERMIT	34963
AIR NEW SOURCE PERMITS	PERMIT	37234
AIR NEW SOURCE PERMITS	PERMIT	41034
AIR NEW SOURCE PERMITS	PERMIT	40837
AIR NEW SOURCE PERMITS	PERMIT	42063
AIR NEW SOURCE PERMITS	PERMIT	42051
AIR NEW SOURCE PERMITS	PERMIT	42730
AIR NEW SOURCE PERMITS	PERMIT	42852
AIR NEW SOURCE PERMITS	PERMIT	42951
AIR NEW SOURCE PERMITS	PERMIT	43132
AIR NEW SOURCE PERMITS	PERMIT	43433
AIR NEW SOURCE PERMITS	PERMIT	43675
AIR NEW SOURCE PERMITS	PERMIT	44038
AIR NEW SOURCE PERMITS	PERMIT	45695
AIR NEW SOURCE PERMITS	PERMIT	46329
AIR NEW SOURCE PERMITS	PERMIT	46434
AIR NEW SOURCE PERMITS	PERMIT	46534
AIR NEW SOURCE PERMITS	PERMIT	46743
AIR NEW SOURCE PERMITS	PERMIT	47064
AIR NEW SOURCE PERMITS	PERMIT	47063
AIR NEW SOURCE PERMITS	PERMIT	47062
AIR NEW SOURCE PERMITS	PERMIT	47175
AIR NEW SOURCE PERMITS	PERMIT	47358
AIR NEW SOURCE PERMITS	PERMIT	47589
AIR NEW SOURCE PERMITS	PERMIT	47815
AIR NEW SOURCE PERMITS	PERMIT	48110
AIR NEW SOURCE PERMITS	PERMIT	49135
AIR NEW SOURCE PERMITS	PERMIT	49138
AIR NEW SOURCE PERMITS	PERMIT	49142
AIR NEW SOURCE PERMITS	PERMIT	49143
AIR NEW SOURCE PERMITS	PERMIT	49145
AIR NEW SOURCE PERMITS	PERMIT	49596
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE00671
AIR NEW SOURCE PERMITS	REGISTRATION	72165
AIR NEW SOURCE PERMITS	REGISTRATION	71990
AIR NEW SOURCE PERMITS	PERMIT	52713
AIR NEW SOURCE PERMITS	PERMIT	52733
AIR NEW SOURCE PERMITS	PERMIT	52926
AIR NEW SOURCE PERMITS	PERMIT	53561

AIR NEW SOURCE PERMITS	REGISTRATION	55220
AIR NEW SOURCE PERMITS	REGISTRATION	55233
AIR NEW SOURCE PERMITS	REGISTRATION	54963
AIR NEW SOURCE PERMITS	REGISTRATION	55175
AIR NEW SOURCE PERMITS	REGISTRATION	75794
AIR NEW SOURCE PERMITS	REGISTRATION	76388
AIR NEW SOURCE PERMITS	REGISTRATION	75736
AIR NEW SOURCE PERMITS	PERMIT	75302
AIR NEW SOURCE PERMITS	REGISTRATION	55737
AIR NEW SOURCE PERMITS	REGISTRATION	75572
AIR NEW SOURCE PERMITS	REGISTRATION	75426
AIR NEW SOURCE PERMITS	REGISTRATION	75528
AIR NEW SOURCE PERMITS	REGISTRATION	75508
AIR NEW SOURCE PERMITS	REGISTRATION	75845
AIR NEW SOURCE PERMITS	REGISTRATION	76054
AIR NEW SOURCE PERMITS	REGISTRATION	70003
AIR NEW SOURCE PERMITS	PERMIT	56259
AIR NEW SOURCE PERMITS	REGISTRATION	70001
AIR NEW SOURCE PERMITS	AFS NUM	4824500018
AIR NEW SOURCE PERMITS	REGISTRATION	70104
AIR NEW SOURCE PERMITS	PERMIT	70613
AIR NEW SOURCE PERMITS	REGISTRATION	70541
AIR NEW SOURCE PERMITS	PERMIT	56617
AIR NEW SOURCE PERMITS	PERMIT	48623
AIR NEW SOURCE PERMITS	REGISTRATION	70376
AIR NEW SOURCE PERMITS	PERMIT	49134
AIR NEW SOURCE PERMITS	PERMIT	49125
AIR NEW SOURCE PERMITS	PERMIT	49146
AIR NEW SOURCE PERMITS	PERMIT	49148
AIR NEW SOURCE PERMITS	PERMIT	49151
AIR NEW SOURCE PERMITS	REGISTRATION	71024
AIR NEW SOURCE PERMITS	EPA ID	PSDTX932
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M
AIR NEW SOURCE PERMITS	PERMIT	70805
AIR NEW SOURCE PERMITS	REGISTRATION	70983
AIR NEW SOURCE PERMITS	REGISTRATION	70794
AIR NEW SOURCE PERMITS	REGISTRATION	71302
AIR NEW SOURCE PERMITS	REGISTRATION	71378
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992
AIR NEW SOURCE PERMITS	REGISTRATION	71100
AIR NEW SOURCE PERMITS	REGISTRATION	71277
AIR NEW SOURCE PERMITS	PERMIT	54483
AIR NEW SOURCE PERMITS	PERMIT	50669
AIR NEW SOURCE PERMITS	PERMIT	53040
AIR NEW SOURCE PERMITS	PERMIT	53560
AIR NEW SOURCE PERMITS	PERMIT	52284
AIR NEW SOURCE PERMITS	PERMIT	55291
AIR NEW SOURCE PERMITS	PERMIT	56799
AIR NEW SOURCE PERMITS	PERMIT	56709
AIR NEW SOURCE PERMITS	PERMIT	52598
AIR NEW SOURCE PERMITS	PERMIT	52599
AIR NEW SOURCE PERMITS	PERMIT	54299
AIR NEW SOURCE PERMITS	PERMIT	54091
AIR NEW SOURCE PERMITS	PERMIT	55031
AIR NEW SOURCE PERMITS	PERMIT	54487
AIR NEW SOURCE PERMITS	PERMIT	54486
AIR NEW SOURCE PERMITS	PERMIT	71741

