EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0391-AIR-E **TCEQ ID:** RN100219526 **CASE NO.:** 35511

RESPONDENT NAME: Texas Petrochemicals LP

ORDER TYPE:		
X 1660 AGREED ORDER	__FINDINGS AGREED ORDER	__FINDINGS ORDER FOLLOWING SOAH HEARING
__FINDINGS DEFAULT ORDER	__SHUTDOWN ORDER	__IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
__AMENDED ORDER	__EMERGENCY ORDER	
CASE TYPE:		
X AIR	__MULTI-MEDIA (check all that apply)	__INDUSTRIAL AND HAZARDOUS WASTE
__PUBLIC WATER SUPPLY	__PETROLEUM STORAGE TANKS	__OCCUPATIONAL CERTIFICATION
__WATER QUALITY	__SEWAGE SLUDGE	__UNDERGROUND INJECTION CONTROL
__MUNICIPAL SOLID WASTE	__RADIOACTIVE WASTE	__DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: Texas Petrochemicals Houston Facility, 8600 Park Place Boulevard, Houston, Harris County

TYPE OF OPERATION: Chemical manufacturing plant

SMALL BUSINESS: ___ Yes X No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is one additional pending enforcement action regarding this facility location, Docket No. 2009-0022-AIR-E.

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

COMMENTS RECEIVED: The *Texas Register* comment period expired on March 2, 2009. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768
TCEQ Enforcement Coordinator: Mr. John Muennink, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387
Respondent: Mr. Kirk Johnson, Plant Manager, Texas Petrochemicals LP, 8600 Park Place Boulevard, Houston, Texas 77017
Mr. James Scroggins, Director EHSS, Texas Petrochemicals LP, 8600 Park Place Boulevard, Houston, Texas 77017
Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: __ Complaint _X_ Routine __ Enforcement Follow-up _X_ Records Review **Date(s) of Complaints Relating to this Case:** None **Date of Investigation Relating to this Case:** January 14, March 5, March 19, March 31, April 10, and April 14, 2008 **Date of NOV/NOE Relating to this Case:** January 22, March 7, March 26, April 3, April 15, and May 15, 2008 (NOE) **Background Facts:** These were routine investigations and record reviews. **AIR** 1) Failure to prevent unauthorized emissions. Specifically, the Respondent released 953 pounds ("lbs") of the hazardous air pollutant 1,3-butadiene from Methanol Tank 80 during an avoidable emissions event (Incident No. 103286) that began February 2, 2008 and lasted 462 hours. Since this emissions event could have been avoided by better operational practices and the duration was not minimized, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 46307, Special Condition No. 1]. 2) Failure to include the permit number on the incident report for the emissions event (Incident No. 103286) that occurred February 2, 2008 [30 TEX. ADMIN. CODE § 101.201(b)(1)(H) and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 3) Failure to prevent unauthorized emissions. Specifically, the Respondent released 2,706.18 lbs of 1,3 butadiene, 2,651.20 lbs of butenes, 743.72 lbs of butanes, 43.24 lbs of vinyl acetylene, 17.91 lbs of methyl acetylene, 6.79 lbs of propane, 6.18 lbs of ethyl acetylene, 1.24	**Total Assessed:** $62,369 **Total Deferred:** $12,472 _X_ Expedited Settlement __ Financial Inability to Pay **SEP Conditional Offset:** $24,948 **Total Paid to General Revenue:** $24,949 **Site Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Person Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Major Source:** _X_ Yes __ No **Applicable Penalty Policy:** September 2002	**Corrective Actions Taken:** The Executive Director recognizes that the Respondent has taken the following corrective actions at the Plant: a. Reduced the pressure on Methanol Surge Drum 7F-215 from 50 pounds per square inch gauge ("psig") to 35 psig through 40 psig to maximize the venting rate upstream of Methanol Recovery Tower 7D-53 by February 22, 2008 (Incident No. 103286); b. Reduced the operating pressure on Methanol Recovery Tower 7D-53 from 25 psig to 10 through 15 psig to increase the venting of the light components by February 22, 2008 (Incident No. 103286); c. Maximized the reflux temperature on Isobutane Clean-up Tower 7D-51 to 100 degrees Fahrenheit by February 22, 2008 (Incident No. 103286); d. Changed the operating pressure and implemented new procedures to maintain Tank operating pressure. New procedures were also included in operator rounds by February 22, 2008 (Incident No. 103286); e. By February 14, 2008, created STEERs reporting guidelines that include listing the applicable permit on final STEERs reports in order to ensure that emissions events are properly reported (Incident No. 103286); f. On December 21, 2007, the open-ended line ("OEL") policy was revised to be more specific. The revised OEL policy was distributed to all of the operators and shift supervisors on December 31, 2007 (Incident No. 101567); g. On January 23, 2008, the pre-startup safety review was revised to be more detailed so that it will have to be signed off on stating that all safety and environmental requirements are implemented, and it is now necessary to sign off on the section stating that all plugs and caps have been installed (Incident No. 101567);

lbs of propylene, 0.62 lbs of carbon dioxide, 0.62 lbs of cyclopropane, 0.62 lbs of ethane, and 0.62 lbs of volatile organic compounds ("VOCs") from a ruptured disk on Distillation Tower 2D-1 in the Butadiene Plant during an avoidable emissions event (Incident No. 101567) that began on December 18, 2007 and lasted for 26 hours. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 46307, Special Condition No. 1]. 4) Failure to prevent unauthorized emissions. Specifically, the Respondent released 61.39 lbs of VOCs due to the shutdown of Boilers 9, 10, and 11, which caused a lack of steam supply to the Plant, resulting in complete shutdown of the entire operations and heavy flaring during an avoidable emissions event (Incident No. 106222) that began April 11, 2008 and lasted seven hours and twenty minutes. Since this emissions event could have been avoided by better maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 46307, Special Condition No. 1]. 5) Failure to prevent unauthorized emissions. Specifically, the Respondent released 6,990 lbs of VOCs from Cooling Tower CT-1 during an emissions event (Incident No. 104945) that began March 10, 2008 and lasted 21 hours. Since this emissions event was not properly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 46307, Special Condition No. 1]. 6) Failure to submit an initial notification within 24 hours after discovery of the March 10, 2008 emissions event (Incident No. 104945). Specifically, the emissions event was discovered on March 10, 2008, and the initial report was not submitted until March 13, 2008 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].		h. On May 7, 2008, the Respondent set up a monitoring service through a third-party contractor to ensure that e-mail alerts are properly generated and sent to ensure that emissions events are properly reported (Incident Nos. 104945 and 104025); i. On March 13, 2008, the Respondent instituted procedures and training Plant-wide to ensure that personnel close and plug bleed valves upon start-up of equipment, and also initiated internal audits and inspections for all areas of the Plant (Incident No. 104465); and j. On July 15, 2008, the Respondent completed the flare line replacement project by replacing 230 feet of an eight inch flare header (Incident No. 104025). **Ordering Provisions:** 1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A). 2) The Order will also require the Respondent to: a. Within 180 days after the effective date of this Agreed Order: i. Make improvements to the fuel gas pressure control stations for Boilers 9, 10, and 11 in order to regulate quick responses to changes in fuel gas pressure. These improvements will include, but not be limited to, installing a connection to the flare header such that future excess gas can be relieved to the flare header (Incident No. 106222); ii. Properly set ranges with alarms (Incident No. 106222); and iii. Install a turbine speed indicator with an alarm for the steam drive forced draft fan in the Distributive Control System (Incident No. 106222). b. Within 195 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision 2.a.

7) Failure to prevent unauthorized emissions. Specifically, the Respondent released 4,125 lbs of VOCs (including 194 lbs of 1,3-butadiene) from the bleed valve on Pump 6GF-4 during an avoidable emissions event (Incident No. 104465) that began March 1, 2008 and lasted one hour and eight minutes. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 46307, Special Condition No. 1]. 8) Failure to prevent unauthorized emissions. Specifically, the Respondent released 1,932 lbs of VOCs (including 542.26 lbs of 1,3-butadiene) from a pin hole leak at the east end of the flare gas header between the Polyisobutylene and the North Absorber Units during an avoidable emissions event (Incident No. 104025) that began February 8, 2008 and lasted for 505 hours. Since this emissions event could have been avoided by better maintenance practices and was not properly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 46307, Special Condition No. 1]. 9) Failure to submit an initial notification within 24 hours of discovery of the February 8, 2008 emissions event (Incident No. 104025). Specifically, the emissions event was discovered on February 8, 2008, and the initial report was not submitted until February 21, 2008 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].		

Additional ID No(s).: HG0562P

Attachment A
Docket Number: 2008-0391-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Texas Petrochemicals LP**
Payable Penalty Amount:	**Forty-Nine Thousand Eight Hundred Ninety-Seven Dollars ($49,897)**
SEP Amount:	**Twenty-Four Thousand Nine Hundred Forty-Eight Dollars ($24,948)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Harris County Public Health and Environmental Services-Pollution Control Division's Fourier Transform Infra Red (FTIR) Project**
Location of SEP:	**Harris 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

This project includes the lease/contracting for services of air monitoring equipment, Fourier Transform Infra Red (FTIR) and other associated monitoring equipment, site preparation (including power and a shelter for the monitoring equipment), installation, operation and maintenance for a minimum of a two year period. Data validation management and reporting, and site closure and restoration will also be performed as a part of this project using methods approved by the TCEQ. The FTIR will analyze volatile organic compounds in ambient air. Harris County, in cooperation with the TCEQ, will establish Internet connectivity and automated data ingestion into the TCEQ LEADS system. SEP monies will fund the lease/contract for services of the FTIR and related equipment, site creation, preparation and installation of the FTIR, and the operation and maintenance of the FTIR site for a minimum of two years. SEP monies will also be used to pay for any equipment, software, and programming associated with establishing Internet connectivity and automated data ingestion.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide significant and discernible environmental benefits to the Harris County area by providing measurements of concentrations of certain air pollutants. The information obtained from this monitoring site will provide the community with more knowledge of the types and quantities of pollutants present in this industrialized area. Data obtained from the monitoring site, and made available to the public, may be used by the TCEQ, EPA, scientists, local government and industry to reduce emissions, as appropriate. Because air quality is an important priority in the Harris County area, this project is focused on providing air quality data that may be used by the TCEQ, local programs, and other stakeholders to investigate and improve knowledge of any identified air quality concerns. Data from the project may be used to detect and track air emissions in near real-time to determine air pollution source locations for enforcement actions, permitting and regulatory decisions, potential future health effects studies and/or as part of a pollution program such as the Environmental Monitoring and Response System. The data also can be used by the TCEQ and the EPA to help determine if additional air quality problems that have not yet been detected exist in the Harris County 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:

Mr. Chris Barry
Harris County Pollution Control Division
P.O. Box 6031
Pasadena, Texas 77506

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) *PCW Revision September 19, 2007*

TCEQ

DATES					
Assigned	7-Mar-2008				
PCW	20-Aug-2008	Screening	7-Mar-2008	EPA Due	2-Dec-2008

RESPONDENT/FACILITY INFORMATION

Respondent	Texas Petrochemicals LP		
Reg. Ent. Ref. No.	RN100219526		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35511	No. of Violations	2
Docket No.	2008-0391-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	EnforcementTeam 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* **$2,600**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 234% Enhancement *Subtotals 2, 3, & 7* **$6,084**

Notes: Penalty enhancement due to 15 NOVs with same or similar violations, five NOVs with unrelated violations, five 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to one Notice of Audit letter.

Culpability No 0% Enhancement *Subtotal 4* **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 25% Reduction *Subtotal 5* **$650**

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

Notes: The Respondent completed corrective action on February 22, 2008.

0% Enhancement* *Subtotal 6* **$0**

Total EB Amounts	$5
Approx. Cost of Compliance	$2,750

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 *Final Subtotal* **$8,034**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$8,034**

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty* **$8,034**

DEFERRAL 20% Reduction *Adjustment* **-$1,606**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$6,428**

Screening Date 7-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision September 19, 2007*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

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

Component	Number of...	*Enter Number Here*	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	15	75%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 234%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 15 NOVs with same or similar violations, five NOVs with unrelated violations, five 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to one Notice of Audit letter.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 234%

Screening Date 7-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision September 19, 2007*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Air Permit No. 46307, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 953 pounds of the hazardous air pollutant 1,3-butadiene from Methanol Tank 80 during an avoidable emissions event (Incident No. 103286) that began February 2, 2008 and lasted 462 hours. Since this emissions event could have been avoided by better operational practices and the duration was not minimized, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 — 20 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended from the date of the emissions event (February 2, 2008) to the date of compliance (February 22, 2008).

Economic Benefit (EB) for this violation

Estimated EB Amount $3

Statutory Limit Test

Violation Final Penalty Total $7,725

This violation Final Assessed Penalty (adjusted for limits) $7,725

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Req. Ent. Reference No. RN100219526
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$1,000	2-Feb-2008	22-Feb-2008	0.1	$3	n/a	$3
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to reduce pressure in 7F-215 and 7D-53 in order to increase venting of light components, to maximize the reflux temperature on 7D-51 and to issue new procedures for Methanol Tank 80 operating pressure. Date Required is the date of the emissions event. Final Date is the date that corrective actions were completed.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance $1,000

TOTAL $3

Screening Date 7-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision September 19, 2007*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(b)(1)(H) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to include the permit number on the incident report for the emissions event that occurred February 2, 2008.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: The Respondent met at least 70% of the rule requirement.

Adjustment $9,900

$100

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $2

Statutory Limit Test

Violation Final Penalty Total $309

This violation Final Assessed Penalty (adjusted for limits) $309

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$1,500	3-Feb-2008	14-Feb-2008	0.0	$2	n/a	$2
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$250	3-Feb-2008	4-Feb-2008	0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated expense to file an accurate incident report and to implement measures designed to ensure the proper reporting of emissions events. Date Required is 24 hours after the start of the event. Final Date is the date that corrective actions were completed.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $1,750

TOTAL $2

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600130322	Texas Petrochemicals LP	Classification: AVERAGE	Rating: 2.69
Regulated Entity:	RN100219526	TEXAS PETROCHEMICALS HOUSTON FACILITY	Classification: AVERAGE	Site Rating: 8.92

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0562P
AIR OPERATING PERMITS	PERMIT	1598
AIR OPERATING PERMITS	PERMIT	2884
AIR NEW SOURCE PERMITS	PERMIT	1341A
AIR NEW SOURCE PERMITS	PERMIT	1766
AIR NEW SOURCE PERMITS	PERMIT	4136
AIR NEW SOURCE PERMITS	PERMIT	4238A
AIR NEW SOURCE PERMITS	PERMIT	10296
AIR NEW SOURCE PERMITS	PERMIT	10323A
AIR NEW SOURCE PERMITS	PERMIT	10352A
AIR NEW SOURCE PERMITS	PERMIT	10675A
AIR NEW SOURCE PERMITS	PERMIT	10840A
AIR NEW SOURCE PERMITS	PERMIT	11427A
AIR NEW SOURCE PERMITS	PERMIT	11801
AIR NEW SOURCE PERMITS	PERMIT	11801A
AIR NEW SOURCE PERMITS	PERMIT	13805A
AIR NEW SOURCE PERMITS	PERMIT	13806A
AIR NEW SOURCE PERMITS	PERMIT	15606
AIR NEW SOURCE PERMITS	PERMIT	16351
AIR NEW SOURCE PERMITS	PERMIT	19806
AIR NEW SOURCE PERMITS	PERMIT	22052
AIR NEW SOURCE PERMITS	PERMIT	24187
AIR NEW SOURCE PERMITS	PERMIT	28410
AIR NEW SOURCE PERMITS	PERMIT	37317
AIR NEW SOURCE PERMITS	PERMIT	40807
AIR NEW SOURCE PERMITS	PERMIT	43252
AIR NEW SOURCE PERMITS	PERMIT	43536
AIR NEW SOURCE PERMITS	PERMIT	44268
AIR NEW SOURCE PERMITS	PERMIT	44488
AIR NEW SOURCE PERMITS	PERMIT	44686
AIR NEW SOURCE PERMITS	PERMIT	44927
AIR NEW SOURCE PERMITS	PERMIT	46307
AIR NEW SOURCE PERMITS	PERMIT	46426
AIR NEW SOURCE PERMITS	PERMIT	46456
AIR NEW SOURCE PERMITS	PERMIT	47147
AIR NEW SOURCE PERMITS	PERMIT	47393
AIR NEW SOURCE PERMITS	PERMIT	48550
AIR NEW SOURCE PERMITS	PERMIT	49829
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0562P
AIR NEW SOURCE PERMITS	AFS NUM	4820100031
AIR NEW SOURCE PERMITS	REGISTRATION	71443
AIR NEW SOURCE PERMITS	REGISTRATION	71687
AIR NEW SOURCE PERMITS	PERMIT	50761
AIR NEW SOURCE PERMITS	EPA ID	PSDTX999
AIR NEW SOURCE PERMITS	REGISTRATION	77348
AIR NEW SOURCE PERMITS	REGISTRATION	77347
AIR NEW SOURCE PERMITS	REGISTRATION	77346
AIR NEW SOURCE PERMITS	REGISTRATION	77345
AIR NEW SOURCE PERMITS	REGISTRATION	77344
AIR NEW SOURCE PERMITS	REGISTRATION	77343
AIR NEW SOURCE PERMITS	REGISTRATION	78118
AIR NEW SOURCE PERMITS	REGISTRATION	79933
AIR NEW SOURCE PERMITS	REGISTRATION	79799
AIR NEW SOURCE PERMITS	REGISTRATION	80271
AIR NEW SOURCE PERMITS	REGISTRATION	80019
AIR NEW SOURCE PERMITS	REGISTRATION	79947
AIR NEW SOURCE PERMITS	REGISTRATION	80340
AIR NEW SOURCE PERMITS	REGISTRATION	80916
AIR NEW SOURCE PERMITS	REGISTRATION	80921
AIR NEW SOURCE PERMITS	REGISTRATION	81648
AIR NEW SOURCE PERMITS	REGISTRATION	81669
AIR NEW SOURCE PERMITS	REGISTRATION	81662
AIR NEW SOURCE PERMITS	REGISTRATION	82280
AIR NEW SOURCE PERMITS	REGISTRATION	82797
AIR NEW SOURCE PERMITS	PERMIT	83905
AIR NEW SOURCE PERMITS	REGISTRATION	82963
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008072134
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30417
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30417

Location:	8600 PARK PLACE BLVD, HOUSTON, TX, 77017	Rating Date: 9/1/2008	Repeat Violator: NO
TCEQ Region:	REGION 12 - HOUSTON		

Date Compliance History Prepared: November 12, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 07, 2003 to March 07, 2008

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

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

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: 05/24/2004 ADMINORDER 2002-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

Description: Failure to properly cap or plug open ended lines as documented during an investigation conducted on October 17, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor 23 valves during the monitoring period ending March 31, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor 2 repaired valves within 15 days.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

Description: Failure to adhere to LDAR monitoring schedule for pumps.