AIR NEW SOURCE PERMITS	PERMIT	71048
AIR NEW SOURCE PERMITS	PERMIT	50583
AIR NEW SOURCE PERMITS	REGISTRATION	105370
AIR NEW SOURCE PERMITS	PERMIT	54768
AIR NEW SOURCE PERMITS	REGISTRATION	72569
AIR NEW SOURCE PERMITS	REGISTRATION	72780
AIR NEW SOURCE PERMITS	REGISTRATION	73120
AIR NEW SOURCE PERMITS	REGISTRATION	72646
AIR NEW SOURCE PERMITS	PERMIT	55522
AIR NEW SOURCE PERMITS	PERMIT	55654
AIR NEW SOURCE PERMITS	PERMIT	55617
AIR NEW SOURCE PERMITS	PERMIT	56434
AIR NEW SOURCE PERMITS	PERMIT	56428
AIR NEW SOURCE PERMITS	PERMIT	52240
AIR NEW SOURCE PERMITS	PERMIT	P802
AIR NEW SOURCE PERMITS	PERMIT	52300
AIR NEW SOURCE PERMITS	REGISTRATION	72659
AIR NEW SOURCE PERMITS	REGISTRATION	74104

AIR NEW SOURCE PERMITS	REGISTRATION	74072
AIR NEW SOURCE PERMITS	REGISTRATION	73897
AIR NEW SOURCE PERMITS	PERMIT	72534
AIR NEW SOURCE PERMITS	PERMIT	73620
AIR NEW SOURCE PERMITS	REGISTRATION	74552
AIR NEW SOURCE PERMITS	REGISTRATION	74241
AIR NEW SOURCE PERMITS	REGISTRATION	74399
AIR NEW SOURCE PERMITS	REGISTRATION	74615
AIR NEW SOURCE PERMITS	PERMIT	75132
AIR NEW SOURCE PERMITS	PERMIT	75054
AIR NEW SOURCE PERMITS	REGISTRATION	74990
AIR NEW SOURCE PERMITS	REGISTRATION	75143
AIR NEW SOURCE PERMITS	REGISTRATION	75172
AIR NEW SOURCE PERMITS	REGISTRATION	75350
AIR NEW SOURCE PERMITS	REGISTRATION	74993
AIR NEW SOURCE PERMITS	REGISTRATION	74994
AIR NEW SOURCE PERMITS	REGISTRATION	74995
AIR NEW SOURCE PERMITS	REGISTRATION	74997
AIR NEW SOURCE PERMITS	REGISTRATION	75133
AIR NEW SOURCE PERMITS	PERMIT	75180
AIR NEW SOURCE PERMITS	REGISTRATION	75329
AIR NEW SOURCE PERMITS	REGISTRATION	75308
AIR NEW SOURCE PERMITS	REGISTRATION	75279
AIR NEW SOURCE PERMITS	REGISTRATION	75267
AIR NEW SOURCE PERMITS	REGISTRATION	75281
AIR NEW SOURCE PERMITS	REGISTRATION	76471
AIR NEW SOURCE PERMITS	REGISTRATION	76838
AIR NEW SOURCE PERMITS	EPA ID	PSDTX799
AIR NEW SOURCE PERMITS	EPA ID	PSDTX802
AIR NEW SOURCE PERMITS	REGISTRATION	76779
AIR NEW SOURCE PERMITS	REGISTRATION	76467
AIR NEW SOURCE PERMITS	PERMIT	76889
AIR NEW SOURCE PERMITS	REGISTRATION	77009
AIR NEW SOURCE PERMITS	REGISTRATION	77375
AIR NEW SOURCE PERMITS	REGISTRATION	77460
AIR NEW SOURCE PERMITS	REGISTRATION	77712
AIR NEW SOURCE PERMITS	REGISTRATION	77844
AIR NEW SOURCE PERMITS	REGISTRATION	77932
AIR NEW SOURCE PERMITS	REGISTRATION	78100
AIR NEW SOURCE PERMITS	REGISTRATION	77363
AIR NEW SOURCE PERMITS	REGISTRATION	78516
AIR NEW SOURCE PERMITS	REGISTRATION	78190
AIR NEW SOURCE PERMITS	REGISTRATION	78247
AIR NEW SOURCE PERMITS	REGISTRATION	78250
AIR NEW SOURCE PERMITS	REGISTRATION	78290
AIR NEW SOURCE PERMITS	REGISTRATION	78475
AIR NEW SOURCE PERMITS	REGISTRATION	78609
AIR NEW SOURCE PERMITS	REGISTRATION	78676
AIR NEW SOURCE PERMITS	REGISTRATION	78792
AIR NEW SOURCE PERMITS	REGISTRATION	78799
AIR NEW SOURCE PERMITS	REGISTRATION	78982
AIR NEW SOURCE PERMITS	REGISTRATION	79185
AIR NEW SOURCE PERMITS	REGISTRATION	79620
AIR NEW SOURCE PERMITS	REGISTRATION	79853
AIR NEW SOURCE PERMITS	REGISTRATION	79506
AIR NEW SOURCE PERMITS	REGISTRATION	79641
AIR NEW SOURCE PERMITS	REGISTRATION	80078
AIR NEW SOURCE PERMITS	REGISTRATION	80495
AIR NEW SOURCE PERMITS	PERMIT	80203
AIR NEW SOURCE PERMITS	REGISTRATION	80819
AIR NEW SOURCE PERMITS	REGISTRATION	80595
AIR NEW SOURCE PERMITS	REGISTRATION	80481
AIR NEW SOURCE PERMITS	REGISTRATION	80978
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992M1
AIR NEW SOURCE PERMITS	REGISTRATION	80037
AIR NEW SOURCE PERMITS	REGISTRATION	81505
AIR NEW SOURCE PERMITS	REGISTRATION	81398
AIR NEW SOURCE PERMITS	REGISTRATION	81188
AIR NEW SOURCE PERMITS	REGISTRATION	82073
AIR NEW SOURCE PERMITS	REGISTRATION	83337
AIR NEW SOURCE PERMITS	REGISTRATION	82555
AIR NEW SOURCE PERMITS	PERMIT	82413
AIR NEW SOURCE PERMITS	REGISTRATION	82685
AIR NEW SOURCE PERMITS	REGISTRATION	82299
AIR NEW SOURCE PERMITS	REGISTRATION	84577
AIR NEW SOURCE PERMITS	REGISTRATION	84778