Effective Date: 04/26/2007 ADMINORDER 2005-0257-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter X 106.532
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent the unauthorized emissionof 1,366 lbs of butane, 2,053 lbs of butylene isomers, 1,518 lbs of isobutylene, 5 lbs of methanol, 6 lbs of methyl tert-butyl ether, 12 lbs of pentane, and 12 lbs of propane to the atmosphere from the central gland water system during an avoidable emissions event on August 18

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 2. PERMIT
Special Condition 3.E PERMIT

Description: Failed to equip and open-ended valve with a second valve, cap, blind flange, or plug.

Classification: Minor

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

Rqmt Prov: Special Condition 3.E PERMIT

Description: Failed to ensure that there were not screwed connections on lines greater then two inches in diameter.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.781(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 18 connections within one day after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 29 components within five days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 12 I. PERMIT

Description: Failed to repair 97 components within 15 days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to repair 55 components within seven days after discovering a leak.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to obtain authorization for the emissions from the oily water sewer hubs which lead to the API Separator.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Provision 7.E. OP
Special Condition 1.E (v) OP
Special Condition No. 12.E PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition No. 1.E.(v) OP
Special Condition No. 12.E. OP

Description: Failed to seal three open-eded valves with a second valve, cap, blind flange, or plug.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 7.B.(i). OP

Description: Failed to ensure a leak-free connection while loading and/or unloading VOCs into rail car transport vessels.

Classification: Minor

Citation: 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 D 382.085(b)

Description: Failed to properly notify the TCEQ of an emissions event that occurred on July 23, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions during an emissions event that occurred on July 23, 2005.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Permit #46307, SC #1 PERMIT
Description: Failure to prevent unauthorized emissions of 1,290 lbs of VOCs.

Effective Date: 04/26/2007 ADMINORDER 2007-0073-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failure to prevent unauthorized emissions from Tank 851 during a cleaning process on September 14, 2006, resulting in an aviodable emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to submit the initial notification within 24 hours and the final report within two weeks of the end of the September 14, 2006 emissions emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT
Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT
Description: Release of unauthorized emissions that exceeded a reportable quantity.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: No. 46307, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions of 104 lbs of butane, 9,066 lbs of butene, 6 lbs of butylenes isomers, 1,560 lbs of isobutene, 910 lbs of isobutylene, 45 lbs of propane, 87 lbs of propylene from the 4D-4A-OH Line over a period of 3 hrs and 22 min during an emissions event that occurred on December 1, 2006.

Effective Date: 08/31/2007 ADMINORDER 2007-0365-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failure to prevent unauthorized emissions during a December 28, 2006 emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failed to prevent unauthorized emissions during a December 18, 2006 emissions event.

Effective Date: 01/12/2008 ADMINORDER 2007-1220-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Texas Petrochemicals is alleged to have failed to prevent unauthorized emissions during a June 25, 2007 emissions event, in violation of Air Permit No. 46307, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 28, 2007.

Effective Date: 01/28/2008 ADMINORDER 2007-1510-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failed to prevent unauthorized emissions during an August 14, 2007 emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)

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

Description: Failed to properly notify the TCEQ of an emissions event that occurred on August 14, 2007.

Effective Date: 02/25/2008 ADMINORDER 2007-1675-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions, resulting in 79.75 pounds ("lbs") of butene, 74.7 lbs of butane, 9.97 lbs of 1,3-butadiene, 1.99 lbs of benzene, 1.99 lbs of decane, 14.95 lbs of diisobutylene, 9.97 lbs of dimethylformamide, 19.94 lbs of ethylbenzene, 24.92 lbs of furfural, 1.99 lbs of indene, 4.98 lbs of methyl tertiary-butyl ether ("MTBE"), 4.98 lbs of toluene, 274.13 lbs of vinylcyclohexane, and 9.97 lbs of xylene, were released from the API Oil/Water Separator.

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	03/13/2003	(25806)
2	03/13/2003	(26455)
3	04/21/2003	(27289)
4	05/20/2003	(29901)
5	06/18/2003	(36257)
6	07/09/2003	(98190)
7	07/15/2003	(114135)
8	07/21/2003	(114195)
9	08/08/2003	(40801)
10	08/11/2003	(130767)
11	08/26/2003	(149809)
12	08/28/2003	(152866)
13	10/17/2003	(249451)
14	10/30/2003	(152888)
15	11/18/2003	(249532)
16	01/02/2004	(254540)
17	01/08/2004	(258394)
18	01/15/2004	(255521)
19	01/23/2004	(258353)
20	01/28/2004	(256991)
21	01/28/2004	(257009)
22	02/10/2004	(255227)
23	02/10/2004	(256355)
24	04/12/2004	(260974)
25	04/20/2004	(255875)
26	05/26/2004	(262402)
27	06/10/2004	(270492)
28	06/15/2004	(270507)
29	07/09/2004	(270285)
30	07/13/2004	(268259)
31	07/26/2004	(277574)
32	07/29/2004	(279114)
33	07/30/2004	(278578)
34	08/11/2004	(288425)
35	08/11/2004	(288800)
36	08/18/2004	(276597)
37	08/30/2004	(282027)
38	08/31/2004	(285908)
39	08/31/2004	(291888)
40	10/08/2004	(335087)
41	10/11/2004	(333747)
42	10/18/2004	(336459)
43	10/18/2004	(336854)
44	10/19/2004	(335878)
45	10/26/2004	(291758)
46	11/02/2004	(339528)
47	11/11/2004	(289544)
48	11/11/2004	(292795)
49	11/22/2004	(339425)
50	12/13/2004	(339426)
51	12/16/2004	(293258)
52	01/05/2005	(345579)
53	01/21/2005	(342214)

54	02/03/2005	(349418)
55	02/18/2005	(345797)
56	04/07/2005	(347331)
57	04/07/2005	(347336)
58	04/18/2005	(374447)
59	04/19/2005	(377616)
60	05/05/2005	(373870)
61	05/10/2005	(380624)
62	05/13/2005	(373465)
63	05/31/2005	(376325)
64	06/06/2005	(378762)
65	07/07/2005	(394060)
66	08/08/2005	(394042)
67	08/11/2005	(374658)
68	08/23/2005	(402060)
69	08/23/2005	(404475)
70	08/24/2005	(333418)
71	08/24/2005	(402041)
72	08/26/2005	(401337)
73	08/29/2005	(404046)
74	08/29/2005	(405738)
75	08/31/2005	(402446)
76	08/31/2005	(418954)
77	09/27/2005	(405860)
78	02/23/2006	(455880)
79	02/25/2006	(456997)
80	02/27/2006	(457159)
81	02/28/2006	(457074)
82	03/13/2006	(450024)
83	03/13/2006	(450051)
84	03/13/2006	(450068)
85	04/04/2006	(458271)
86	04/04/2006	(458283)
87	04/04/2006	(461031)
88	04/28/2006	(458466)
89	05/30/2006	(459802)
90	05/30/2006	(471013)
91	05/30/2006	(477634)
92	05/30/2006	(478963)
93	05/30/2006	(480099)
94	05/30/2006	(480133)
95	05/30/2006	(480141)
96	05/30/2006	(480186)
97	05/30/2006	(480200)
98	05/30/2006	(480206)
99	05/30/2006	(480219)
100	05/30/2006	(480222)
101	05/30/2006	(480233)
102	05/30/2006	(480237)
103	05/30/2006	(480245)
104	05/30/2006	(480265)
105	05/30/2006	(480277)
106	05/30/2006	(480282)
107	05/30/2006	(480287)
108	05/30/2006	(480289)
109	05/30/2006	(480292)
110	05/30/2006	(480297)
111	05/30/2006	(480300)
112	05/30/2006	(480302)
113	05/30/2006	(480303)
114	05/30/2006	(480304)
115	05/30/2006	(480305)
116	05/30/2006	(480306)
117	05/30/2006	(480308)
118	05/30/2006	(480311)
119	05/30/2006	(480313)
120	05/30/2006	(480314)
121	05/30/2006	(480315)
122	05/31/2006	(480197)
123	05/31/2006	(480214)
124	05/31/2006	(480226)
125	05/31/2006	(480242)
126	05/31/2006	(480244)

127	05/31/2006	(480246)
128	05/31/2006	(480254)
129	05/31/2006	(480263)
130	05/31/2006	(480425)
131	05/31/2006	(480445)
132	05/31/2006	(480455)
133	05/31/2006	(480468)
134	05/31/2006	(480479)
135	05/31/2006	(480502)
136	05/31/2006	(480530)
137	05/31/2006	(480569)
138	05/31/2006	(480610)
139	05/31/2006	(480623)
140	05/31/2006	(480631)
141	05/31/2006	(480634)
142	05/31/2006	(480635)
143	05/31/2006	(480637)
144	05/31/2006	(480638)
145	05/31/2006	(480639)
146	05/31/2006	(480640)
147	05/31/2006	(480641)
148	05/31/2006	(480642)
149	05/31/2006	(480643)
150	05/31/2006	(480644)
151	05/31/2006	(480645)
152	05/31/2006	(480646)
153	05/31/2006	(480647)
154	05/31/2006	(480648)
155	05/31/2006	(480649)
156	05/31/2006	(480651)
157	05/31/2006	(480653)
158	05/31/2006	(480654)
159	05/31/2006	(480655)
160	05/31/2006	(480656)
161	05/31/2006	(480866)
162	07/21/2006	(481780)
163	07/21/2006	(481873)
164	07/21/2006	(481904)
165	07/27/2006	(459885)
166	08/08/2006	(462831)
167	08/28/2006	(488528)
168	08/28/2006	(488585)
169	08/28/2006	(488643)
170	08/31/2006	(488584)
171	10/30/2006	(487750)
172	11/17/2006	(518574)
173	12/05/2006	(532642)
174	12/21/2006	(534106)
175	12/21/2006	(534110)
176	01/04/2007	(534107)
177	02/01/2007	(533800)
178	02/07/2007	(539409)
179	03/02/2007	(538543)
180	03/09/2007	(542643)
181	03/20/2007	(542634)
182	03/30/2007	(512156)
183	04/25/2007	(557786)
184	05/08/2007	(542720)
185	05/09/2007	(538778)
186	07/06/2007	(566435)
187	07/26/2007	(567778)
188	08/20/2007	(572373)
189	08/24/2007	(573306)
190	09/07/2007	(593363)
191	09/11/2007	(594099)
192	09/14/2007	(593593)
193	09/28/2007	(593596)
194	10/09/2007	(596500)
195	10/11/2007	(567263)
196	10/16/2007	(596503)
197	11/02/2007	(598212)
198	11/19/2007	(598092)
199	11/27/2007	(568545)

200	12/04/2007	(567375)
201	12/07/2007	(568199)
202	12/11/2007	(597258)
203	12/27/2007	(609857)
204	01/02/2008	(599484)
205	01/04/2008	(594351)
206	01/07/2008	(600299)
207	01/08/2008	(532643)
208	01/09/2008	(611819)
209	01/11/2008	(612081)
210	01/18/2008	(614404)
211	02/05/2008	(617279)
212	02/08/2008	(616766)
213	02/22/2008	(619100)
214	02/29/2008	(617227)
215	03/03/2008	(637501)
216	03/06/2008	(637625)
217	03/07/2008	(637636)

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

Date: 06/30/2003 (60730)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Failure to control emissions of heavy oils (12 Carbons- 20 Carbons).

Date: 08/08/2003 (40801)

Self Report? NO Classification: Moderate

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

Description: Failure to not cause, suffer, allow, or permit air contaminants in violation of commission rules.

Self Report? NO Classification: Moderate

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

Description: Failure to be authorized by a commission rule and permitted air contaminants in violation of commission rules

Self Report? NO Classification: Minor

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

Description: Failure to meet the record keeping requirements that TPC submit the proper compound descriptive type of all individually listed compounds or mixtures of air contaminants.

Self Report? NO Classification: Minor

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

Description: Failure to meet the record keeping requirements that TPC submit the proper authorized emissions limits for the facility involved in the final record.

Date: 02/10/2004 (255227)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Description: Failure to maintain opacity of emissions within the allowable limit of 20% for a period of six minutes at Boiler Nos. 4 and 8.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA TCEQ Air Permit 1341A

Description: Failure to comply with special provision No. 3 of TCEQ Air permit #1341A.

Date: 05/26/2004 (262402)

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 106, SubChapter X 106.532(1)(O)
30 TAC Chapter 115, SubChapter B 115.137(a)(2)

Rqmt Prov: PA September 4, 2000

Description: Failure to adhere to permit conditions, such that the psia of 2.0 for the fuel oil in the wastewater treatment system exceeded the permitted and regulated limits.

Date: 08/30/2004 (282027)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(12)

Description: The company failed to submit additional information neccessary to evaluate an emissions event when requested by the director or any air pollution control agency with jurisdiction, within the time frames established in the request as specified in 30 TAC 101.201(b)(12) and 30 TAC Chapter 101.201(a)(4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)

Description: The regulated entity is in violation of 30 TAC Chapter 115.112(a)(1) which states no person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times.

Date: 05/05/2005 (373870)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)
Rqmt Prov: PERMIT TCEQ Air Permit No. 46307, SC 9C
Description: Failure to control smoke from a flare resulting in an exceedance of the 5 minute time period in any two hours.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 GC #7
Description: Failure to maintain information required to demonstrate compliance with the general condition number 7 of TCEQ Air Permit No. 46307.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 SC 1
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failure to submit the final record for an emissions event

Date: 06/06/2005 (378762)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to maintain opacity of emissions less than 20% at the Boiler #9 Stack.

Date: 08/08/2005 (394042)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
Description: Failure to submit information by the due date.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
Description: Failure to obtain a permit amendment for emissions from the D-100 Tower.

Date: 08/26/2005 (401337)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)
Rqmt Prov: PERMIT TCEQ VERP Permit 46307 SC 8B

Description: Failed to meet the requirements specified under TCEQ Source Sampling Procedure Manual Appendix P, 5.1.1.3, which requires samples should be drawn from either the vertical section near the base of the riser pipe or the top of a horizontal section prior to the riser pipe at a location where the pipe will be full.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter H 116.814(a)
Rqmt Prov: PERMIT TCEQ VERP 46307 GC 7
PERMIT TCEQ VERP 46307 SC 8B
Description: Failed to document "Zero Air Check", "Stabilization Time" and "Water Blank Check" as required by Manual Appendix P.

Date: 03/13/2006 (450024)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)
Description: Failed to monitor CO emissions when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450051)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)
Description: Failed to monitor CO when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450068)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)
Description: Failed to monitor CO emissions when the RATA was conducted for the Nox and O2 analyzers.

Date: 07/31/2006 (459885)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(I)
Description: RE failed to submit stack test reports on time.

Date: 08/29/2006 (466376)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Found to be in violation of 30 TAC Chapter 101.4 and 5C THC Chapter 382.085(b) for failure to control emissions.

Date: 08/31/2006 (488584)
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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open ended lines.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to comply with 30 TAC 1170206(i) by operating pump between the hours of 6:00 AM to noon.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to document presence and frequency of drips and to the sensor that indiates failure of the seal system for the 23 pumps.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(e)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to conduct daily inspection on the Number 5 compressor seal system sensor, which did not have an alarm system.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, 1A

Description: Failure repair leaking connector within 15 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to monitor 18 pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)

5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to provide 30-day refilling notice to the IFR tank T-73.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to repair a leaking fugitive valve that is HRVOC service within 7 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to conduct first attempt repair on a leaking valve in HRVOC service within one day.

Date: 11/17/2006 (518574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(4)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(A)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(B)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(C)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(4)
Description: The facility was unable to document any refusal of state or local agencies to enter into arrangements to provide emergency response.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.8(b)(1)
Description: NOR Unit 009-Tank: This unit has been removed. No notification regarding the removal of this tank, has been provided.

Unit 019 Tank: This unit has been converted from hazardous watse use to product use. The unit should go through the closure process.