AIR NEW SOURCE PERMITS	REGISTRATION	85464
AIR NEW SOURCE PERMITS	REGISTRATION	84615
AIR NEW SOURCE PERMITS	REGISTRATION	84900
AIR NEW SOURCE PERMITS	REGISTRATION	84867
AIR NEW SOURCE PERMITS	REGISTRATION	82611
AIR NEW SOURCE PERMITS	REGISTRATION	82818
AIR NEW SOURCE PERMITS	REGISTRATION	83880
AIR NEW SOURCE PERMITS	REGISTRATION	84016
AIR NEW SOURCE PERMITS	REGISTRATION	82697
AIR NEW SOURCE PERMITS	REGISTRATION	82776
AIR NEW SOURCE PERMITS	REGISTRATION	84000
AIR NEW SOURCE PERMITS	REGISTRATION	84085
AIR NEW SOURCE PERMITS	REGISTRATION	82510
AIR NEW SOURCE PERMITS	REGISTRATION	84116
AIR NEW SOURCE PERMITS	REGISTRATION	82446
AIR NEW SOURCE PERMITS	REGISTRATION	82535
AIR NEW SOURCE PERMITS	REGISTRATION	85174
AIR NEW SOURCE PERMITS	REGISTRATION	84158
AIR NEW SOURCE PERMITS	REGISTRATION	84159
AIR NEW SOURCE PERMITS	REGISTRATION	85192
AIR NEW SOURCE PERMITS	REGISTRATION	83382
AIR NEW SOURCE PERMITS	REGISTRATION	85376
AIR NEW SOURCE PERMITS	REGISTRATION	83296
AIR NEW SOURCE PERMITS	REGISTRATION	83912
AIR NEW SOURCE PERMITS	REGISTRATION	82813
AIR NEW SOURCE PERMITS	REGISTRATION	84673
AIR NEW SOURCE PERMITS	REGISTRATION	84607
AIR NEW SOURCE PERMITS	REGISTRATION	84704
AIR NEW SOURCE PERMITS	REGISTRATION	85014
AIR NEW SOURCE PERMITS	REGISTRATION	85158
AIR NEW SOURCE PERMITS	REGISTRATION	85184
WASTEWATER	PERMIT	WQ0003426000
WASTEWATER	PERMIT	TPDES0118737
WASTEWATER	PERMIT	TX0118737
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1870

AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2045
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30587

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

Location: 1795 BURT ST, BEAUMONT, TX, 77701 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT
 Date Compliance History Prepared: July 30, 2008
 Agency Decision Requiring Compliance History: Enforcement
 Compliance Period: July 30, 2003 to July 30, 2008

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

Name: Daniel Siringi Phone: (409) 899-8799

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

Effective Date: 09/26/2004 ADMINORDER 2002-0722-AIR-E
 Classification: Moderate

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

Rqmt Prov: Special Conditions 8 and 10 PERMIT
 Description: Failed to repair Valve 3005 while the Hydrocracker facility was shutdown.

Classification: Moderate

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

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

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT

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

Classification: Minor

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

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

Classification: Moderate

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

Rqmt Prov: MAER PERMIT

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

Classification: Moderate

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

Rqmt Prov: MAER and Special Condition No. 35 PERMIT

Description: Failed to limit emissions of carbon monoxide (CO), particulate matter of ten microns or

greater (PM10), and oxides of nitrogen(NOX) from the HDC Second Stage Furnace H-3303 Stack.

Classification: Moderate

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

Rqmt Prov: MAER PERMIT

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

Classification: Moderate

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

Rqmt Prov: 18277/PSD-TX-802 PERMIT
19566/PSD-TX-768M1 PERMIT

Special Condition 6.B. and 8 PERMIT
Special Condition No. 5 PERMIT
Special Condition No. 7 PERMIT

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

Classification: Moderate

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

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

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

Rqmt Prov: MAER and Special Condition No. 1 PERMIT
Special Condition No. 2 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition No. 14 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340

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

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

Classification: Moderate

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

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

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

Special Condition No. 7 OP

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

Effective Date: 10/10/2005

ADMINORDER 2004-0987-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(c)

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

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

Classification: Moderate

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

Rqmt Prov: 46534 PERMIT

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

Classification: Moderate

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

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

Effective Date: 06/15/2006

ADMINORDER 2003-1470-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
40 CFR Part 63, Subpart CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Part 63, Subpart CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Part 63, Subpart CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of two pumps.

Classification: Moderate

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

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

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

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(10)

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

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

Classification: Moderate

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

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

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

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

Classification: Moderate

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

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

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

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

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

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

Classification: Moderate

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

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

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

Description: Failure to control emissions from your Flare Gas Recovery Compressor (FGRC) when it shut down due to an oxygen rich feed from the Crude Unit B Vacuum Tower.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

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

Description: Failure to properly document emissions event initial notification and final records for the January 27, and February 16, 20, and 26, 2003, emissions events.