Date: 12/21/2006 (534110)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Release of unauthorized emissions that exceeded a reportable quantity.
Date: 12/21/2006 (534106)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Operator inadvertently left a valve open resulting in unauthorized emissions.
Date: 08/21/2007 (572373)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Failure to demonstrate an affirmative defense.
Date: 01/08/2008 (532643)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 12(E)
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to seal 166 open-ended lines in VOC/HRVOC service and 92 open-ended lines in HAP service or a total of 258 open-ended lines during October 7, 2005 through October 7, 2006 reporting period.

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 A 382.085(b)

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent the emissions from cooling towers CT-1, CT-10, and CT-14 from exceeding the VOC rolling 12-month permit limit from October 7, 2005 through October 6, 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent the hourly emissions from cooling tower CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307 MAER table.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01598, Special T& C No. 1(E)(ii)

Description: Failure of the continuous monitoring system to maintain adequate records on PRV 2063 and PVR 2071.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01598, Special T & C No. 1(E)(ii)

Description: Failure to conduct the 2006 first quarter inspection of the transmitter associated with pressure relief valve No. 2071 and 2006 second quarter inspection of the transmitter associated with pressure relief valve Nos. 2166, 23, 818, and 819.

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 A 382.085

Rqmt Prov: PERMIT 46307, Special Condition No. 7
OP O-01598, Special Terms & Cond. 19

Description: Failure to prevent tanks T-155 and T-85 from exceeding VERP Permit No. 46307 annual (on a rolling 12-month period) throughput limit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598 Special Terms & Cond. No. 1(A)

Description: Failure to notify the EPA prior to the refilling of tanks T-74 and T-73, which is a violation of 40 CFR 63.120(a)(5).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to maintain the hatch on the internal floating roof of tank T-74 closed at all times.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to repair two (2) leaking valves (tag nos. 1200081 & 1260261) within seven (7) calendar days after the leaks were found.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 11(B)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform daily zero and span on the CEMS for the process heater 1B-901, boiler B-905, and stationary turbine 1G-901T.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform multipoint calibration when cooling towers CT-14, CT-3, and CT-1 drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to manually collect and analyze three cooling tower samples during the calendar week that cooling tower CT-3 analyzer drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to calibrate the temperature probe on CT-1, CT-10, CT-14, CT-3, and CT-7 analyzers during the first half of 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent VOC emissions from cooling towers CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307, MAER table.

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 46307, Special Condition No. 9
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to combust gas with a net heating value equal to or above 11.2 MJ/scm during four 5-minute periods.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. 1(E)(v)

Description: Failure to quarterly monitor the pressure relieve valves associated with group GRP - FUG1/FUG2/FUG3.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to monitor four pumps in HAP service and one pump in VOC service on a monthly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to repair leaking valve within 15 days of leak discovery.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598

Description: Failure to monitor two valves (Tag Nos. 668956 and 673684) on a quarterly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to perform the 10-year inspection on tanks T-71, T-114, and T-115.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 6(E)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to maintain operation without visible liquid leaks or spills at all loading/unloading facilities. The regulated entity reported that oil was seeping out from the bottom of tank T-84 from November 14, 2005 through April 6, 2006 and from April 8, 2006 through October 6, 2006

2006.

F. Environmental audits.

Notice of Intent Date: 05/11/2006 (467603)
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.

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision November 6, 2007*

TCEQ

DATES					
Assigned	22-Jan-2008				
PCW	14-Aug-2008	Screening	22-Jan-2008	EPA Due	14-Oct-2008

RESPONDENT/FACILITY INFORMATION

Respondent	Texas Petrochemicals LP		
Reg. Ent. Ref. No.	RN100219526		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35511	No. of Violations	1
Docket No.	2008-0391-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$5,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 193% Enhancement — *Subtotals 2, 3, & 7* **$9,650**

Notes: Penalty enhancement due to 13 NOVs with same or similar violations, seven NOVs with unrelated violations, two 1660 Agreed Orders, and three Findings Orders. Penalty reduction due to one Notice of Audit letter.

Culpability — No — 0% Enhancement — *Subtotal 4* **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 10% Reduction — *Subtotal 5* **$500**

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

Notes: The Respondent completed corrective actions on January 23, 2008.

0% Enhancement* — *Subtotal 6* **$0**

**Capped at the Total EB $ Amount*

Total EB Amounts	$25
Approx. Cost of Compliance	$5,000

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$14,150**

OTHER FACTORS AS JUSTICE MAY REQUIRE — 0% — *Adjustment* **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$14,150**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$14,150**

DEFERRAL — 20% Reduction — *Adjustment* **-$2,830**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$11,320**

Screening Date 22-Jan-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP

Policy Revision 2 (September 2002)

Case ID No. 35511

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	13	65%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	2	40%
	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	3	75%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 193%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 13 NOVs with same or similar violations, seven NOVs with unrelated violations, two 1660 Agreed Orders, and three Findings Orders. Penalty reduction due to one Notice of Audit letter.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 193%

Screening Date 22-Jan-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision November 6, 2007*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b), and Air Permit No. 46307, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,706.18 pounds ("lbs") of 1,3 butadiene, 2,651.20 lbs of butenes, 743.72 lbs of butanes, 43.24 lbs of vinyl acetylene, 17.91 lbs of methyl acetylene, 6.79 lbs of propane, 6.18 lbs of ethyl acetylene, 1.24 lbs of propylene, 0.62 lbs of carbon dioxide, 0.62 lbs of cyclopropane, 0.62 lbs of ethane, and 0.62 lbs of volatile organic compounds from a ruptured disk on Distillation Tower 2D-1 in the Butadiene Plant during an avoidable emissions event (Incident No. 101567) that began on December 18, 2007 and lasted for 26 hours. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health and the environment in the Houston-Galveston-Brazoria ozone nonattainment area have been exposed to a significant amount of Highly Reactive Volatile Organic Compounds and Hazardous Air Pollutants as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1 | 2 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended from the date of the emissions event (December 18, 2007) to the date of the investigation (January 14, 2008).

Economic Benefit (EB) for this violation

Estimated EB Amount $25

Statutory Limit Test

Violation Final Penalty Total $14,150

This violation Final Assessed Penalty (adjusted for limits) $14,150

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
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							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$5,000	18-Dec-2007	23-Jan-2008	0.1	$25	n/a	$25

Notes for DELAYED costs Estimated cost to revise the pre-startup safety review and open-ended line policy. Date required is the date of the emissions event. Final date is the date that corrective actions were completed.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs

Approx. Cost of Compliance $5,000

TOTAL $25

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600130322	Texas Petrochemicals LP	Classification: AVERAGE	Rating: 2.69
Regulated Entity:	RN100219526	TEXAS PETROCHEMICALS HOUSTON FACILITY	Classification: AVERAGE	Site Rating: 8.92

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0562P
AIR OPERATING PERMITS	PERMIT	1598
AIR OPERATING PERMITS	PERMIT	2884
AIR NEW SOURCE PERMITS	PERMIT	1341A
AIR NEW SOURCE PERMITS	PERMIT	1766
AIR NEW SOURCE PERMITS	PERMIT	4136
AIR NEW SOURCE PERMITS	PERMIT	4238A
AIR NEW SOURCE PERMITS	PERMIT	10296
AIR NEW SOURCE PERMITS	PERMIT	10323A
AIR NEW SOURCE PERMITS	PERMIT	10352A
AIR NEW SOURCE PERMITS	PERMIT	10675A
AIR NEW SOURCE PERMITS	PERMIT	10840A
AIR NEW SOURCE PERMITS	PERMIT	11427A
AIR NEW SOURCE PERMITS	PERMIT	11801
AIR NEW SOURCE PERMITS	PERMIT	11801A
AIR NEW SOURCE PERMITS	PERMIT	13805A
AIR NEW SOURCE PERMITS	PERMIT	13806A
AIR NEW SOURCE PERMITS	PERMIT	15606
AIR NEW SOURCE PERMITS	PERMIT	16351
AIR NEW SOURCE PERMITS	PERMIT	19806
AIR NEW SOURCE PERMITS	PERMIT	22052
AIR NEW SOURCE PERMITS	PERMIT	24187
AIR NEW SOURCE PERMITS	PERMIT	28410
AIR NEW SOURCE PERMITS	PERMIT	37317
AIR NEW SOURCE PERMITS	PERMIT	40807
AIR NEW SOURCE PERMITS	PERMIT	43252
AIR NEW SOURCE PERMITS	PERMIT	43536
AIR NEW SOURCE PERMITS	PERMIT	44268
AIR NEW SOURCE PERMITS	PERMIT	44488
AIR NEW SOURCE PERMITS	PERMIT	44686
AIR NEW SOURCE PERMITS	PERMIT	44927
AIR NEW SOURCE PERMITS	PERMIT	46307
AIR NEW SOURCE PERMITS	PERMIT	46426
AIR NEW SOURCE PERMITS	PERMIT	46456
AIR NEW SOURCE PERMITS	PERMIT	47147
AIR NEW SOURCE PERMITS	PERMIT	47393
AIR NEW SOURCE PERMITS	PERMIT	48550
AIR NEW SOURCE PERMITS	PERMIT	49829
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0562P
AIR NEW SOURCE PERMITS	AFS NUM	4820100031
AIR NEW SOURCE PERMITS	REGISTRATION	71443
AIR NEW SOURCE PERMITS	REGISTRATION	71687
AIR NEW SOURCE PERMITS	PERMIT	50761
AIR NEW SOURCE PERMITS	EPA ID	PSDTX999
AIR NEW SOURCE PERMITS	REGISTRATION	77348
AIR NEW SOURCE PERMITS	REGISTRATION	77347
AIR NEW SOURCE PERMITS	REGISTRATION	77346
AIR NEW SOURCE PERMITS	REGISTRATION	77345
AIR NEW SOURCE PERMITS	REGISTRATION	77344
AIR NEW SOURCE PERMITS	REGISTRATION	77343
AIR NEW SOURCE PERMITS	REGISTRATION	78118
AIR NEW SOURCE PERMITS	REGISTRATION	79933
AIR NEW SOURCE PERMITS	REGISTRATION	79799
AIR NEW SOURCE PERMITS	REGISTRATION	80271
AIR NEW SOURCE PERMITS	REGISTRATION	80019
AIR NEW SOURCE PERMITS	REGISTRATION	79947
AIR NEW SOURCE PERMITS	REGISTRATION	80340
AIR NEW SOURCE PERMITS	REGISTRATION	80916
AIR NEW SOURCE PERMITS	REGISTRATION	80921
AIR NEW SOURCE PERMITS	REGISTRATION	81648
AIR NEW SOURCE PERMITS	REGISTRATION	81669
AIR NEW SOURCE PERMITS	REGISTRATION	81662
AIR NEW SOURCE PERMITS	REGISTRATION	82280
AIR NEW SOURCE PERMITS	REGISTRATION	82797
AIR NEW SOURCE PERMITS	PERMIT	83905
AIR NEW SOURCE PERMITS	REGISTRATION	82963
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008072134
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30417
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30417

Location: 8600 PARK PLACE BLVD, HOUSTON, TX, 77017 Rating Date: 9/1/2008 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: November 10, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 22, 2003 to January 22, 2008

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

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

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: 05/24/2004 ADMINORDER 2002-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

Description: Failure to properly cap or plug open ended lines as documented during an investigation conducted on October 17, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor 23 valves during the monitoring period ending March 31, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor 2 repaired valves within 15 days.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

Description: Failure to adhere to LDAR monitoring schedule for pumps.

Effective Date: 04/26/2007 ADMINORDER 2005-0257-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter X 106.532
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent the unauthorized emissionof 1,366 lbs of butane, 2,053 lbs of butylene isomers, 1,518 lbs of isobutylene, 5 lbs of methanol, 6 lbs of methyl tert-butyl ether, 12 lbs of pentane, and 12 lbs of propane to the atmosphere from the central gland water system during an avoidable emissions event on August 18

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 2. PERMIT
Special Condition 3.E PERMIT

Description: Failed to equip and open-ended valve with a second valve, cap, blind flange, or plug.

Classification: Minor

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

Rqmt Prov: Special Condition 3.E PERMIT

Description: Failed to ensure that there were not screwed connections on lines greater then two inches in diameter.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.781(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)

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

Description: Failed to make the first attempt to repair 18 connections within one day after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 29 components within five days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 12 I. PERMIT

Description: Failed to repair 97 components within 15 days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to repair 55 components within seven days after discovering a leak.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to obtain authorization for the emissions from the oily water sewer hubs which lead to the API Separator.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Provision 7.E. OP
Special Condition 1.E (v) OP
Special Condition No. 12.E PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition No. 1.E.(v) OP
Special Condition No. 12.E. OP

Description: Failed to seal three open-eded valves with a second valve, cap, blind flange, or plug.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 7.B.(i). OP

Description: Failed to ensure a leak-free connection while loading and/or unloading VOCs into rail car transport vessels.

Classification: Minor

Citation: 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 D 382.085(b)

Description: Failed to properly notify the TCEQ of an emissions event that occurred on July 23, 2005.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that occurred on July 23, 2005.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit #46307, SC #1 PERMIT

Description: Failure to prevent unauthorized emissions of 1,290 lbs of VOCs.

Effective Date: 04/26/2007 ADMINORDER 2007-0073-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions from Tank 851 during a cleaning process on September 14, 2006, resulting in an aviodable emissions event.

Classification: Minor

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

Description: Failure to submit the initial notification within 24 hours and the final report within two weeks of the end of the September 14, 2006 emissions emissions event.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Release of unauthorized emissions that exceeded a reportable quantity.

Classification: Moderate

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

Rqmt Prov: No. 46307, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 104 lbs of butane, 9,066 lbs of butene, 6 lbs of butylenes isomers, 1,560 lbs of isobutene, 910 lbs of isobutylene, 45 lbs of propane, 87 lbs of propylene from the 4D-4A-OH Line over a period of 3 hrs and 22 min during an emissions event that occurred on December 1, 2006.

Effective Date: 08/31/2007 ADMINORDER 2007-0365-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions during a December 28, 2006 emissions event.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions during a December 18, 2006 emissions event.

Effective Date: 01/12/2008 ADMINORDER 2007-1220-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Texas Petrochemicals is alleged to have failed to prevent unauthorized emissions during a June 25, 2007 emissions event, in violation of Air Permit No. 46307, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 28, 2007.

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	02/19/2003	(21171)
2	03/13/2003	(25806)
3	03/13/2003	(26455)
4	04/21/2003	(27289)
5	05/20/2003	(29901)
6	06/18/2003	(36257)
7	07/09/2003	(98190)
8	07/15/2003	(114135)

9	07/21/2003	(114195)
10	08/08/2003	(40801)
11	08/11/2003	(130767)
12	08/26/2003	(149809)
13	08/28/2003	(152866)
14	10/17/2003	(249451)
15	10/30/2003	(152888)
16	11/18/2003	(249532)
17	01/02/2004	(254540)
18	01/08/2004	(258394)
19	01/15/2004	(255521)
20	01/23/2004	(258353)
21	01/28/2004	(256991)
22	01/28/2004	(257009)
23	02/10/2004	(255227)
24	02/10/2004	(256355)
25	04/12/2004	(260974)
26	04/20/2004	(255875)
27	05/26/2004	(262402)
28	06/10/2004	(270492)
29	06/15/2004	(270507)
30	07/09/2004	(270285)
31	07/13/2004	(268259)
32	07/26/2004	(277574)
33	07/29/2004	(279114)
34	07/30/2004	(278578)
35	08/11/2004	(288425)
36	08/11/2004	(288800)
37	08/18/2004	(276597)
38	08/30/2004	(282027)
39	08/31/2004	(285908)
40	08/31/2004	(291888)
41	10/08/2004	(335087)
42	10/11/2004	(333747)
43	10/18/2004	(336459)
44	10/18/2004	(336854)
45	10/19/2004	(335878)
46	10/26/2004	(291758)
47	11/02/2004	(339528)
48	11/11/2004	(289544)
49	11/11/2004	(292795)
50	11/22/2004	(339425)
51	12/13/2004	(339426)
52	12/16/2004	(293258)
53	01/05/2005	(345579)
54	01/21/2005	(342214)
55	02/03/2005	(349418)
56	02/18/2005	(345797)
57	04/07/2005	(347331)
58	04/07/2005	(347336)
59	04/18/2005	(374447)
60	04/19/2005	(377616)
61	05/05/2005	(373870)
62	05/10/2005	(380624)
63	05/13/2005	(373465)
64	05/31/2005	(376325)
65	06/06/2005	(378762)
66	07/07/2005	(394060)
67	08/08/2005	(394042)
68	08/11/2005	(374658)
69	08/23/2005	(402060)
70	08/23/2005	(404475)
71	08/24/2005	(333418)
72	08/24/2005	(402041)
73	08/26/2005	(401337)
74	08/29/2005	(404046)
75	08/29/2005	(405738)
76	08/31/2005	(402446)
77	08/31/2005	(418954)
78	09/27/2005	(405860)
79	02/23/2006	(455880)
80	02/25/2006	(456997)
81	02/27/2006	(457159)
82	02/28/2006	(457074)

83	03/13/2006	(450024)
84	03/13/2006	(450051)
85	03/13/2006	(450068)
86	04/04/2006	(458271)
87	04/04/2006	(458283)
88	04/04/2006	(461031)
89	04/28/2006	(458466)
90	05/30/2006	(459802)
91	05/30/2006	(471013)
92	05/30/2006	(477634)
93	05/30/2006	(478963)
94	05/30/2006	(480099)
95	05/30/2006	(480133)
96	05/30/2006	(480141)
97	05/30/2006	(480186)
98	05/30/2006	(480200)
99	05/30/2006	(480206)
100	05/30/2006	(480219)
101	05/30/2006	(480222)
102	05/30/2006	(480233)
103	05/30/2006	(480237)
104	05/30/2006	(480245)
105	05/30/2006	(480265)
106	05/30/2006	(480277)
107	05/30/2006	(480282)
108	05/30/2006	(480287)
109	05/30/2006	(480289)
110	05/30/2006	(480292)
111	05/30/2006	(480297)
112	05/30/2006	(480300)
113	05/30/2006	(480302)
114	05/30/2006	(480303)
115	05/30/2006	(480304)
116	05/30/2006	(480305)
117	05/30/2006	(480306)
118	05/30/2006	(480308)
119	05/30/2006	(480311)
120	05/30/2006	(480313)
121	05/30/2006	(480314)
122	05/30/2006	(480315)
123	05/31/2006	(480197)
124	05/31/2006	(480214)
125	05/31/2006	(480226)
126	05/31/2006	(480242)
127	05/31/2006	(480244)
128	05/31/2006	(480246)
129	05/31/2006	(480254)
130	05/31/2006	(480263)
131	05/31/2006	(480425)
132	05/31/2006	(480445)
133	05/31/2006	(480455)
134	05/31/2006	(480468)
135	05/31/2006	(480479)
136	05/31/2006	(480502)
137	05/31/2006	(480530)
138	05/31/2006	(480569)
139	05/31/2006	(480610)
140	05/31/2006	(480623)
141	05/31/2006	(480631)
142	05/31/2006	(480634)
143	05/31/2006	(480635)
144	05/31/2006	(480637)
145	05/31/2006	(480638)
146	05/31/2006	(480639)
147	05/31/2006	(480640)
148	05/31/2006	(480641)
149	05/31/2006	(480642)
150	05/31/2006	(480643)
151	05/31/2006	(480644)
152	05/31/2006	(480645)
153	05/31/2006	(480646)
154	05/31/2006	(480647)
155	05/31/2006	(480648)
156	05/31/2006	(480649)

157	05/31/2006	(480651)
158	05/31/2006	(480653)
159	05/31/2006	(480654)
160	05/31/2006	(480655)
161	05/31/2006	(480656)
162	05/31/2006	(480866)
163	07/21/2006	(481780)
164	07/21/2006	(481873)
165	07/21/2006	(481904)
166	07/27/2006	(459885)
167	08/08/2006	(462831)
168	08/28/2006	(488528)
169	08/28/2006	(488585)
170	08/28/2006	(488643)
171	08/31/2006	(488584)
172	10/30/2006	(487750)
173	11/17/2006	(518574)
174	12/05/2006	(532642)
175	12/21/2006	(534106)
176	12/21/2006	(534110)
177	01/04/2007	(534107)
178	02/01/2007	(533800)
179	02/07/2007	(539409)
180	03/02/2007	(538543)
181	03/09/2007	(542643)
182	03/20/2007	(542634)
183	03/30/2007	(512156)
184	04/25/2007	(557786)
185	05/08/2007	(542720)
186	05/09/2007	(538778)
187	07/06/2007	(566435)
188	07/26/2007	(567778)
189	08/20/2007	(572373)
190	08/24/2007	(573306)
191	09/07/2007	(593363)
192	09/11/2007	(594099)
193	09/14/2007	(593593)
194	09/28/2007	(593596)
195	10/09/2007	(596500)
196	10/11/2007	(567263)
197	10/16/2007	(596503)
198	11/02/2007	(598212)
199	11/19/2007	(598092)
200	11/27/2007	(568545)
201	12/04/2007	(567375)
202	12/07/2007	(568199)
203	12/11/2007	(597258)
204	12/27/2007	(609857)
205	01/02/2008	(599484)
206	01/04/2008	(594351)
207	01/07/2008	(600299)
208	01/08/2008	(532643)
209	01/09/2008	(611819)
210	01/11/2008	(612081)
211	01/18/2008	(614404)

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

Date: 06/30/2003 (60730)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Failure to control emissions of heavy oils (12 Carbons- 20 Carbons).

Date: 08/08/2003 (40801)

Self Report? NO Classification: Moderate

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

Description: Failure to not cause, suffer, allow, or permit air contaminants in violation of commission rules.

Self Report? NO Classification: Moderate

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

Description: Failure to be authorized by a commission rule and permitted air contaminants in violation of commission rules

Self Report? NO Classification: Minor

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

Description: Failure to meet the record keeping requirements that TPC submit the proper compound descriptive type of all individually listed compounds or mixtures of air contaminants.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the record keeping requirements that TPC submit the proper authorized emissions limits for the facility involved in the final record.

Date: 02/10/2004 (255227)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to maintain opacity of emissions within the allowable limit of 20% for a period of six minutes at Boiler Nos. 4 and 8.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PA TCEQ Air Permit 1341A
Description: Failure to comply with special provision No. 3 of TCEQ Air permit #1341A.

Date: 05/26/2004 (262402)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 106, SubChapter X 106.532(1)(O)
30 TAC Chapter 115, SubChapter B 115.137(a)(2)
Rqmt Prov: PA September 4, 2000
Description: Failure to adhere to permit conditions, such that the psia of 2.0 for the fuel oil in the wastewater treatment system exceeded the permitted and regulated limits.

Date: 08/30/2004 (282027)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(12)
Description: The company failed to submit additional information neccessary to evaluate an emissions event when requested by the director or any air pollution control agency with jurisdiction, within the time frames established in the request as specified in 30 TAC 101.201(b)(12) and 30 TAC Chapter 101.201(a)(4).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
Description: The regulated entity is in violation of 30 TAC Chapter 115.112(a)(1) which states no person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times.

Date: 05/05/2005 (373870)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)
Rqmt Prov: PERMIT TCEQ Air Permit No. 46307, SC 9C
Description: Failure to control smoke from a flare resulting in an exceedance of the 5 minute time period in any two hours.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)
Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 GC #7
Description: Failure to maintain information required to demonstrate compliance with the general condition number 7 of TCEQ Air Permit No. 46307.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 SC 1
Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
Description: Failure to submit the final record for an emissions event

Date: 06/06/2005 (378762)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to maintain opacity of emissions less than 20% at the Boiler #9 Stack.

Date: 08/08/2005 (394042)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
Description: Failure to submit information by the due date.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
Description: Failure to obtain a permit amendment for emissions from the D-100 Tower.

Date: 08/26/2005 (401337)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)
Rqmt Prov: PERMIT TCEQ VERP Permit 46307 SC 8B
Description: Failed to meet the requirements specified under TCEQ Source Sampling Procedure Manual Appendix P, 5.1.1.3, which requires samples should be drawn from either the vertical section near the base of the riser pipe or the top of a horizontal section prior to the riser pipe at a location where the pipe will be full.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP 46307 GC 7
PERMIT TCEQ VERP 46307 SC 8B
Description: Failed to document "Zero Air Check", "Stabilization Time" and "Water Blank Check" as required by Manual Appendix P.

Date: 03/13/2006 (450024)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)
Description: Failed to monitor CO emissions when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450051)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)
Description: Failed to monitor CO when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450068)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)
Description: Failed to monitor CO emissions when the RATA was conducted for the Nox and O2 analyzers.

Date: 07/31/2006 (459885)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(I)
Description: RE failed to submit stack test reports on time.

Date: 08/29/2006 (466376)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Found to be in violation of 30 TAC Chapter 101.4 and 5C THC Chapter 382.085(b) for failure to control emissions.

Date: 08/31/2006 (488584)
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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open ended lines.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

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

Description: Failure to comply with 30 TAC 1170206(i) by operating pump between the hours of 6:00 AM to noon.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to document presence and frequency of drips and to the sensor that indiates failure of the seal system for the 23 pumps.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(e)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598

Description: Failure to conduct daily inspection on the Number 5 compressor seal system sensor, which did not have an alarm system.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, 1A

Description: Failure repair leaking connector within 15 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to monitor 18 pumps.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-01598

Description: Failure to provide 30-day refilling notice to the IFR tank T-73.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to repair a leaking fugitive valve that is HRVOC service within 7 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to conduct first attempt repair on a leaking valve in HRVOC service within one day.

Date: 11/17/2006 (518574)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(4)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(A)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(B)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(C)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(4)

Description: The facility was unable to document any refusal of state or local agencies to enter into arrangements to provide emergency response.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.8(b)(1)

Description: NOR Unit 009-Tank: This unit has been removed. No notification regarding the removal of this tank, has been provided.

Unit 019 Tank: This unit has been converted from hazardous watse use to product use. The unit should go through the closure process.

Date: 12/21/2006 (534110)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1

Description: Release of unauthorized emissions that exceeded a reportable quantity.
Date: 12/21/2006 (534106)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Operator inadvertently left a valve open resulting in unauthorized emissions.
Date: 08/21/2007 (572373)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Failure to demonstrate an affirmative defense.
Date: 01/08/2008 (532643)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 12(E)
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to seal 166 open-ended lines in VOC/HRVOC service and 92 open-ended lines in HAP service or a total of 258 open-ended lines during October 7, 2005 through October 7, 2006 reporting period.
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 A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to prevent the emissions from cooling towers CT-1, CT-10, and CT-14 from exceeding the VOC rolling 12-month permit limit from October 7, 2005 through October 6, 2006.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to prevent the hourly emissions from cooling tower CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307 MAER table.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.726(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP O-01598, Special T& C No. 1(E)(ii)
Description: Failure of the continuous monitoring system to maintain adequate records on PRV 2063 and PVR 2071.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP O-01598, Special T & C No. 1(E)(ii)
Description: Failure to conduct the 2006 first quarter inspection of the transmitter associated with pressure relief valve No. 2071 and 2006 second quarter inspection of the transmitter associated with pressure relief valve Nos. 2166, 23, 818, and 819.
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 A 382.085
Rqmt Prov: PERMIT 46307, Special Condition No. 7
OP O-01598, Special Terms & Cond. 19
Description: Failure to prevent tanks T-155 and T-85 from exceeding VERP Permit No. 46307 annual (on a rolling 12-month period) throughput limit.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-01598 Special Terms & Cond. No. 1(A)
Description: Failure to notify the EPA prior to the refilling of tanks T-74 and T-73, which is a violation of 40 CFR 63.120(a)(5).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to maintain the hatch on the internal floating roof of tank T-74 closed at all times.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to repair two (2) leaking valves (tag nos. 1200081 & 1260261) within seven (7) calendar days after the leaks were found.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 11(B)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform daily zero and span on the CEMS for the process heater 1B-901, boiler B-905, and stationary turbine 1G-901T.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform multipoint calibration when cooling towers CT-14, CT-3, and CT-1 drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to manually collect and analyze three cooling tower samples during the calendar week that cooling tower CT-3 analyzer drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to calibrate the temperature probe on CT-1, CT-10, CT-14, CT-3, and CT-7 analyzers during the first half of 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent VOC emissions from cooling towers CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307, MAER table.

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 46307, Special Condition No. 9
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to combust gas with a net heating value equal to or above 11.2 MJ/scm during four 5-minute periods.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. 1(E)(v)

Description: Failure to quarterly monitor the pressure relieve valves associated with group GRP - FUG1/FUG2/FUG3.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to monitor four pumps in HAP service and one pump in VOC service on a monthly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)
Description: Failure to repair leaking valve within 15 days of leak discovery.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to monitor two valves (Tag Nos. 668956 and 673684) on a quarterly basis.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)
Description: Failure to perform the 10-year inspection on tanks T-71, T-114, and T-115.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 6(E)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to maintain operation without visible liquid leaks or spills at all loading/unloading facilities. The regulated entity reported that oil was seeping out
from the bottom of tank T-84 from November 14, 2005 through April 6, 2006 and from April 8, 2006 through October 6, 2006.

F. Environmental audits.

Notice of Intent Date: 05/11/2006 (467603)
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.

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) *PCW Revision September 19, 2007*

TCEQ

DATES					
Assigned	7-Mar-2008				
PCW	20-Aug-2008	Screening	7-Mar-2008	EPA Due	2-Dec-2008

RESPONDENT/FACILITY INFORMATION

Respondent	Texas Petrochemicals LP		
Reg. Ent. Ref. No.	RN100219526		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35511	No. of Violations	2
Docket No.	2008-0391-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	EnforcementTeam 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* **$2,600**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 234% Enhancement *Subtotals 2, 3, & 7* **$6,084**

Notes: Penalty enhancement due to 15 NOVs with same or similar violations, five NOVs with unrelated violations, five 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to one Notice of Audit letter.

Culpability No 0% Enhancement *Subtotal 4* **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 25% Reduction *Subtotal 5* **$650**

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

Notes: The Respondent completed corrective action on February 22, 2008.

0% Enhancement* *Subtotal 6* **$0**

Total EB Amounts	$5
Approx. Cost of Compliance	$2,750

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 *Final Subtotal* **$8,034**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$8,034**

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty* **$8,034**

DEFERRAL 20% Reduction *Adjustment* **-$1,606**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$6,428**

Screening Date 7-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP

Policy Revision 2 (September 2002)

Case ID No. 35511

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	15	75%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 234%

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

No

Adjustment Percentage (Subtotal 3) 0%

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

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Penalty enhancement due to 15 NOVs with same or similar violations, five NOVs with unrelated violations, five 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to one Notice of Audit letter.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 234%

Screening Date 7-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision September 19, 2007*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Air Permit No. 46307, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 953 pounds of the hazardous air pollutant 1,3-butadiene from Methanol Tank 80 during an avoidable emissions event (Incident No. 103286) that began February 2, 2008 and lasted 462 hours. Since this emissions event could have been avoided by better operational practices and the duration was not minimized, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 — 20 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended from the date of the emissions event (February 2, 2008) to the date of compliance (February 22, 2008).

Economic Benefit (EB) for this violation

Estimated EB Amount $3

Statutory Limit Test

Violation Final Penalty Total $7,725

This violation Final Assessed Penalty (adjusted for limits) $7,725

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$1,000	2-Feb-2008	22-Feb-2008	0.1	$3	n/a	$3
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to reduce pressure in 7F-215 and 7D-53 in order to increase venting of light components, to maximize the reflux temperature on 7D-51 and to issue new procedures for Methanol Tank 80 operating pressure. Date Required is the date of the emissions event. Final Date is the date that corrective actions were completed.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance $1,000

TOTAL $3

Screening Date 7-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision September 19, 2007*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(b)(1)(H) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to include the permit number on the incident report for the emissions event that occurred February 2, 2008.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: The Respondent met at least 70% of the rule requirement.

Adjustment $9,900

$100

Violation Events

Number of Violation Events: 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $2

Statutory Limit Test

Violation Final Penalty Total $309

This violation Final Assessed Penalty (adjusted for limits) $309

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$1,500	3-Feb-2008	14-Feb-2008	0.0	$2	n/a	$2
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)	$250	3-Feb-2008	4-Feb-2008	0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to file an accurate incident report and to implement measures designed to ensure the proper reporting of emissions events. Date Required is 24 hours after the start of the event. Final Date is the date that corrective actions were completed.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance $1,750

TOTAL $2

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600130322	Texas Petrochemicals LP	Classification: AVERAGE	Rating: 2.69
Regulated Entity:	RN100219526	TEXAS PETROCHEMICALS HOUSTON FACILITY	Classification: AVERAGE	Site Rating: 8.92