Classification: Moderate

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

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

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

Description: Failure to control unauthorized emissions from the Low Pressure Compressor on February 26, 2003.

Classification: Moderate

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

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

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

Description: Failure to control unauthorized emissions at the Coker Flare.

Classification: Moderate

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

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

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

Description: Failure to control unauthorized emissions from entering the atmosphere from the PtR-4 Booster Compressor.

Classification: Moderate

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

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

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

Description: Failure to control unauthorized emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares during an instrumentation malfunction.

Classification: Moderate

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

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

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

Description: Failure to control unauthorized emissions at the Low Pressure Flare from the PtR-4 Reformer Heater during a fuel regulator malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.201(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events for September 18, October 4 and 30 (2 events), and November 23, 2002.

Classification: Moderate

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

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

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

Description: Failure to control emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares on November 23, 2002, when you allowed 7,961 pounds of unauthorized Sulfur Dioxide, 154 pounds of Nitrogen Oxide, and 144 pounds of Hydrogen Sulfide emissions to enter the atmosphere during an instrumentation malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.201(b)(9)

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

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

Classification: Minor

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

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

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

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

Classification: Moderate

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

Description: Failure to control unauthorized emissions from a levee during a tank roof malfunction and

gasoline spill at Tank 1365.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)

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

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

Classification: Moderate

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

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

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

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

Classification: Moderate

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

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

Rqmt Prov: Permit 49135, GC No. 8 PERMIT

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

Classification: Moderate

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

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

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

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

Classification: Moderate

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

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

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

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

Classification: Minor

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

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

Classification: Minor

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

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

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

Classification: Moderate

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

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

Rqmt Prov: 49135, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event at the refinery.

Effective Date: 07/22/2006

ADMINORDER 2006-0057-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

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

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

Classification: Moderate

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

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

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

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

Effective Date: 10/02/2006

ADMINORDER 2005-0644-AIR-E

Classification: Minor

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

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

Classification: Moderate

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

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

Classification: Minor

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Effective Date: 05/25/2007

ADMINORDER 2006-1704-AIR-E

Classification: Moderate

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

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

Rqmt Prov: 47358 PERMIT

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

Classification: Moderate

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

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

Rqmt Prov: 49125 PERMIT

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

Classification: Moderate

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

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

Rqmt Prov: 49125 PERMIT

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

Effective Date: 10/25/2007

ADMINORDER 2007-0210-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

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

Rqmt Prov: 1202 PERMIT
18277 PERMIT

19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

49134 PERMIT

49151 PERMIT

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

Classification: Moderate

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

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

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

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

Classification: Major

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

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

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

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

Effective Date: 11/19/2007

ADMINORDER 2005-1906-AIR-E

Classification: Moderate

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

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

Description: Failure to comply with an emissions limitation.

Effective Date: 01/12/2008

ADMINORDER 2007-0729-IWD-E

Classification: Moderate

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

Rqmt Prov: Effluent Limits PERMIT

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

Classification: Moderate

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

Rqmt Prov: Self-reporting Requirements PERMIT

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

Effective Date: 02/18/2008

ADMINORDER 2007-0812-AIR-E

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT

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

Effective Date: 05/22/2008

ADMINORDER 2007-1658-AIR-E

Classification: Moderate

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

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

Effective Date: 06/05/2008

ADMINORDER 2007-1547-AIR-E

Classification: Moderate

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

Rqmt Prov: 49138 PERMIT

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

Classification: Moderate

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

Rqmt Prov: NSR Permit 49138 PERMIT

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

Classification: Moderate

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

5C THSC Chapter 382.085(b)

Rqmt Prov: 49138 PERMIT

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

Effective Date: 06/19/2008

ADMINORDER 2007-1606-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.4

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

Description: Failure to prevent a nuisance condition.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1 08/18/2003 (119924)

N/A

2 08/27/2003 (151728)

3 08/28/2003 (150045)

4 08/29/2003 (145367)

5 08/29/2003 (35495)

6 09/10/2003 (327158)

7 09/10/2003 (327159)

8 10/07/2003 (327160)

9 10/17/2003 (252163)

10 10/17/2003 (252265)

11 10/17/2003 (251900)

12 10/31/2003 (327161)

13 11/25/2003 (327162)

14 12/17/2003 (255436)

15 12/29/2003 (327163)

16 01/23/2004 (327164)

17 02/02/2004 (260646)

18 02/23/2004 (327154)

19 03/16/2004 (327155)

20 03/24/2004 (261303)

21 03/24/2004 (261298)

22 03/24/2004 (262516)

23 04/29/2004 (366899)

24 05/17/2004 (366900)

25 06/16/2004 (273971)

26 06/22/2004 (264038)

27 06/25/2004 (366901)

28 07/19/2004 (366902)

29 08/13/2004 (276974)

30 08/13/2004 (280106)

31 08/13/2004 (280181)

32 08/16/2004 (264052)

33 08/27/2004 (366903)

34 08/31/2004 (292712)

35 09/21/2004 (366904)

36 10/20/2004 (366905)

37 11/29/2004 (389976)

38 11/29/2004 (339535)

39 12/15/2004 (338648)

40 12/20/2004 (264045)

41 12/20/2004 (341746)

42 12/27/2004 (389977)

43 01/24/2005 (389978)

44 01/31/2005 (345533)

45 02/23/2005 (427483)

46 02/25/2005 (267873)

47 03/09/2005 (346617)

48 03/10/2005 (345884)

49 03/10/2005 (346613)

50 03/10/2005 (346615)

51 03/10/2005 (346618)

52	03/10/2005	(346616)
53	03/10/2005	(346614)
54	03/10/2005	(346619)
55	03/10/2005	(346611)
56	04/28/2005	(427484)
57	04/28/2005	(427485)
58	05/18/2005	(377810)
59	05/18/2005	(377819)
60	05/18/2005	(374451)
61	05/24/2005	(379947)
62	05/24/2005	(427486)
63	06/07/2005	(393785)
64	06/14/2005	(381060)
65	06/21/2005	(427487)
66	06/21/2005	(394212)
67	06/23/2005	(395768)
68	07/05/2005	(395074)
69	07/05/2005	(395563)
70	07/15/2005	(396321)
71	07/25/2005	(395338)
72	07/28/2005	(447521)
73	08/02/2005	(402309)
74	08/02/2005	(402062)
75	08/23/2005	(401849)
76	08/25/2005	(402894)
77	08/29/2005	(447522)
78	08/31/2005	(344208)
79	10/24/2005	(492450)
80	10/24/2005	(492452)
81	11/15/2005	(406621)
82	11/22/2005	(492453)
83	12/06/2005	(437354)
84	12/09/2005	(435820)
85	12/13/2005	(492454)
86	01/04/2006	(437358)
87	01/13/2006	(439898)
88	01/18/2006	(492455)
89	01/27/2006	(438715)
90	02/03/2006	(438108)
91	02/16/2006	(452454)
92	02/24/2006	(457000)
93	03/07/2006	(492448)
94	03/22/2006	(492449)
95	04/12/2006	(457598)
96	04/12/2006	(457576)
97	04/21/2006	(458117)
98	04/21/2006	(506263)
99	04/24/2006	(456876)
100	05/05/2006	(438988)
101	05/11/2006	(460411)
102	05/16/2006	(506264)
103	06/26/2006	(506265)
104	07/14/2006	(480861)
105	07/21/2006	(528497)
106	07/26/2006	(483331)
107	08/22/2006	(528498)
108	08/24/2006	(528500)
109	08/31/2006	(449600)
110	09/03/2006	(510836)
111	09/03/2006	(490101)
112	09/11/2006	(510537)
113	09/21/2006	(510357)
114	09/27/2006	(528499)
115	10/18/2006	(551856)
116	11/09/2006	(518560)
117	11/29/2006	(551857)
118	12/08/2006	(531717)
119	12/08/2006	(519497)
120	12/11/2006	(533072)
121	12/11/2006	(518157)
122	12/15/2006	(551858)
123	12/28/2006	(497673)
124	12/28/2006	(489839)
125	12/28/2006	(292610)
126	12/28/2006	(518617)
127	01/18/2007	(532456)

128	01/24/2007	(531178)
129	01/31/2007	(535664)
130	02/01/2007	(538035)
131	02/01/2007	(517030)
132	02/13/2007	(483611)
133	02/14/2007	(534587)
134	02/22/2007	(589095)
135	02/22/2007	(589100)
136	02/26/2007	(538573)
137	02/27/2007	(538681)
138	02/28/2007	(538222)
139	03/01/2007	(538654)
140	03/21/2007	(553990)
141	03/23/2007	(589096)
142	04/16/2007	(589097)
143	04/21/2007	(401393)
144	04/21/2007	(497645)
145	04/23/2007	(553970)
146	05/11/2007	(559959)
147	05/18/2007	(589098)
148	05/25/2007	(561932)
149	06/01/2007	(562352)
150	06/14/2007	(558039)
151	06/25/2007	(589099)
152	06/26/2007	(561757)
153	07/03/2007	(566239)
154	07/24/2007	(564244)
155	07/25/2007	(565599)
156	07/25/2007	(562752)
157	07/25/2007	(563491)
158	08/14/2007	(565531)
159	08/20/2007	(605719)
160	08/23/2007	(565800)
161	08/28/2007	(557812)
162	08/28/2007	(563149)
163	08/30/2007	(554099)
164	08/31/2007	(573644)
165	08/31/2007	(483835)
166	09/14/2007	(563130)
167	09/21/2007	(605720)
168	10/03/2007	(573096)
169	10/05/2007	(572014)
170	10/08/2007	(572051)
171	10/08/2007	(572040)
172	10/08/2007	(571920)
173	10/11/2007	(572058)
174	10/15/2007	(574177)
175	10/23/2007	(631302)
176	10/23/2007	(631305)
177	11/07/2007	(508947)
178	11/07/2007	(512385)
179	11/19/2007	(631303)
180	11/20/2007	(595467)
181	11/27/2007	(596296)
182	12/13/2007	(631304)
183	12/17/2007	(601087)
184	12/17/2007	(601083)
185	12/17/2007	(594318)

186	12/28/2007	(613083)
187	12/28/2007	(610948)
188	01/14/2008	(610848)
189	01/17/2008	(613632)
190	02/25/2008	(677292)
191	02/25/2008	(677293)
192	02/28/2008	(613307)
193	02/29/2008	(614701)
194	02/29/2008	(617754)
195	03/03/2008	(613306)
196	03/06/2008	(614501)
197	03/10/2008	(617338)
198	03/14/2008	(639150)
199	04/22/2008	(640288)
200	04/23/2008	(639997)
201	04/25/2008	(653577)
202	04/28/2008	(641898)
203	05/12/2008	(640530)

204 06/02/2008 (641290)
 205 06/06/2008 (682314)
 206 06/11/2008 (654705)
 207 06/17/2008 (683447)
 208 06/18/2008 (670813)
 209 06/18/2008 (670745)
 210 06/18/2008 (671590)
 211 06/18/2008 (670786)
 212 06/19/2008 (671251)
 213 07/10/2008 (685796)
 214 07/11/2008 (682224)

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

Date	06/30/2004	(366902)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	08/31/2004	(292712)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart VV 60.482-6 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	OP O-01998			
Description:	Failure to operate Crude Unit B without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.			
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	OP O-01998			
Description:	Failure to report all instances of deviations on the semi-annual deviation report, dated January 9, 2004.			
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	OP O-01998			
Description:	Failure to operate the Crude Unit B Heaters with refinery fuel gas which contains not more than 150 ppmv of H2S.			
Date	08/25/2005	(402894)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 655 OP O-01356			
Description:	Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 22FUG#001, 23FUG#001, 33FUG#001, 15FUG#001, and 16FUG#001.			
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQ 60.698(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 19566 OP O-01356			
Description:	Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about DEA-3 sewer repairs and corrective actions taken Unit ID 18SEW#001.			
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340			

30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 655
OP O-01356

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-01870

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-01998

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 20862/PSD-TX-799
OP O-01999

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01999

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01999

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01999

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01999
Description: Failure to tag a leaking valve, located in Unit ID 67FUG#002, following discovery of the leak.