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0562P
AIR OPERATING PERMITS	PERMIT	1598
AIR OPERATING PERMITS	PERMIT	2884
AIR NEW SOURCE PERMITS	PERMIT	1341A
AIR NEW SOURCE PERMITS	PERMIT	1766
AIR NEW SOURCE PERMITS	PERMIT	4136
AIR NEW SOURCE PERMITS	PERMIT	4238A
AIR NEW SOURCE PERMITS	PERMIT	10296
AIR NEW SOURCE PERMITS	PERMIT	10323A
AIR NEW SOURCE PERMITS	PERMIT	10352A
AIR NEW SOURCE PERMITS	PERMIT	10675A
AIR NEW SOURCE PERMITS	PERMIT	10840A
AIR NEW SOURCE PERMITS	PERMIT	11427A
AIR NEW SOURCE PERMITS	PERMIT	11801
AIR NEW SOURCE PERMITS	PERMIT	11801A
AIR NEW SOURCE PERMITS	PERMIT	13805A
AIR NEW SOURCE PERMITS	PERMIT	13806A
AIR NEW SOURCE PERMITS	PERMIT	15606
AIR NEW SOURCE PERMITS	PERMIT	16351
AIR NEW SOURCE PERMITS	PERMIT	19806
AIR NEW SOURCE PERMITS	PERMIT	22052
AIR NEW SOURCE PERMITS	PERMIT	24187
AIR NEW SOURCE PERMITS	PERMIT	28410
AIR NEW SOURCE PERMITS	PERMIT	37317
AIR NEW SOURCE PERMITS	PERMIT	40807
AIR NEW SOURCE PERMITS	PERMIT	43252
AIR NEW SOURCE PERMITS	PERMIT	43536
AIR NEW SOURCE PERMITS	PERMIT	44268
AIR NEW SOURCE PERMITS	PERMIT	44488
AIR NEW SOURCE PERMITS	PERMIT	44686
AIR NEW SOURCE PERMITS	PERMIT	44927
AIR NEW SOURCE PERMITS	PERMIT	46307
AIR NEW SOURCE PERMITS	PERMIT	46426
AIR NEW SOURCE PERMITS	PERMIT	46456
AIR NEW SOURCE PERMITS	PERMIT	47147
AIR NEW SOURCE PERMITS	PERMIT	47393
AIR NEW SOURCE PERMITS	PERMIT	48550
AIR NEW SOURCE PERMITS	PERMIT	49829
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0562P
AIR NEW SOURCE PERMITS	AFS NUM	4820100031
AIR NEW SOURCE PERMITS	REGISTRATION	71443
AIR NEW SOURCE PERMITS	REGISTRATION	71687
AIR NEW SOURCE PERMITS	PERMIT	50761
AIR NEW SOURCE PERMITS	EPA ID	PSDTX999
AIR NEW SOURCE PERMITS	REGISTRATION	77348
AIR NEW SOURCE PERMITS	REGISTRATION	77347
AIR NEW SOURCE PERMITS	REGISTRATION	77346
AIR NEW SOURCE PERMITS	REGISTRATION	77345
AIR NEW SOURCE PERMITS	REGISTRATION	77344
AIR NEW SOURCE PERMITS	REGISTRATION	77343
AIR NEW SOURCE PERMITS	REGISTRATION	78118
AIR NEW SOURCE PERMITS	REGISTRATION	79933
AIR NEW SOURCE PERMITS	REGISTRATION	79799
AIR NEW SOURCE PERMITS	REGISTRATION	80271
AIR NEW SOURCE PERMITS	REGISTRATION	80019
AIR NEW SOURCE PERMITS	REGISTRATION	79947
AIR NEW SOURCE PERMITS	REGISTRATION	80340
AIR NEW SOURCE PERMITS	REGISTRATION	80916
AIR NEW SOURCE PERMITS	REGISTRATION	80921
AIR NEW SOURCE PERMITS	REGISTRATION	81648
AIR NEW SOURCE PERMITS	REGISTRATION	81669
AIR NEW SOURCE PERMITS	REGISTRATION	81662
AIR NEW SOURCE PERMITS	REGISTRATION	82280
AIR NEW SOURCE PERMITS	REGISTRATION	82797
AIR NEW SOURCE PERMITS	PERMIT	83905
AIR NEW SOURCE PERMITS	REGISTRATION	82963
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008072134
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30417
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30417

Location: 8600 PARK PLACE BLVD, HOUSTON, TX, 77017 Rating Date: 9/1/2008 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: November 12, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 15, 2003 to May 15, 2008

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

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

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: 05/24/2004 ADMINORDER 2002-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

Description: Failure to properly cap or plug open ended lines as documented during an investigation conducted on October 17, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor 23 valves during the monitoring period ending March 31, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor 2 repaired valves within 15 days.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC10 PERMIT

Description: Failure to adhere to LDAR monitoring schedule for pumps.

Effective Date: 04/26/2007 ADMINORDER 2005-0257-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter X 106.532
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent the unauthorized emissionof 1,366 lbs of butane, 2,053 lbs of butylene isomers, 1,518 lbs of isobutylene, 5 lbs of methanol, 6 lbs of methyl tert-butyl ether, 12 lbs of pentane, and 12 lbs of propane to the atmosphere from the central gland water system during an avoidable emissions event on August 18

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 2. PERMIT
Special Condition 3.E PERMIT

Description: Failed to equip and open-ended valve with a second valve, cap, blind flange, or plug.

Classification: Minor

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

Rqmt Prov: Special Condition 3.E PERMIT

Description: Failed to ensure that there were not screwed connections on lines greater then two inches in diameter.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.781(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 18 connections within one day after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 29 components within five days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 12 I. PERMIT

Description: Failed to repair 97 components within 15 days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to repair 55 components within seven days after discovering a leak.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to obtain authorization for the emissions from the oily water sewer hubs which lead to the API Separator.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Provision 7.E. OP
Special Condition 1.E (v) OP
Special Condition No. 12.E PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition No. 1.E.(v) OP
Special Condition No. 12.E. OP

Description: Failed to seal three open-eded valves with a second valve, cap, blind flange, or plug.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 7.B.(i). OP

Description: Failed to ensure a leak-free connection while loading and/or unloading VOCs into rail car transport vessels.

Classification: Minor

Citation: 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 D 382.085(b)

Description: Failed to properly notify the TCEQ of an emissions event that occurred on July 23, 2005.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that occurred on July 23, 2005.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit #46307, SC #1 PERMIT

Description: Failure to prevent unauthorized emissions of 1,290 lbs of VOCs.

Effective Date: 04/26/2007 ADMINORDER 2007-0073-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions from Tank 851 during a cleaning process on September 14, 2006, resulting in an aviodable emissions event.

Classification: Minor

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

Description: Failure to submit the initial notification within 24 hours and the final report within two weeks of the end of the September 14, 2006 emissions emissions event.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Release of unauthorized emissions that exceeded a reportable quantity.

Classification: Moderate

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

Rqmt Prov: No. 46307, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 104 lbs of butane, 9,066 lbs of butene, 6 lbs of butylenes isomers, 1,560 lbs of isobutene, 910 lbs of isobutylene, 45 lbs of propane, 87 lbs of propylene from the 4D-4A-OH Line over a period of 3 hrs and 22 min during an emissions event that occurred on December 1, 2006.

Effective Date: 08/31/2007 ADMINORDER 2007-0365-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions during a December 28, 2006 emissions event.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions during a December 18, 2006 emissions event.

Effective Date: 01/12/2008 ADMINORDER 2007-1220-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Texas Petrochemicals is alleged to have failed to prevent unauthorized emissions during a June 25, 2007 emissions event, in violation of Air Permit No. 46307, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 28, 2007.

Effective Date: 01/28/2008 ADMINORDER 2007-1510-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions during an August 14, 2007 emissions event.

Classification: Minor

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

Description: Failed to properly notify the TCEQ of an emissions event that occurred on August 14, 2007.

Effective Date: 02/25/2008 ADMINORDER 2007-1675-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failure to prevent unauthorized emissions, resulting in 79.75 pounds ("lbs") of butene, 74.7 lbs of butane, 9.97 lbs of 1,3-butadiene, 1.99 lbs of benzene, 1.99 lbs of decane, 14.95 lbs of diisobutylene, 9.97 lbs of dimethylformamide, 19.94 lbs of ethylbenzene, 24.92 lbs of furfural, 1.99 lbs of indene, 4.98 lbs of methyl tertiary-butyl ether ("MTBE"), 4.98 lbs of toluene, 274.13 lbs of vinylcyclohexane, and 9.97 lbs of xylene, were released from the API Oil/Water Separator.

Effective Date: 04/03/2008 ADMINORDER 2007-1628-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failed to prevent unauthorized emissions during a September 5, 2007 emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to report an emissions event within 24 hours after discovery.

Effective Date: 04/14/2008 ADMINORDER 2007-1791-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 46307, Special Condition No. 1 PERMIT
Description: Failure to prevent leaks on the absorber off-gas line.

Effective Date: 04/28/2008 ADMINORDER 2007-1141-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.206(e)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit 46307, Special Condition 1 PERMIT
Description: Failed to comply with the following emissions limits for Engine 20G-437: 1.13 pounds per hour ("lbs/hr") of nitrogen oxides ("NOx"), 0.28 lbs/hr of carbon monoxide ("CO"), and 3.0 grams per horsepower-hour ("g/hp-hr") of CO, in violation of Air Permit No. 46307, Special Condition No. 1, 30 TEX. ADMIN. CODE §§ 116.115(c) and 117.206(e)(1)(B) [now 30 TEX. ADMIN. CODE § 117.310(c)(1)], and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on June 16, 2007.

Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(C)(i)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit the reference method stack test report of Engine 20G-437 by March 31, 2007, in violation of 30 TEX. ADMIN. CODE § 117.520(c)(2)(C)(i) [now 30 TEX. ADMIN. CODE § 117.9020(2)(C)(i)] and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on June 16, 2007. Specifically, the reference method stack test report of Engine 20G-437 was due by March 31, 2007, however it was not submitted until May 2, 2007.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 46307 - S.C. 1 PERMIT
Description: Failed to comply with the 0.24 lbs/hr CO emissions limits for Diesel Hydroblaster Engine 31G-2350, in violation of Air Permit No. 46307, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on August 23, 2007. Specifically, during a March 14, 2007 reference method stack test of Diesel Hydroblaster Engine 31G-2350 the CO emissions were 0.33 lbs/hr.

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	05/20/2003	(29901)
2	06/18/2003	(36257)
3	07/09/2003	(98190)
4	07/15/2003	(114135)
5	07/21/2003	(114195)
6	08/08/2003	(40801)
7	08/11/2003	(130767)
8	08/26/2003	(149809)
9	08/28/2003	(152866)
10	10/17/2003	(249451)
11	10/30/2003	(152888)
12	11/18/2003	(249532)
13	01/02/2004	(254540)

14	01/08/2004	(258394)
15	01/15/2004	(255521)
16	01/23/2004	(258353)
17	01/28/2004	(256991)
18	01/28/2004	(257009)
19	02/10/2004	(255227)
20	02/10/2004	(256355)
21	04/12/2004	(260974)
22	04/20/2004	(255875)
23	05/26/2004	(262402)
24	06/10/2004	(270492)
25	06/15/2004	(270507)
26	07/09/2004	(270285)
27	07/13/2004	(268259)
28	07/26/2004	(277574)
29	07/29/2004	(279114)
30	07/30/2004	(278578)
31	08/11/2004	(288425)
32	08/11/2004	(288800)
33	08/18/2004	(276597)
34	08/30/2004	(282027)
35	08/31/2004	(285908)
36	08/31/2004	(291888)
37	10/08/2004	(335087)
38	10/11/2004	(333747)
39	10/18/2004	(336459)
40	10/18/2004	(336854)
41	10/19/2004	(335878)
42	10/26/2004	(291758)
43	11/02/2004	(339528)
44	11/11/2004	(289544)
45	11/11/2004	(292795)
46	11/22/2004	(339425)
47	12/13/2004	(339426)
48	12/16/2004	(293258)
49	01/05/2005	(345579)
50	01/21/2005	(342214)
51	02/03/2005	(349418)
52	02/18/2005	(345797)
53	04/07/2005	(347331)
54	04/07/2005	(347336)
55	04/18/2005	(374447)
56	04/19/2005	(377616)
57	05/05/2005	(373870)
58	05/10/2005	(380624)
59	05/13/2005	(373465)
60	05/31/2005	(376325)
61	06/06/2005	(378762)
62	07/07/2005	(394060)
63	08/08/2005	(394042)
64	08/11/2005	(374658)
65	08/23/2005	(402060)
66	08/23/2005	(404475)
67	08/24/2005	(333418)
68	08/24/2005	(402041)
69	08/26/2005	(401337)
70	08/29/2005	(404046)
71	08/29/2005	(405738)
72	08/31/2005	(402446)
73	08/31/2005	(418954)
74	09/27/2005	(405860)
75	02/23/2006	(455880)
76	02/25/2006	(456997)
77	02/27/2006	(457159)
78	02/28/2006	(457074)
79	03/13/2006	(450024)
80	03/13/2006	(450051)
81	03/13/2006	(450068)
82	04/04/2006	(458271)
83	04/04/2006	(458283)
84	04/04/2006	(461031)
85	04/28/2006	(458466)
86	05/30/2006	(459802)
87	05/30/2006	(471013)

88	05/30/2006	(477634)
89	05/30/2006	(478963)
90	05/30/2006	(480099)
91	05/30/2006	(480133)
92	05/30/2006	(480141)
93	05/30/2006	(480186)
94	05/30/2006	(480200)
95	05/30/2006	(480206)
96	05/30/2006	(480219)
97	05/30/2006	(480222)
98	05/30/2006	(480233)
99	05/30/2006	(480237)
100	05/30/2006	(480245)
101	05/30/2006	(480265)
102	05/30/2006	(480277)
103	05/30/2006	(480282)
104	05/30/2006	(480287)
105	05/30/2006	(480289)
106	05/30/2006	(480292)
107	05/30/2006	(480297)
108	05/30/2006	(480300)
109	05/30/2006	(480302)
110	05/30/2006	(480303)
111	05/30/2006	(480304)
112	05/30/2006	(480305)
113	05/30/2006	(480306)
114	05/30/2006	(480308)
115	05/30/2006	(480311)
116	05/30/2006	(480313)
117	05/30/2006	(480314)
118	05/30/2006	(480315)
119	05/31/2006	(480197)
120	05/31/2006	(480214)
121	05/31/2006	(480226)
122	05/31/2006	(480242)
123	05/31/2006	(480244)
124	05/31/2006	(480246)
125	05/31/2006	(480254)
126	05/31/2006	(480263)
127	05/31/2006	(480425)
128	05/31/2006	(480445)
129	05/31/2006	(480455)
130	05/31/2006	(480468)
131	05/31/2006	(480479)
132	05/31/2006	(480502)
133	05/31/2006	(480530)
134	05/31/2006	(480569)
135	05/31/2006	(480610)
136	05/31/2006	(480623)
137	05/31/2006	(480631)
138	05/31/2006	(480634)
139	05/31/2006	(480635)
140	05/31/2006	(480637)
141	05/31/2006	(480638)
142	05/31/2006	(480639)
143	05/31/2006	(480640)
144	05/31/2006	(480641)
145	05/31/2006	(480642)
146	05/31/2006	(480643)
147	05/31/2006	(480644)
148	05/31/2006	(480645)
149	05/31/2006	(480646)
150	05/31/2006	(480647)
151	05/31/2006	(480648)
152	05/31/2006	(480649)
153	05/31/2006	(480651)
154	05/31/2006	(480653)
155	05/31/2006	(480654)
156	05/31/2006	(480655)
157	05/31/2006	(480656)
158	05/31/2006	(480866)
159	07/21/2006	(481780)
160	07/21/2006	(481873)
161	07/21/2006	(481904)

162	07/27/2006	(459885)
163	08/08/2006	(462831)
164	08/28/2006	(488528)
165	08/28/2006	(488585)
166	08/28/2006	(488643)
167	08/31/2006	(488584)
168	10/30/2006	(487750)
169	11/17/2006	(518574)
170	12/05/2006	(532642)
171	12/21/2006	(534106)
172	12/21/2006	(534110)
173	01/04/2007	(534107)
174	02/01/2007	(533800)
175	02/07/2007	(539409)
176	03/02/2007	(538543)
177	03/09/2007	(542643)
178	03/20/2007	(542634)
179	03/30/2007	(512156)
180	04/25/2007	(557786)
181	05/08/2007	(542720)
182	05/09/2007	(538778)
183	07/06/2007	(566435)
184	07/26/2007	(567778)
185	08/20/2007	(572373)
186	08/24/2007	(573306)
187	09/07/2007	(593363)
188	09/11/2007	(594099)
189	09/14/2007	(593593)
190	09/28/2007	(593596)
191	10/09/2007	(596500)
192	10/11/2007	(567263)
193	10/16/2007	(596503)
194	11/02/2007	(598212)
195	11/19/2007	(598092)
196	11/27/2007	(568545)
197	12/04/2007	(567375)
198	12/07/2007	(568199)
199	12/11/2007	(597258)
200	12/27/2007	(609857)
201	01/02/2008	(599484)
202	01/04/2008	(594351)
203	01/07/2008	(600299)
204	01/08/2008	(532643)
205	01/09/2008	(611819)
206	01/11/2008	(612081)
207	01/18/2008	(614404)
208	02/05/2008	(617279)
209	02/08/2008	(616766)
210	02/22/2008	(619100)
211	02/29/2008	(617227)
212	03/03/2008	(637501)
213	03/06/2008	(637625)
214	03/07/2008	(637636)
215	03/11/2008	(616417)
216	03/25/2008	(639470)
217	03/26/2008	(638986)
218	04/03/2008	(640743)
219	04/11/2008	(641520)
220	04/11/2008	(641789)
221	04/14/2008	(641694)
222	04/17/2008	(653266)
223	05/12/2008	(670630)
224	05/12/2008	(670633)
225	05/14/2008	(656870)

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

Date: 06/30/2003 (60730)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Failure to control emissions of heavy oils (12 Carbons- 20 Carbons).

Date: 08/08/2003 (40801)

Self Report? NO Classification: Moderate

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

Description: Failure to not cause, suffer, allow, or permit air contaminants in violation of

commission rules.

Self Report? NO Classification: Moderate

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

Description: Failure to be authorized by a commission rule and permitted air contaminants in violation of commission rules

Self Report? NO Classification: Minor

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

Description: Failure to meet the record keeping requirements that TPC submit the proper compound descriptive type of all individually listed compounds or mixtures of air contaminants.

Self Report? NO Classification: Minor

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

Description: Failure to meet the record keeping requirements that TPC submit the proper authorized emissions limits for the facility involved in the final record.

Date: 02/10/2004 (255227)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Description: Failure to maintain opacity of emissions within the allowable limit of 20% for a period of six minutes at Boiler Nos. 4 and 8.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA TCEQ Air Permit 1341A

Description: Failure to comply with special provision No. 3 of TCEQ Air permit #1341A.

Date: 05/26/2004 (262402)

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 106, SubChapter X 106.532(1)(O)
30 TAC Chapter 115, SubChapter B 115.137(a)(2)

Rqmt Prov: PA September 4, 2000

Description: Failure to adhere to permit conditions, such that the psia of 2.0 for the fuel oil in the wastewater treatment system exceeded the permitted and regulated limits.

Date: 08/30/2004 (282027)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(12)

Description: The company failed to submit additional information neccessary to evaluate an emissions event when requested by the director or any air pollution control agency with jurisdiction, within the time frames established in the request as specified in 30 TAC 101.201(b)(12) and 30 TAC Chapter 101.201(a)(4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)

Description: The regulated entity is in violation of 30 TAC Chapter 115.112(a)(1) which states no person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times.

Date: 05/05/2005 (373870)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307, SC 9C

Description: Failure to control smoke from a flare resulting in an exceedance of the 5 minute time period in any two hours.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 GC #7

Description: Failure to maintain information required to demonstrate compliance with the general condition number 7 of TCEQ Air Permit No. 46307.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 SC 1

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Self Report? NO Classification: Minor

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

Description: Failure to submit the final record for an emissions event

Date: 06/06/2005 (378762)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Description: Failure to maintain opacity of emissions less than 20% at the Boiler #9 Stack.

Date: 08/08/2005 (394042)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)

Description: Failure to submit information by the due date.

Self Report? NO Classification: Moderate

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

Description: Failure to obtain a permit amendment for emissions from the D-100 Tower.

Date: 08/26/2005 (401337)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP Permit 46307 SC 8B

Description: Failed to meet the requirements specified under TCEQ Source Sampling Procedure Manual Appendix P, 5.1.1.3, which requires samples should be drawn from either the vertical section near the base of the riser pipe or the top of a horizontal section prior to the riser pipe at a location where the pipe will be full.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP 46307 GC 7
PERMIT TCEQ VERP 46307 SC 8B

Description: Failed to document "Zero Air Check", "Stabilization Time" and "Water Blank Check" as required by Manual Appendix P.

Date: 03/13/2006 (450024)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450051)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450068)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the Nox and O2 analyzers.

Date: 07/31/2006 (459885)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(I)

Description: RE failed to submit stack test reports on time.

Date: 08/29/2006 (466376)

Self Report? NO Classification: Moderate

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

Description: Found to be in violation of 30 TAC Chapter 101.4 and 5C THC Chapter 382.085(b) for failure to control emissions.

Date: 08/31/2006 (488584)

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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open ended lines.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to comply with 30 TAC 1170206(i) by operating pump between the hours of 6:00 AM to noon.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to document presence and frequency of drips and to the sensor that indiates failure of the seal system for the 23 pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(e)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to conduct daily inspection on the Number 5 compressor seal system sensor, which did not have an alarm system.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, 1A
Description: Failure repair leaking connector within 15 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to monitor 18 pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to provide 30-day refilling notice to the IFR tank T-73.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to repair a leaking fugitive valve that is HRVOC service within 7 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to conduct first attempt repair on a leaking valve in HRVOC service within one day.

Date: 11/17/2006 (518574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(4)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(A)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(B)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(C)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(4)
Description: The facility was unable to document any refusal of state or local agencies to enter into arrangements to provide emergency response.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.8(b)(1)
Description: NOR Unit 009-Tank: This unit has been removed. No notification regarding the removal of this tank, has been provided.

Unit 019 Tank: This unit has been converted from hazardous watse use to product use. The unit should go through the closure process.

Date: 12/21/2006 (534110)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Release of unauthorized emissions that exceeded a reportable quantity.

Date: 12/21/2006 (534106)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

Date: 08/21/2007 (572373)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Failure to demonstrate an affirmative defense.

Date: 01/08/2008 (532643)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 12(E)
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to seal 166 open-ended lines in VOC/HRVOC service and 92 open-ended lines in HAP service or a total of 258 open-ended lines during October 7, 2005 through October 7, 2006 reporting period.

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 A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to prevent the emissions from cooling towers CT-1, CT-10, and CT-14 from exceeding the VOC rolling 12-month permit limit from October 7, 2005 through October 6, 2006.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to prevent the hourly emissions from cooling tower CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307 MAER table.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.726(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP O-01598, Special T& C No. 1(E)(ii)
Description: Failure of the continuous monitoring system to maintain adequate records on PRV 2063 and PVR 2071.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP O-01598, Special T & C No. 1(E)(ii)
Description: Failure to conduct the 2006 first quarter inspection of the transmitter associated with pressure relief valve No. 2071 and 2006 second quarter inspection of the transmitter associated with pressure relief valve Nos. 2166, 23, 818, and 819.

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 A 382.085
Rqmt Prov: PERMIT 46307, Special Condition No. 7
OP O-01598, Special Terms & Cond. 19
Description: Failure to prevent tanks T-155 and T-85 from exceeding VERP Permit No. 46307 annual (on a rolling 12-month period) throughput limit.

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to monitor four pumps in HAP service and one pump in VOC service on a monthly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to repair leaking valve within 15 days of leak discovery.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598

Description: Failure to monitor two valves (Tag Nos. 668956 and 673684) on a quarterly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to perform the 10-year inspection on tanks T-71, T-114, and T-115.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 6(E)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to maintain operation without visible liquid leaks or spills at all loading/unloading facilities. The regulated entity reported that oil was seeping out from the bottom of tank T-84 from November 14, 2005 through April 6, 2006 and from April 8, 2006 through October 6, 2006.

Date: 03/27/2008 (638986)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT No. 46307, Special Condition No. 1

Description: Failed to prevent pihole leak on the compressor suction line in the PIB Unit.

Date: 04/11/2008 (641520)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1

Description: Exceeded permit limits during an avoidable emissions event.

F. Environmental audits.

Notice of Intent Date: 05/11/2006 (467603)
No DOV Associated

Notice of Intent Date: 04/04/2008 (653971)
No DOV Associated

Notice of Intent Date: 04/01/2008 (653990)
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.

J. Early compliance.

N/A

Sites Outside of Texas

N/A

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598 Special Terms & Cond. No. 1(A)

Description: Failure to notify the EPA prior to the refilling of tanks T-74 and T-73, which is a violation of 40 CFR 63.120(a)(5).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to maintain the hatch on the internal floating roof of tank T-74 closed at all times.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to repair two (2) leaking valves (tag nos. 1200081 & 1260261) within seven (7) calendar days after the leaks were found.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 11(B)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform daily zero and span on the CEMS for the process heater 1B-901, boiler B-905, and stationary turbine 1G-901T.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform multipoint calibration when cooling towers CT-14, CT-3, and CT-1 drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to manually collect and analyze three cooling tower samples during the calendar week that cooling tower CT-3 analyzer drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to calibrate the temperature probe on CT-1, CT-10, CT-14, CT-3, and CT-7 analyzers during the first half of 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent VOC emissions from cooling towers CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307, MAER table.

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 46307, Special Condition No. 9
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to combust gas with a net heating value equal to or above 11.2 MJ/scm during four 5-minute periods.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. 1(E)(v)

Description: Failure to quarterly monitor the pressure relieve valves associated with group GRP - FUG1/FUG2/FUG3.

Self Report? NO Classification: Minor

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

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision March 8, 2008*

TCEQ

DATES					
Assigned	15-Apr-2008				
PCW	14-May-2008	Screening	15-Apr-2008	EPA Due	9-Jan-2009

RESPONDENT/FACILITY INFORMATION

Respondent	Texas Petrochemicals LP		
Reg. Ent. Ref. No.	RN100219526		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35511	No. of Violations	2
Docket No.	2008-0391-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$5,100**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 279% Enhancement — *Subtotals 2, 3, & 7* **$14,229**

Notes: Penalty enhancement due to 16 NOVs with same or similar violations, six NOVs with unrelated violations, seven 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to three Notice of Audit letters.

Culpability — No — 0% Enhancement — *Subtotal 4* **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 0% Reduction — *Subtotal 5* **$0**

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

Notes: The Respondent does not meet good faith criteria.

0% Enhancement* — *Subtotal 6* **$0**

Total EB Amounts	$4
Approx. Cost of Compliance	$500

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$19,329**

OTHER FACTORS AS JUSTICE MAY REQUIRE — 0% — *Adjustment* **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$19,329**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$10,379**

DEFERRAL — 20% Reduction — *Adjustment* **-$2,075**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$8,304**

Screening Date	15-Apr-2008	**Docket No.** 2008-0391-AIR-E	**PCW**
Respondent	Texas Petrochemicals LP		*Policy Revision 2 (September 2002)*
Case ID No.	35511		*PCW Revision March 8, 2008*
Reg. Ent. Reference No.	RN100219526		
Media [Statute]	Air		
Enf. Coordinator	John Muennink		

Compliance History Worksheet

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

Component	Number of...	*Enter Number Here*	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	16	80%
	Other written NOVs	6	12%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	7	140%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 279%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 16 NOVs with same or similar violations, six NOVs with unrelated violations, seven 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to three Notice of Audit letters.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 279%

Screening Date 15-Apr-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision March 8, 2008*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Air Permit No. 46307, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,990 pounds of volatile organic compunds from Cooling Tower CT-1 during an emissions event (Incident No. 104945) that began March 10, 2008 and lasted 21 hours. Since this emissions event was not properly reported, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health and the environment have been exposed to over three tons of pollutants which did not exceed levels that are protective of human health and environmental receptors as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1 — 1 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended from the date of the emissions event (March 10, 2008) to the date of the investigation (April 10, 2008).

Economic Benefit (EB) for this violation — Statutory Limit Test

Estimated EB Amount $0 **Violation Final Penalty Total** $18,950

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

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Economic Benefit for this Violation included in Violation No. 2.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $0

TOTAL $0

Screening Date 15-Apr-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision March 8, 2008*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit an initial notification within 24 hours after discovery of the March 10, 2008 emissions event (Incident No. 104945). Specifically, the emissions event was discovered on March 10, 2008, and the initial report was not submitted until March 13, 2008.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: The Respondent has met at least 70% of the rule requirement.

Adjustment $9,900

$100

Violation Events

Number of Violation Events 1 | 2 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $4

Statutory Limit Test

Violation Final Penalty Total $379

This violation Final Assessed Penalty (adjusted for limits) $379

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$500	11-Mar-2008	7-May-2008	0.2	$4	n/a	$4
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to set-up a third-party monitoring service to ensure that emissions events are properly reported. Date required is the date the initial notification was due to be submitted and was not. Final date is the date corrective actions were completed.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance $500

TOTAL $4

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600130322	Texas Petrochemicals LP	Classification: AVERAGE	Rating: 2.69
Regulated Entity:	RN100219526	TEXAS PETROCHEMICALS HOUSTON FACILITY	Classification: AVERAGE	Site Rating: 8.92

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0562P
AIR OPERATING PERMITS	PERMIT	1598
AIR OPERATING PERMITS	PERMIT	2884
AIR NEW SOURCE PERMITS	PERMIT	1341A
AIR NEW SOURCE PERMITS	PERMIT	1766
AIR NEW SOURCE PERMITS	PERMIT	4136
AIR NEW SOURCE PERMITS	PERMIT	4238A
AIR NEW SOURCE PERMITS	PERMIT	10296
AIR NEW SOURCE PERMITS	PERMIT	10323A
AIR NEW SOURCE PERMITS	PERMIT	10352A
AIR NEW SOURCE PERMITS	PERMIT	10675A
AIR NEW SOURCE PERMITS	PERMIT	10840A
AIR NEW SOURCE PERMITS	PERMIT	11427A
AIR NEW SOURCE PERMITS	PERMIT	11801
AIR NEW SOURCE PERMITS	PERMIT	11801A
AIR NEW SOURCE PERMITS	PERMIT	13805A
AIR NEW SOURCE PERMITS	PERMIT	13806A
AIR NEW SOURCE PERMITS	PERMIT	15606
AIR NEW SOURCE PERMITS	PERMIT	16351
AIR NEW SOURCE PERMITS	PERMIT	19806
AIR NEW SOURCE PERMITS	PERMIT	22052
AIR NEW SOURCE PERMITS	PERMIT	24187
AIR NEW SOURCE PERMITS	PERMIT	28410
AIR NEW SOURCE PERMITS	PERMIT	37317
AIR NEW SOURCE PERMITS	PERMIT	40807
AIR NEW SOURCE PERMITS	PERMIT	43252
AIR NEW SOURCE PERMITS	PERMIT	43536
AIR NEW SOURCE PERMITS	PERMIT	44268
AIR NEW SOURCE PERMITS	PERMIT	44488
AIR NEW SOURCE PERMITS	PERMIT	44686
AIR NEW SOURCE PERMITS	PERMIT	44927
AIR NEW SOURCE PERMITS	PERMIT	46307
AIR NEW SOURCE PERMITS	PERMIT	46426
AIR NEW SOURCE PERMITS	PERMIT	46456
AIR NEW SOURCE PERMITS	PERMIT	47147
AIR NEW SOURCE PERMITS	PERMIT	47393
AIR NEW SOURCE PERMITS	PERMIT	48550
AIR NEW SOURCE PERMITS	PERMIT	49829
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0562P
AIR NEW SOURCE PERMITS	AFS NUM	4820100031
AIR NEW SOURCE PERMITS	REGISTRATION	71443
AIR NEW SOURCE PERMITS	REGISTRATION	71687
AIR NEW SOURCE PERMITS	PERMIT	50761
AIR NEW SOURCE PERMITS	EPA ID	PSDTX999
AIR NEW SOURCE PERMITS	REGISTRATION	77348
AIR NEW SOURCE PERMITS	REGISTRATION	77347
AIR NEW SOURCE PERMITS	REGISTRATION	77346
AIR NEW SOURCE PERMITS	REGISTRATION	77345
AIR NEW SOURCE PERMITS	REGISTRATION	77344
AIR NEW SOURCE PERMITS	REGISTRATION	77343
AIR NEW SOURCE PERMITS	REGISTRATION	78118
AIR NEW SOURCE PERMITS	REGISTRATION	79933
AIR NEW SOURCE PERMITS	REGISTRATION	79799
AIR NEW SOURCE PERMITS	REGISTRATION	80271
AIR NEW SOURCE PERMITS	REGISTRATION	80019
AIR NEW SOURCE PERMITS	REGISTRATION	79947
AIR NEW SOURCE PERMITS	REGISTRATION	80340
AIR NEW SOURCE PERMITS	REGISTRATION	80916
AIR NEW SOURCE PERMITS	REGISTRATION	80921
AIR NEW SOURCE PERMITS	REGISTRATION	81648
AIR NEW SOURCE PERMITS	REGISTRATION	81669
AIR NEW SOURCE PERMITS	REGISTRATION	81662
AIR NEW SOURCE PERMITS	REGISTRATION	82280
AIR NEW SOURCE PERMITS	REGISTRATION	82797
AIR NEW SOURCE PERMITS	PERMIT	83905
AIR NEW SOURCE PERMITS	REGISTRATION	82963
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008072134
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30417
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30417

Location: 8600 PARK PLACE BLVD, HOUSTON, TX, 77017 Rating Date: 9/1/2008 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: November 12, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 15, 2003 to April 15, 2008

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

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

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: 05/24/2004 ADMINORDER 2002-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)

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

Rqmt Prov: SC10 PERMIT
Description: Failure to properly cap or plug open ended lines as documented during an investigation conducted on October 17, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)

5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to monitor 23 valves during the monitoring period ending March 31, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)

5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to monitor 2 repaired valves within 15 days.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

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

Rqmt Prov: SC10 PERMIT
Description: Failure to adhere to LDAR monitoring schedule for pumps.

Effective Date: 04/26/2007 ADMINORDER 2005-0257-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter X 106.532
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent the unauthorized emissionof 1,366 lbs of butane, 2,053 lbs of butylene isomers, 1,518 lbs of isobutylene, 5 lbs of methanol, 6 lbs of methyl tert-butyl ether, 12 lbs of pentane, and 12 lbs of propane to the atmosphere from the central gland water system during an avoidable emissions event on August 18

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 2. PERMIT
Special Condition 3.E PERMIT

Description: Failed to equip and open-ended valve with a second valve, cap, blind flange, or plug.

Classification: Minor

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

Rqmt Prov: Special Condition 3.E PERMIT
Description: Failed to ensure that there were not screwed connections on lines greater then two inches in diameter.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.781(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to make the first attempt to repair 18 connections within one day after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to make the first attempt to repair 29 components within five days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 12 I. PERMIT
Description: Failed to repair 97 components within 15 days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to repair 55 components within seven days after discovering a leak.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(a)

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

Description: Failure to obtain authorization for the emissions from the oily water sewer hubs which lead to the API Separator.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Provision 7.E. OP
Special Condition 1.E (v) OP
Special Condition No. 12.E PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition No. 1.E.(v) OP
Special Condition No. 12.E. OP

Description: Failed to seal three open-eded valves with a second valve, cap, blind flange, or plug.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 7.B.(i). OP

Description: Failed to ensure a leak-free connection while loading and/or unloading VOCs into rail car transport vessels.

Classification: Minor

Citation: 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 D 382.085(b)

Description: Failed to properly notify the TCEQ of an emissions event that occurred on July 23, 2005.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that occurred on July 23, 2005.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit #46307, SC #1 PERMIT

Description: Failure to prevent unauthorized emissions of 1,290 lbs of VOCs.

Effective Date: 04/26/2007 ADMINORDER 2007-0073-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions from Tank 851 during a cleaning process on September 14, 2006, resulting in an aviodable emissions event.

Classification: Minor

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

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

Description: Failure to submit the initial notification within 24 hours and the final report within two weeks of the end of the September 14, 2006 emissions emissions event.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

Classification: Moderate

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

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT
Description: Release of unauthorized emissions that exceeded a reportable quantity.