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01999
Description: Failure to maintain records, for Unit ID 67FUG#002, of any audio, visual, and olfactory inspections of connectors if a leak is detected.

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01999
Description: Failure to monitor in each calendar quarter, with a hydrocarbon gas analyzer, the screening concentration for components in VOC service for Unit ID's 67FUG#001 and 67FUG#002.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-02037
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 52FUG#001, 53FUG#001, and

54FUG#001.

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02037
Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Date 10/31/2005 (492453)

Self Report? YES Classification Moderate

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

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

Date 04/25/2006 (456876)

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-01870
OP O-01871
OP O-02039
OP O-02040

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-01870

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-01870

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49138
OP O-01871

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
OP O-01871

Description: Failure to operate smokeless flare.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-02039

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-02039

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-02039
OP O-02040

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02040

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov:	5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	OP O-02040		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.354(2)(D) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02040		
Description:	Failure to monitor six pressure relief valves (PRVs) in Volatile Organic Compound (VOC) service.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02040		
Description:	Failure to keep quarterly records of visible emission inspections on heaters.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 49134 OP O-02040		
Description:	Failure to make the first attempt of repair on a leaking valve within five days.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-01871		
Description:	Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 49134 OP O-02040		
Description:	Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)		
Rqmt Prov:	PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-01356 OP O-01870 OP O-02042 OP O-02043		
Description:	Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly inspections for active drains.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to report deviations in the annual compliance certification reports for OP O-01870, O-01871, O-02039, and O-02040.		
Date	05/05/2006 (438988)		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 335, SubChapter R 335.513		
Description:	Failure to complete waste classifications on non-hazardous, industrial wastes.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 335, SubChapter C 335.62 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11		
Description:	Failure to complete a hazardous waste determination for each solid waste generated.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 335, SubChapter A 335.6(c) 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)		

30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C)
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)
 Rqmt Prov: PERMIT HW-50139-000
 Description: Failure to provide notification of associated waste management units, wastes managed in units, and an industrial, class 2 waste stream.

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)

Description: Failure to keep records of all hazardous waste and industrial solid waste activities in a format which is retrievable and easy to copy.

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

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

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

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

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

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.163(4)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)
 Rqmt Prov: IHWPERMTCP PP. VI.D.1.c.
 Description: Failure to follow the Sampling and Analysis Plan as required by permit.
 Date 07/18/2006 (480861)

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

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1
 PERMIT 49135
 OP O-02042
 OP O-02043
 OP O-02044
 OP O-02047
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 18277/PSD-TX-802
 PERMIT 19566/PSD-TX-768M1
 OP O-02042
 OP O-02043

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

Self Report? NO **Classification** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1
 OP O-02042
 OP O-02044
 OP O-02047

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

Self Report? NO **Classification** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 46534/PSD-TX-922
 OP O-02044

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

Self Report? NO **Classification** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02047

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

Self Report? NO **Classification** Moderate

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

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

Self Report? NO **Classification** Moderate

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

Rqmt Prov: OP O-02042

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

Date 08/31/2006 (528499)

Self Report? YES **Classification** Moderate

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

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

Date 10/31/2006 (551857)

Self Report? YES **Classification** Moderate

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

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

Date 12/12/2006 (518157)

Self Report? NO **Classification** Moderate

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

Rqmt Prov: OP O-02048

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01998
 OP O-02037
 OP O-02041
 OP O-02048
 OP O-02049

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01998
 OP O-02037
 OP O-02048

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037
 OP O-02041

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's: O-02037 - 79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and 54FUG#001; O-02041 - 1 valve in Unit ID 36FUG#001.

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02037
 OP O-02048

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02041

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

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 49146
 OP O-02048

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02048
 OP O-02049

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02048
 OP O-02049

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02048
 OP O-02049

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

Self Report? NO Classification Minor

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

Rqmt Prov: OP O-02048

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

Self Report? NO Classification Moderate

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

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
 OP O-02049

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02049

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-02049

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 49125
PERMIT 56617
OP O-02037
OP O-02049
Description: Failure to switch the initial saturation canister with the second canister (polishing), and place a fresh canister as the new polishing canister within four hours of detection of breakthrough.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 56617
OP O-02037

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

Self Report? NO Classification Moderate

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

Description: Failure to report deviations in the annual compliance certification reports for OP O-02037 and O-02049.

Date 02/28/2007 (589096)

Self Report? YES Classification Moderate

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

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

Date 03/01/2007 (538222)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01356

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

Self Report? NO Classification Moderate

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

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

Rqmt Prov: OP O-01999

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01999

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01999

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01999
Description: Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01999
Description: Failure to report deviations in the appropriate deviation report and in a timely manner.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01999
Description: Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.
Date 08/29/2007 (557812)

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 49125
Description: Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare.

Date 08/30/2007 (554099)
Self Report? NO Classification Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01870
OP O-02036
Description: Failure to monitor a pressure relief valve (PRV) in Volatile Organic Compound (VOC) service located in Unit ID 32FUG#001 and four hundred components in VOC service located in Unit ID 61FUG#001.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 49138
OP O-01871
Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01871
OP O-02039
OP O-02040
Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
 5C THC Chapter 382, SubChapter D 382.085(b)
 PERMIT 19566/PSD-TX-768M1 and PSD-TX932
 OP O-02036
 Rqmt Prov: OP O-02036
 Description: Failure to conduct nine weekly inspections for inactive drains located in Unit ID 61SEW#001.