Classification: Moderate

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

Rqmt Prov: No. 46307, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions of 104 lbs of butane, 9,066 lbs of butene, 6 lbs of butylenes isomers, 1,560 lbs of isobutene, 910 lbs of isobutylene, 45 lbs of propane, 87 lbs of propylene from the 4D-4A-OH Line over a period of 3 hrs and 22 min during an emissions event that occurred on December 1, 2006.

Effective Date: 08/31/2007 ADMINORDER 2007-0365-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failure to prevent unauthorized emissions during a December 28, 2006 emissions event.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failed to prevent unauthorized emissions during a December 18, 2006 emissions event.

Effective Date: 01/12/2008 ADMINORDER 2007-1220-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Texas Petrochemicals is alleged to have failed to prevent unauthorized emissions during a June 25, 2007 emissions event, in violation of Air Permit No. 46307, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 28, 2007.

Effective Date: 01/28/2008 ADMINORDER 2007-1510-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failed to prevent unauthorized emissions during an August 14, 2007 emissions event.

Classification: Minor

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

Description: Failed to properly notify the TCEQ of an emissions event that occurred on August 14, 2007.

Effective Date: 02/25/2008 ADMINORDER 2007-1675-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failure to prevent unauthorized emissions, resulting in 79.75 pounds ("lbs") of butene, 74.7 lbs of butane, 9.97 lbs of 1,3-buladiene, 1.99 lbs of benzene, 1.99 lbs of decane, 14.95 lbs of diisobutylene, 9.97 lbs of dimethylformamide, 19.94 lbs of ethylbenzene, 24.92 lbs of furfural, 1.99 lbs of indene, 4.98 lbs of methyl tertiary-butyl ether ("MTBE"), 4.98 lbs of toluene, 274.13 lbs of vinylcyclohexane, and 9.97 lbs of xylene, were released from the API Oil/Water Separator.

Effective Date: 04/03/2008 ADMINORDER 2007-1628-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failed to prevent unauthorized emissions during a September 5, 2007 emissions event.

Classification: Minor

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

Description: Failed to report an emissions event within 24 hours after discovery.

Effective Date: 04/14/2008 ADMINORDER 2007-1791-AIR-E

Classification: Moderate

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

Rqmt Prov: No. 46307, Special Condition No. 1 PERMIT
Description: Failure to prevent leaks on the absorber off-gas line.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	04/21/2003	(27289)
2	05/20/2003	(29901)
3	06/18/2003	(36257)
4	07/09/2003	(98190)

5	07/15/2003	(114135)
6	07/21/2003	(114195)
7	08/08/2003	(40801)
8	08/11/2003	(130767)
9	08/26/2003	(149809)
10	08/28/2003	(152866)
11	10/17/2003	(249451)
12	10/30/2003	(152888)
13	11/18/2003	(249532)
14	01/02/2004	(254540)
15	01/08/2004	(258394)
16	01/15/2004	(255521)
17	01/23/2004	(258353)
18	01/28/2004	(256991)
19	01/28/2004	(257009)
20	02/10/2004	(255227)
21	02/10/2004	(256355)
22	04/12/2004	(260974)
23	04/20/2004	(255875)
24	05/26/2004	(262402)
25	06/10/2004	(270492)
26	06/15/2004	(270507)
27	07/09/2004	(270285)
28	07/13/2004	(268259)
29	07/26/2004	(277574)
30	07/29/2004	(279114)
31	07/30/2004	(278578)
32	08/11/2004	(288425)
33	08/11/2004	(288800)
34	08/18/2004	(276597)
35	08/30/2004	(282027)
36	08/31/2004	(285908)
37	08/31/2004	(291888)
38	10/08/2004	(335087)
39	10/11/2004	(333747)
40	10/18/2004	(336459)
41	10/18/2004	(336854)
42	10/19/2004	(335878)
43	10/26/2004	(291758)
44	11/02/2004	(339528)
45	11/11/2004	(289544)
46	11/11/2004	(292795)
47	11/22/2004	(339425)
48	12/13/2004	(339428)
49	12/16/2004	(293258)
50	01/05/2005	(345579)
51	01/21/2005	(342214)
52	02/03/2005	(349418)
53	02/18/2005	(345797)
54	04/07/2005	(347331)
55	04/07/2005	(347336)
56	04/18/2005	(374447)
57	04/19/2005	(377616)
58	05/05/2005	(373870)
59	05/10/2005	(380624)
60	05/13/2005	(373465)
61	05/31/2005	(376325)
62	06/06/2005	(378762)
63	07/07/2005	(394060)
64	08/08/2005	(394042)
65	08/11/2005	(374658)
66	08/23/2005	(402060)
67	08/23/2005	(404475)
68	08/24/2005	(333418)
69	08/24/2005	(402041)
70	08/26/2005	(401337)
71	08/29/2005	(404046)
72	08/29/2005	(405738)
73	08/31/2005	(402446)
74	08/31/2005	(418954)
75	09/27/2005	(405860)
76	02/23/2006	(455880)
77	02/25/2006	(456997)
78	02/27/2006	(457159)
79	02/28/2006	(457074)
80	03/13/2006	(450024)
81	03/13/2006	(450051)
82	03/13/2006	(450068)
83	04/04/2006	(458271)
84	04/04/2006	(458283)
85	04/04/2006	(461031)
86	04/28/2006	(458466)
87	05/30/2006	(459802)
88	05/30/2006	(471013)
89	05/30/2006	(477634)
90	05/30/2006	(478963)

91	05/30/2006	(480099)
92	05/30/2006	(480133)
93	05/30/2006	(480141)
94	05/30/2006	(480186)
95	05/30/2006	(480200)
96	05/30/2006	(480206)
97	05/30/2006	(480219)
98	05/30/2006	(480222)
99	05/30/2006	(480233)
100	05/30/2006	(480237)
101	05/30/2006	(480245)
102	05/30/2006	(480265)
103	05/30/2006	(480277)
104	05/30/2006	(480282)
105	05/30/2006	(480287)
106	05/30/2006	(480289)
107	05/30/2006	(480292)
108	05/30/2006	(480297)
109	05/30/2006	(480300)
110	05/30/2006	(480302)
111	05/30/2006	(480303)
112	05/30/2006	(480304)
113	05/30/2006	(480305)
114	05/30/2006	(480306)
115	05/30/2006	(480308)
116	05/30/2006	(480311)
117	05/30/2006	(480313)
118	05/30/2006	(480314)
119	05/30/2006	(480315)
120	05/31/2006	(480197)
121	05/31/2006	(480214)
122	05/31/2006	(480226)
123	05/31/2006	(480242)
124	05/31/2006	(480244)
125	05/31/2006	(480246)
126	05/31/2006	(480254)
127	05/31/2006	(480263)
128	05/31/2006	(480425)
129	05/31/2006	(480445)
130	05/31/2006	(480455)
131	05/31/2006	(480468)
132	05/31/2006	(480479)
133	05/31/2006	(480502)
134	05/31/2006	(480530)
135	05/31/2006	(480569)
136	05/31/2006	(480610)
137	05/31/2006	(480623)
138	05/31/2006	(480631)
139	05/31/2006	(480634)
140	05/31/2006	(480635)
141	05/31/2006	(480637)
142	05/31/2006	(480638)
143	05/31/2006	(480639)
144	05/31/2006	(480640)
145	05/31/2006	(480641)
146	05/31/2006	(480642)
147	05/31/2006	(480643)
148	05/31/2006	(480644)
149	05/31/2006	(480645)
150	05/31/2006	(480646)
151	05/31/2006	(480647)
152	05/31/2006	(480648)
153	05/31/2006	(480649)
154	05/31/2006	(480651)
155	05/31/2006	(480653)
156	05/31/2006	(480654)
157	05/31/2006	(480655)
158	05/31/2006	(480656)
159	05/31/2006	(480866)
160	07/21/2006	(481780)
161	07/21/2006	(481873)
162	07/21/2006	(481904)
163	07/27/2006	(459885)
164	08/08/2006	(462831)
165	08/28/2006	(488528)
166	08/28/2006	(488585)
167	08/28/2006	(488643)
168	08/31/2006	(488584)
169	10/30/2006	(487750)
170	11/17/2006	(518574)
171	12/05/2006	(532642)
172	12/21/2006	(534106)
173	12/21/2006	(534110)
174	01/04/2007	(534107)
175	02/01/2007	(533800)

176	02/07/2007	(539409)
177	03/02/2007	(538543)
178	03/09/2007	(542643)
179	03/20/2007	(542634)
180	03/30/2007	(512156)
181	04/25/2007	(557786)
182	05/08/2007	(542720)
183	05/09/2007	(538778)
184	07/06/2007	(566435)
185	07/26/2007	(567778)
186	08/20/2007	(572373)
187	08/24/2007	(573306)
188	09/07/2007	(593363)
189	09/11/2007	(594099)
190	09/14/2007	(593593)
191	09/28/2007	(593596)
192	10/09/2007	(596500)
193	10/11/2007	(567263)
194	10/16/2007	(596503)
195	11/02/2007	(598212)
196	11/19/2007	(598092)
197	11/27/2007	(568545)
198	12/04/2007	(567375)
199	12/07/2007	(568199)
200	12/11/2007	(597258)
201	12/27/2007	(609857)
202	01/02/2008	(599484)
203	01/04/2008	(594351)
204	01/07/2008	(600299)
205	01/08/2008	(532643)
206	01/09/2008	(611819)
207	01/11/2008	(612081)
208	01/18/2008	(614404)
209	02/05/2008	(617279)
210	02/08/2008	(616766)
211	02/22/2008	(619100)
212	02/29/2008	(617227)
213	03/03/2008	(637501)
214	03/06/2008	(637625)
215	03/07/2008	(637636)
216	03/11/2008	(616417)
217	03/25/2008	(639470)
218	03/26/2008	(638986)
219	04/03/2008	(640743)
220	04/11/2008	(641520)
221	04/11/2008	(641789)
222	04/14/2008	(641694)

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

Date: 06/30/2003 (60730)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.4
Description: Failure to control emissions of heavy oils (12 Carbons- 20 Carbons).

Date: 08/08/2003 (40801)
Self Report? NO Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to not cause, suffer, allow, or permit air contaminants in violation of commission rules.

Self Report? NO Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to be authorized by a commission rule and permitted air contaminants in violation of commission rules

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the record keeping requirements that TPC submit the proper compound descriptive type of all individually listed compounds or mixtures of air contaminants.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the record keeping requirements that TPC submit the proper authorized emissions limits for the facility involved in the final record.

Dat 02/10/2004 (255227)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to maintain opacity of emissions within the allowable limit of 20% for a period of six minutes at Boiler Nos. 4 and 8.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PA TCEQ Air Permit 1341A
Description: Failure to comply with special provision No. 3 of TCEQ Air permit #1341A.

Dat 05/26/2004 (262402)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 106, SubChapter X 106.532(1)(O)
30 TAC Chapter 115, SubChapter B 115.137(a)(2)
Rqmt Prov: PA September 4, 2000
Description: Failure to adhere to permit conditions, such that the psia of 2.0 for the fuel oil in the wastewater treatment system exceeded the permitted and regulated limits.

Dat 08/30/2004 (282027)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(12)

Description: The company failed to submit additional information neccessary to evaluate an emissions event when requested by the director or any air pollution control agency with jurisdiction, within the time frames established in the request as specified in 30 TAC 101.201(b)(12) and 30 TAC Chapter 101.201(a)(4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)

Description: The regulated entity is in violation of 30 TAC Chapter 115.112(a)(1) which states no person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times.

Dat 05/05/2005 (373870)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307, SC 9C

Description: Failure to control smoke from a flare resulting in an exceedance of the 5 minute time period in any two hours.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 GC #7

Description: Failure to maintain information required to demonstrate compliance with the general condition number 7 of TCEQ Air Permit No. 46307.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 SC 1

Description: Failure to adhere to permit representations and conditions, such that the changes

resulted in a change in the method of control, the character and the emission rate of air contaminants.

Self Report? NO Classification: Minor

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

Description: Failure to submit the final record for an emissions event

Dat 06/06/2005 (378762)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Description: Failure to maintain opacity of emissions less than 20% at the Boiler #9 Stack.

Dat 08/08/2005 (394042)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)

Description: Failure to submit information by the due date.

Self Report? NO Classification: Moderate

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

Description: Failure to obtain a permit amendment for emissions from the D-100 Tower.

Dat 08/26/2005 (401337)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP Permit 46307 SC 8B

Description: Failed to meet the requirements specified under TCEQ Source Sampling Procedure Manual Appendix P, 5.1.1.3, which requires samples should be drawn from either the vertical section near the base of the riser pipe or the top of a horizontal section prior to the riser pipe at a location where the pipe will be full.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP 46307 GC 7
PERMIT TCEQ VERP 46307 SC 8B

Description: Failed to document "Zero Air Check", "Stabilization Time" and "Water Blank Check" as required by Manual Appendix P.

Dat 03/13/2006 (450024)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the NOx and O2 CEMS.

Dat 03/13/2006 (450051)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO when the RATA was conducted for the NOx and O2 CEMS.

Dat 03/13/2006 (450068)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the Nox and O2 analyzers.

Dat 07/31/2006 (459885)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(I)

Description: RE failed to submit stack test reports on time.

Dat 08/29/2006 (466376)

Self Report? NO Classification: Moderate

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

Description: Found to be in violation of 30 TAC Chapter 101.4 and 5C THC Chapter 382.085(b) for failure to control emissions.

Dat 08/31/2006 (488584)

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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open ended lines.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to comply with 30 TAC 1170206(i) by operating pump between the hours of 6:00 AM to noon.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to document presence and frequency of drips and to the sensor that indiates failure of the seal system for the 23 pumps.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(e)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to conduct daily inspection on the Number 5 compressor seal system sensor, which did not have an alarm system.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, 1A
Description: Failure repair leaking connector within 15 days.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to monitor 18 pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to provide 30-day refilling notice to the IFR tank T-73.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to repair a leaking fugitive valve that is HRVOC service within 7 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to conduct first attempt repair on a leaking valve in HRVOC service within one day.

Dat 11/17/2006 (518574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(4)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(A)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(B)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(C)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(4)
Description: The facility was unable to document any refusal of state or local agencies to enter into arrangements to provide emergency response.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.8(b)(1)
Description: NOR Unit 009-Tank: This unit has been removed. No notification regarding the removal of this tank, has been provided.

Unit 019 Tank: This unit has been converted from hazardous watse use to product use. The unit should go through the closure process.

Dat 12/21/2006 (534110)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Release of unauthorized emissions that exceeded a reportable quantity.
Dat 12/21/2006 (534106)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

Dat 08/21/2007 (572373)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Failure to demonstrate an affirmative defense.
Dat 01/08/2008 (532643)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 12(E)
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to seal 166 open-ended lines in VOC/HRVOC service and 92 open-ended lines in HAP service or a total of 258 open-ended lines during October 7, 2005 through October 7, 2006 reporting period.
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 A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to prevent the emissions from cooling towers CT-1, CT-10, and CT-14 from exceeding the VOC rolling 12-month permit limit from October 7, 2005 through October 6, 2006.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to prevent the hourly emissions from cooling tower CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307 MAER table.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP O-01598, Special T& C No. 1(E)(ii)
Description: Failure of the continuous monitoring system to maintain adequate records on PRV 2063 and PVR 2071.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP O-01598, Special T & C No. 1(E)(ii)
Description: Failure to conduct the 2006 first quarter inspection of the transmitter associated with pressure relief valve No. 2071 and 2006 second quarter inspection of the transmitter associated with pressure relief valve Nos. 2166, 23, 818, and 819.
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 A 382.085
Rqmt Prov: PERMIT 46307, Special Condition No. 7
OP O-01598, Special Terms & Cond. 19
Description: Failure to prevent tanks T-155 and T-85 from exceeding VERP Permit No. 46307 annual (on a rolling 12-month period) throughput limit.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-01598 Special Terms & Cond. No. 1(A)

Description: Failure to notify the EPA prior to the refilling of tanks T-74 and T-73, which is a violation of 40 CFR 63.120(a)(5).
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)
Description: Failure to maintain the hatch on the internal floating roof of tank T-74 closed at all times.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to repair two (2) leaking valves (tag nos. 1200081 & 1260261) within seven (7) calendar days after the leaks were found.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 11(B)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to perform daily zero and span on the CEMS for the process heater 1B-901, boiler B-905, and stationary turbine 1G-901T.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to perform multipoint calibration when cooling towers CT-14, CT-3, and CT-1 drifted by more than 10 percent.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to manually collect and analyze three cooling tower samples during the calendar week that cooling tower CT-3 analyzer drifted by more than 10 percent.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to calibrate the temperature probe on CT-1, CT-10, CT-14, CT-3, and CT-7 analyzers during the first half of 2006.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to prevent VOC emissions from cooling towers CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307, MAER table.
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 46307, Special Condition No. 9

OP O-01598, Special Terms & Cond. No. 1(A)

OP O-01598, Special Terms & Cond. No. 19

Description: Failure to combust gas with a net heating value equal to or above 11.2 MJ/scm during four 5-minute periods.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. 1(E)(v)

Description: Failure to quarterly monitor the pressure relieve valves associated with group GRP - FUG1/FUG2/FUG3.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to monitor four pumps in HAP service and one pump in VOC service on a monthly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to repair leaking valve within 15 days of leak discovery.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598

Description: Failure to monitor two valves (Tag Nos. 668956 and 673684) on a quarterly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to perform the 10-year inspection on tanks T-71, T-114, and T-115.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 6(E)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to maintain operation without visible liquid leaks or spills at all loading/unloading facilities. The regulated entity reported that oil was seeping out from the bottom of tank T-84 from November 14, 2005 through April 6, 2006 and from April 8, 2006 through October 6, 2006.