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

Rqmt Prov: OP O-02036
 OP O-02040
 Description: Failure to operate one sample system, located in Unit ID 61FUG#001, and four sample systems, located in 39FUG#001, with a closed-purged, closed-loop, or closed-vent system.

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

Rqmt Prov: OP O-02036
 Description: Failure to certify the New Source Performance Standards (NSPS), Subpart QQQ inspection in the semiannual report.

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
 OP O-02039
 Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

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

Rqmt Prov: OP O-02040
 Description: Failure to replace seven rupture disks located in Unit ID 42FUG#001 within five days following a release.

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

Rqmt Prov: OP O-02040
 Description: Failure to provide notification of the addition of Group 1 emission points in the Notification of Compliance Status Report within 60 days following the end of the 6-month period.

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

Rqmt Prov: OP O-02040
 Description: Failure to control emissions to an efficiency of at least 90 % for two hotwells located in Unit ID 41FUG#001.

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

Rqmt Prov: OP O-02040
 Description: Failure to repair nine components, located in Unit ID's 37FUG#001 and 42FUG#001, within 15 days after discovery of a leak.

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

Rqmt Prov: OP O-02036
OP O-02040

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

Self Report? NO Classification Moderate

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

Rqmt Prov: OP O-01871

Description: Failure to report three violations as deviations that were documented during an on-site compliance investigation (Investigation No. 456876) conducted on February 2 through 15, 2006.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
PERMIT 49138
OP O-01871

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-01870

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

Date 08/30/2007 (563149)

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042
OP O-02047

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

Self Report? NO Classification Minor

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

Rqmt Prov: OP O-02042
OP O-02043
OP O-02046
OP O-02047

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

Self Report? NO Classification Minor

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

Rqmt Prov: OP O-02042
OP O-02043
OP O-02044

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

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042
Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-02043
Description: Failure to document a weekly inspection for inactive drains and two monthly inspections for active drains located in the following Unit ID 20SEW#001.

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

Rqmt Prov: OP O-02043
OP O-02044
Description: Failure to include deviations for missing NSPS QQQ inspections for January and February, 2006 within the semiannual deviation report (SDR) submitted in April, 2006 and failure to include a deviation for the January 26, 2006 Fluidized Catalytic Cracker Wet Gas Scrubber (FCCWGS) Carbon Monoxide (CO) exceedance within the SDR submitted in March, 2006.

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

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

Date 09/30/2007 (631302)

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

Date 12/18/2007 (594318)

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

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

Self Report? NO Classification Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037
OP O-02048
OP O-02049
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit IDs: O-02042 - seventy-nine sample systems located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one open ended line located in Unit ID 49FUG#001; and O-02049 - two missing bull plugs located in Unit ID 50FUG#001.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037
Description: Failure to operate three sample systems, located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001, with a closed-purged, closed-loop, or closed-vent system.

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

Rqmt Prov: PERMIT 56617
OP O-02037
Description: Failure to operate the Wharf Loading Operations, Unit ID 53LBS#001, below the permitted loading limit of 4054 barrels per hour for gasoline components on twenty- three days between January 3, 2006 and December 7, 2006.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02041
Description: Failure to monitor two hundred, eleven components in VOC service that are located in Unit ID 36FUG#001.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.112(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048
OP O-02049
Description: Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 718 (Unit ID 49TEF#0718), Tank 1352 (Unit ID 49TEF#1352), Tank 1366 (Unit ID 49TEF#1366), and Tank 782 (Unit ID 49TIF#0782).

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

Rqmt Prov: OP O-02048
Description: Failure to submit a PI-7 prior to construction of Tank 5015 (Unit ID 49TEF#5015).

Self Report? NO Classification Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02049
Description: Failure to make the first attempt of repair within five days for three components located in Unit ID 50FUG#001.

Date 02/29/2008 (613307)

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01356
OP O-01999
Description: Failure to include deviations within the Federal Operating Permit.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)

Rqmt Prov: 5C THSC Chapter 382 382.085(b)
 OP O-01999
 Description: Failure to repair one component within 15 days after a leak is found for FOP O-01999 and located in Unit ID 67FUG#001.
 Date 05/12/2008 (640530)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
 OP O-02036
 OP O-02043
 Description: Failure to conduct two weekly inspections on October 20, 2007 and November 23, 2007, for inactive drains that are located in Power Plant 4 (Unit ID: 61SEW#001) and one weekly inspection on December 16, 2007, for inactive drains that are located in the Hydrocracking Unit (Unit ID: 20SEW#001).

Date 06/02/2008 (641290)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
 OP O-01870
 Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on the following dates; January 12, 2007, July 17, 2007, and August 7, 2007.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
 OP O-01870
 Description: Failure to limit the in-stack concentration of SO2 from the thermal oxidizer (Unit ID 32STK#001) to less than 250 ppmv on the following dates; April 28, 2007 and May 7, 2007.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: PERMIT 49138
 OP O-01871
 Description: Failure to operate the plant flares with a flame present at all times.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: PERMIT 49138
 OP O-01871
 Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: OP O-01871
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for one component located in Unit ID 04BLW#004 and one component located in Unit ID 60BLW#003.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 30 TAC Chapter 122, SubChapter B 122.145(2)(B)
 5C THSC Chapter 382 382.085(b)

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

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-02036
Description: Failure to conduct the second and third quarter, 2007, cylinder gas audit for CEMS located in Cogeneration Turbine 1, Unit 41 (Unit ID: 61STK_001) and the second quarter, 2007, cylinder gas audit for CEMS located in Cogeneration Turbine 3, Unit 43 (Unit ID: 61STK_003).

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-02036
Description: Failure to maintain the concentration limit of NOx and NH3 for Cogeneration Turbine 3, Unit 43 (Unit ID 61STK_003) on October 12, 2007.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02039
Description: Failure to conduct one weekly inspection from December 10 through 17, 2006, for inactive drains located in Unit ID 04SEW#001.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02039
Description: Failure to conduct the first quarter, 2007 tank inspection for Tanks 4026, 4028, and 4029.

Self Report? NO Classification Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932
OP O-02039
Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

Self Report? NO Classification Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(g)(2)

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

Rqmt Prov: OP O-02039
Description: Failure to make the first attempt of repair within five days for a compressor located in Unit ID 04FUG#001.

Self Report? NO Classification Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Part 60, Subpart VV 60.482-3(g)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02039
Description: Failure to repair the following components within 15 days after a leak is found for a compressor located in Unit ID 04FUG#001.

Date 07/14/2008 (682224)

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02042
Description: Failure to report Nitrogen Oxides (NOx) pounds per Million British thermal unit (lb/MMBtu) 30 day average exceedances from the PIR3 Heater in the NOx Reasonably Available Control Technology (RACT) Semiannual

Report.

Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT 18277 PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-02042 OP O-02043		
Description:	Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North Fuel Gas Drum to 150 ppm.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-02043		
Description:	Failure to monitor a flange, located in Unit ID 20FUG#001, after final repair within 15 days of discovery of a leak.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-02043 OP O-02046 OP O-02047		
Description:	Failure to operate sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02043 - sample system located in 20FUG#001, O-02046 - sample systems located in 02FUG#001, 08FUG#001, and 09FUG#001, and O-02047 - sample systems located in several operating units in 25FUG#001.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-02043		
Description:	Failure to report wastewater system inspection findings in the semiannual report as required by 40 CFR Part 60, Subpart QQQ.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-02043 OP O-02046 OP O-02047		
Description:	Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's: O-02043 - one bullplug found missing in Unit ID 19FUG#001, O-02046 - two bullplugs found missing in Unit ID 02FUG#001, and O-02047 - one bullplug found missing in Unit ID 25FUG#001.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.354(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT 46534 OP O-02044		
Description:	Failure to monitor Carbon Monoxide (CO), Nitrogen Oxides (Nox), and Sulfur Dioxide (SO2) pound per hour emissions at Unit ID 06STK_003.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.354(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart VV 60.482-4(b)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-02044		
Description:	Failure to monitor a relief valve, located in Unit ID 06FUG#001 and discovered venting to the atmosphere.		

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(m)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(1)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-02046
Description: Failure to control vent gas streams located in the following Unit ID's; 02BLW#007, 03BLW#007, 08BLW#007, 09BLW#007, 10BLW#007, 11BLW#007, 12BLW#007, 08VNT_001, 10VNT_001, 11TVV_001, and 12TVV_001.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT 49148
OP O-02047
Description: Failure to conduct a stack test on the pre-treater charge heater, Unit ID 25HTR#001, within 180 days of installation of low NOx burners.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-02047
Description: Failure to include a deviation within the Federal Operating Permit (FOP) O-02047 semiannual deviation report (SDR) submitted on October 1, 2007. The deviation was documented in the second six month SDR submitted on March 31, 2008. The original deviation, documented in violation track number 337432, was for not conducting a stack test on the pre-treater charge heater within 180 days of installation of low NOx burners.

F. Environmental audits.

Notice of Intent Date: 08/22/2005 (455176)
Disclosure Date: 11/30/2006
Viol. Classification: Moderate
Citation:

30 TAC Chapter 115, SubChapter D 115.352
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7
Description: Failure to properly identify valves.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7
Description: Failure to monitor components.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
Description: Failure to complete repair attempt within allotted time.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6
Description: Failure to close open-ended lines.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5

Description: Failure to properly handle purged process fluids.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9
Description: Failure to meet the requirements for difficult to monitor components.

Notice of Intent Date: 06/10/2008 (685906)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EXXONMOBIL OIL CORPORATION
RN102450756

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-1230-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 ExxonMobil Oil Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petroleum refinery at 1795 Burt Street in Beaumont, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about June 16, 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 Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Thousand Dollars (\$4,000) of the administrative penalty and Two Thousand Dollars (\$2,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Four Thousand Dollars (\$4,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

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

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions of 14,913 pounds of volatile organic compounds during an emissions event which began on January 13, 2008 and lasted for two hours and ten minutes, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), 122.143(4), Federal Operating Permit No. O-02048, Special Condition ("SC") No. 11, Air Permit No. 19566/PSD-TX-768MI and PSD-TX-932, SC No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on May 1, 2008. Specifically, hydrocarbons were spilled inside the dike levee area of Tank 1325 during filling operations because maintenance equipment left in the tank prevented the roof drain hose from freely extending. Since the emissions event was avoidable, the Respondent failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ExxonMobil Oil Corporation, Docket No. 2008-1230-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section 1, Paragraph 6 above, Four Thousand Dollars (\$4,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provision of the SEP agreement.
3. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, design and implement procedures for contractors and staff to follow during maintenance activities to prevent the recurrence of emissions events due to the same or similar cause as the January 13, 2008 emissions event (Incident No. 102757); and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No 3.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
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The

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

6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Sullivan

For the Executive Director

1/9/2009

Date

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

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

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

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

[Signature]

Signature

11/10/08

Date

DANIEL A. RISSO

Name (Printed or typed)
Authorized Representative of
ExxonMobil Oil Corporation

Agent and Attorney-In-Fact

Title

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

Attachment A
Docket Number: 2008-1230-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	ExxonMobil Oil Corporation
Payable Penalty Amount:	Eight Thousand Dollars (\$8,000)
SEP Amount:	Four Thousand Dollars (\$4,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles
Location of SEP:	Jefferson County

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

1. Project Description

A. Project

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

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