Dat 03/27/2008 (638986)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT No. 46307, Special Condition No. 1

Description: Failed to prevent pihole leak on the compressor suction line in the PIB Unit.

Dat 04/11/2008 (641520)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1

Description: Exceeded permit limits during an avoidable emissions event.

F. Environmental audits.

Notice of Intent Date: 05/11/2006 (467603)
No DOV Associated

Notice of Intent Date: 04/04/2008 (653971)
No DOV Associated

Notice of Intent Date: 04/01/2008 (653990)
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.

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision February 29, 2008*

TCEQ

DATES					
Assigned	4-Apr-2008				
PCW	5-May-2008	Screening	4-Apr-2008	EPA Due	29-Dec-2008

RESPONDENT/FACILITY INFORMATION

Respondent	Texas Petrochemicals LP		
Reg. Ent. Ref. No.	RN100219526		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35511	No. of Violations	1
Docket No.	2008-0391-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$5,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 254% Enhancement — *Subtotals 2, 3, & 7* **$12,700**

Notes: Penalty enhancement due to 15 NOVs with same or similar violations, six NOVs with unrelated violations, six 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to three Notice of Audit letters.

Culpability — No — 0% Enhancement — *Subtotal 4* **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 25% Reduction — *Subtotal 5* **$1,250**

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

Notes: The Respondent completed the corrective actions on March 13, 2008.

0% Enhancement* — *Subtotal 6* **$0**

**Capped at the Total EB $ Amount*

Total EB Amounts	$2
Approx. Cost of Compliance	$1,000

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$16,450**

OTHER FACTORS AS JUSTICE MAY REQUIRE — 0% — *Adjustment* **$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$16,450**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$10,000**

DEFERRAL — 20% Reduction — *Adjustment* **-$2,000**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$8,000**

Screening Date 4-Apr-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision February 29, 2008*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	15	75%
	Other written NOVs	6	12%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 254%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 15 NOVs with same or similar violations, six NOVs with unrelated violations, six 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to three Notice of Audit letters.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 254%

Screening Date 4-Apr-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision February 29, 2008*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Air Permit No. 46307, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,125 pounds ("lbs") of volatile organic compounds (including 194 lbs of 1,3-butadiene), from the bleed valve on Pump 6GF-4 during an avoidable emissions event (Incident No. 104465) that began March 1, 2008 and lasted one hour and eight minutes. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

	Release	Harm: Major	Moderate	Minor
OR	Actual		x	
	Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 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 $5,000

$5,000

Violation Events

Number of Violation Events 1 — 1 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended from the date of the emissions event (March 1, 2008) to the date of compliance (March 13, 2008).

Economic Benefit (EB) for this violation — Statutory Limit Test

Estimated EB Amount $2 **Violation Final Penalty Total** $16,450

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

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$1,000	1-Mar-2008	13-Mar-2008	0.0	$2	n/a	$2
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost for operator training. Date required based on the date of the emissions event. Final date based on the date the corrective actions were completed.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance: $1,000

TOTAL: $2

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600130322	Texas Petrochemicals LP	Classification: AVERAGE	Rating: 2.69
Regulated Entity:	RN100219526	TEXAS PETROCHEMICALS HOUSTON FACILITY	Classification: AVERAGE	Site Rating: 8.92

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0562P
AIR OPERATING PERMITS	PERMIT	1598
AIR OPERATING PERMITS	PERMIT	2884
AIR NEW SOURCE PERMITS	PERMIT	1341A
AIR NEW SOURCE PERMITS	PERMIT	1766
AIR NEW SOURCE PERMITS	PERMIT	4136
AIR NEW SOURCE PERMITS	PERMIT	4238A
AIR NEW SOURCE PERMITS	PERMIT	10296
AIR NEW SOURCE PERMITS	PERMIT	10323A
AIR NEW SOURCE PERMITS	PERMIT	10352A
AIR NEW SOURCE PERMITS	PERMIT	10675A
AIR NEW SOURCE PERMITS	PERMIT	10840A
AIR NEW SOURCE PERMITS	PERMIT	11427A
AIR NEW SOURCE PERMITS	PERMIT	11801
AIR NEW SOURCE PERMITS	PERMIT	11801A
AIR NEW SOURCE PERMITS	PERMIT	13805A
AIR NEW SOURCE PERMITS	PERMIT	13806A
AIR NEW SOURCE PERMITS	PERMIT	15606
AIR NEW SOURCE PERMITS	PERMIT	16351
AIR NEW SOURCE PERMITS	PERMIT	19806
AIR NEW SOURCE PERMITS	PERMIT	22052
AIR NEW SOURCE PERMITS	PERMIT	24187
AIR NEW SOURCE PERMITS	PERMIT	28410
AIR NEW SOURCE PERMITS	PERMIT	37317
AIR NEW SOURCE PERMITS	PERMIT	40807
AIR NEW SOURCE PERMITS	PERMIT	43252
AIR NEW SOURCE PERMITS	PERMIT	43536
AIR NEW SOURCE PERMITS	PERMIT	44268
AIR NEW SOURCE PERMITS	PERMIT	44488
AIR NEW SOURCE PERMITS	PERMIT	44686
AIR NEW SOURCE PERMITS	PERMIT	44927
AIR NEW SOURCE PERMITS	PERMIT	46307
AIR NEW SOURCE PERMITS	PERMIT	46426
AIR NEW SOURCE PERMITS	PERMIT	46456
AIR NEW SOURCE PERMITS	PERMIT	47147
AIR NEW SOURCE PERMITS	PERMIT	47393
AIR NEW SOURCE PERMITS	PERMIT	48550
AIR NEW SOURCE PERMITS	PERMIT	49829
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0562P
AIR NEW SOURCE PERMITS	AFS NUM	4820100031
AIR NEW SOURCE PERMITS	REGISTRATION	71443
AIR NEW SOURCE PERMITS	REGISTRATION	71687
AIR NEW SOURCE PERMITS	PERMIT	50761
AIR NEW SOURCE PERMITS	EPA ID	PSDTX999
AIR NEW SOURCE PERMITS	REGISTRATION	77348
AIR NEW SOURCE PERMITS	REGISTRATION	77347
AIR NEW SOURCE PERMITS	REGISTRATION	77346
AIR NEW SOURCE PERMITS	REGISTRATION	77345
AIR NEW SOURCE PERMITS	REGISTRATION	77344
AIR NEW SOURCE PERMITS	REGISTRATION	77343
AIR NEW SOURCE PERMITS	REGISTRATION	78118
AIR NEW SOURCE PERMITS	REGISTRATION	79933
AIR NEW SOURCE PERMITS	REGISTRATION	79799
AIR NEW SOURCE PERMITS	REGISTRATION	80271
AIR NEW SOURCE PERMITS	REGISTRATION	80019
AIR NEW SOURCE PERMITS	REGISTRATION	79947
AIR NEW SOURCE PERMITS	REGISTRATION	80340
AIR NEW SOURCE PERMITS	REGISTRATION	80916
AIR NEW SOURCE PERMITS	REGISTRATION	80921
AIR NEW SOURCE PERMITS	REGISTRATION	81648
AIR NEW SOURCE PERMITS	REGISTRATION	81669
AIR NEW SOURCE PERMITS	REGISTRATION	81662
AIR NEW SOURCE PERMITS	REGISTRATION	82280
AIR NEW SOURCE PERMITS	REGISTRATION	82797
AIR NEW SOURCE PERMITS	PERMIT	83905
AIR NEW SOURCE PERMITS	REGISTRATION	82963
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008072134
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30417
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30417

Location: 8600 PARK PLACE BLVD, HOUSTON, TX, 77017 Rating Date: 9/1/2008 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: November 12, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 04, 2003 to April 04, 2008

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

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

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: 05/24/2004 ADMINORDER 2002-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)

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

Rqmt Prov: SC10 PERMIT
Description: Failure to properly cap or plug open ended lines as documented during an investigation conducted on October 17, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)

5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to monitor 23 valves during the monitoring period ending March 31, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)

5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to monitor 2 repaired valves within 15 days.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

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

Rqmt Prov: SC10 PERMIT
Description: Failure to adhere to LDAR monitoring schedule for pumps.

Effective Date: 04/26/2007 ADMINORDER 2005-0257-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter X 106.532
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent the unauthorized emissionof 1,366 lbs of butane, 2,053 lbs of butylene isomers, 1,518 lbs of isobutylene, 5 lbs of methanol, 6 lbs of methyl tert-butyl ether, 12 lbs of pentane, and 12 lbs of propane to the atmosphere from the central gland water system during an avoidable emissions event on August 18

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 2. PERMIT
Special Condition 3.E PERMIT

Description: Failed to equip and open-ended valve with a second valve, cap, blind flange, or plug.

Classification: Minor

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

Rqmt Prov: Special Condition 3.E PERMIT

Description: Failed to ensure that there were not screwed connections on lines greater then two inches in diameter.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.781(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 18 connections within one day after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 29 components within five days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 12 I. PERMIT

Description: Failed to repair 97 components within 15 days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to repair 55 components within seven days after discovering a leak.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to obtain authorization for the emissions from the oily water sewer hubs which lead to the API Separator.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Provision 7.E. OP
Special Condition 1.E (v) OP
Special Condition No. 12.E PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition No. 1.E.(v) OP
Special Condition No. 12.E. OP

Description: Failed to seal three open-eded valves with a second valve, cap, blind flange, or plug.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Special Condition 7.B.(i). OP

Description: Failed to ensure a leak-free connection while loading and/or unloading VOCs into rail car transport vessels.

Classification: Minor

Citation: 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)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to properly notify the TCEQ of an emissions event that occurred on July 23, 2005.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions during an emissions event that occurred on July 23, 2005.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Permit #46307, SC #1 PERMIT
Description: Failure to prevent unauthorized emissions of 1,290 lbs of VOCs.

Effective Date: 04/26/2007 ADMINORDER 2007-0073-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failure to prevent unauthorized emissions from Tank 851 during a cleaning process on September 14, 2006, resulting in an aviodable emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to submit the initial notification within 24 hours and the final report within two weeks of the end of the September 14, 2006 emissions emissions event.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT
Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT
Description: Release of unauthorized emissions that exceeded a reportable quantity.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: No. 46307, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions of 104 lbs of butane, 9,066 lbs of butene, 6 lbs of butylenes isomers, 1,560 lbs of isobutene, 910 lbs of isobutylene, 45 lbs of propane, 87 lbs of propylene from the 4D-4A-OH Line over a period of 3 hrs and 22 min during an emissions event that occurred on December 1, 2006.

Effective Date: 08/31/2007 ADMINORDER 2007-0365-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failure to prevent unauthorized emissions during a December 28, 2006 emissions event.

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT
Description: Failed to prevent unauthorized emissions during a December 18, 2006 emissions event.

Effective Date: 01/12/2008 ADMINORDER 2007-1220-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: Permit No. 46307, Special Condition No.1 PERMIT
Description: Texas Petrochemicals is alleged to have failed to prevent unauthorized emissions during a June 25, 2007 emissions event, in violation of Air Permit No. 46307, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 28, 2007.

Effective Date: 01/28/2008 ADMINORDER 2007-1510-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions during an August 14, 2007 emissions event.

Classification: Minor

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

Description: Failed to properly notify the TCEQ of an emissions event that occurred on August 14, 2007.

Effective Date: 02/25/2008 ADMINORDER 2007-1675-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions, resulting in 79.75 pounds ("lbs") of butene, 74.7 lbs of butane, 9.97 lbs of 1,3-butadiene, 1.99 lbs of benzene, 1.99 lbs of decane, 14.95 lbs of diisobutylene, 9.97 lbs of dimethylformamide, 19.94 lbs of ethylbenzene, 24.92 lbs of furfural, 1.99 lbs of indene, 4.98 lbs of methyl tertiary-butyl ether ("MTBE"), 4.98 lbs of toluene, 274.13 lbs of vinylcyclohexane, and 9.97 lbs of xylene, were released from the API Oil/Water Separator.

Effective Date: 04/03/2008 ADMINORDER 2007-1628-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions during a September 5, 2007 emissions event.

Classification: Minor

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

Description: Failed to report an emissions event within 24 hours after discovery.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	04/21/2003	(27289)
2	05/20/2003	(29901)
3	06/18/2003	(36257)
4	07/09/2003	(98190)
5	07/15/2003	(114135)
6	07/21/2003	(114195)
7	08/08/2003	(40801)
8	08/11/2003	(130767)
9	08/26/2003	(149809)
10	08/28/2003	(152866)
11	10/17/2003	(249451)
12	10/30/2003	(152888)
13	11/18/2003	(249532)
14	01/02/2004	(254540)
15	01/08/2004	(258394)
16	01/15/2004	(255521)
17	01/23/2004	(258353)
18	01/28/2004	(256991)
19	01/28/2004	(257009)
20	02/10/2004	(255227)
21	02/10/2004	(256355)
22	04/12/2004	(260974)
23	04/20/2004	(255875)
24	05/26/2004	(262402)
25	06/10/2004	(270492)
26	06/15/2004	(270507)
27	07/09/2004	(270285)
28	07/13/2004	(268259)
29	07/26/2004	(277574)
30	07/29/2004	(279114)
31	07/30/2004	(278578)
32	08/11/2004	(288425)
33	08/11/2004	(288800)
34	08/18/2004	(276597)
35	08/30/2004	(282027)
36	08/31/2004	(285908)
37	08/31/2004	(291888)

38	10/08/2004	(335087)
39	10/11/2004	(333747)
40	10/18/2004	(336459)
41	10/18/2004	(336854)
42	10/19/2004	(335878)
43	10/26/2004	(291758)
44	11/02/2004	(339528)
45	11/11/2004	(289544)
46	11/11/2004	(292795)
47	11/22/2004	(339425)
48	12/13/2004	(339426)
49	12/16/2004	(293258)
50	01/05/2005	(345579)
51	01/21/2005	(342214)
52	02/03/2005	(349418)
53	02/18/2005	(345797)
54	04/07/2005	(347331)
55	04/07/2005	(347336)
56	04/18/2005	(374447)
57	04/19/2005	(377616)
58	05/05/2005	(373870)
59	05/10/2005	(380624)
60	05/13/2005	(373465)
61	05/31/2005	(376325)
62	06/06/2005	(378762)
63	07/07/2005	(394060)
64	08/08/2005	(394042)
65	08/11/2005	(374658)
66	08/23/2005	(402060)
67	08/23/2005	(404475)
68	08/24/2005	(333418)
69	08/24/2005	(402041)
70	08/26/2005	(401337)
71	08/29/2005	(404046)
72	08/29/2005	(405738)
73	08/31/2005	(402446)
74	08/31/2005	(418954)
75	09/27/2005	(405860)
76	02/23/2006	(455880)
77	02/25/2006	(456997)
78	02/27/2006	(457159)
79	02/28/2006	(457074)
80	03/13/2006	(450024)
81	03/13/2006	(450051)
82	03/13/2006	(450068)
83	04/04/2006	(458271)
84	04/04/2006	(458283)
85	04/04/2006	(461031)
86	04/28/2006	(458466)
87	05/30/2006	(459802)
88	05/30/2006	(471013)
89	05/30/2006	(477634)
90	05/30/2006	(478963)
91	05/30/2006	(480099)
92	05/30/2006	(480133)
93	05/30/2006	(480141)
94	05/30/2006	(480186)
95	05/30/2006	(480200)
96	05/30/2006	(480206)
97	05/30/2006	(480219)
98	05/30/2006	(480222)
99	05/30/2006	(480233)
100	05/30/2006	(480237)
101	05/30/2006	(480245)
102	05/30/2006	(480265)
103	05/30/2006	(480277)
104	05/30/2006	(480282)
105	05/30/2006	(480287)
106	05/30/2006	(480289)
107	05/30/2006	(480292)
108	05/30/2006	(480297)
109	05/30/2006	(480300)
110	05/30/2006	(480302)

111	05/30/2006	(480303)
112	05/30/2006	(480304)
113	05/30/2006	(480305)
114	05/30/2006	(480306)
115	05/30/2006	(480308)
116	05/30/2006	(480311)
117	05/30/2006	(480313)
118	05/30/2006	(480314)
119	05/30/2006	(480315)
120	05/31/2006	(480197)
121	05/31/2006	(480214)
122	05/31/2006	(480226)
123	05/31/2006	(480242)
124	05/31/2006	(480244)
125	05/31/2006	(480246)
126	05/31/2006	(480254)
127	05/31/2006	(480263)
128	05/31/2006	(480425)
129	05/31/2006	(480445)
130	05/31/2006	(480455)
131	05/31/2006	(480468)
132	05/31/2006	(480479)
133	05/31/2006	(480502)
134	05/31/2006	(480530)
135	05/31/2006	(480569)
136	05/31/2006	(480610)
137	05/31/2006	(480623)
138	05/31/2006	(480631)
139	05/31/2006	(480634)
140	05/31/2006	(480635)
141	05/31/2006	(480637)
142	05/31/2006	(480638)
143	05/31/2006	(480639)
144	05/31/2006	(480640)
145	05/31/2006	(480641)
146	05/31/2006	(480642)
147	05/31/2006	(480643)
148	05/31/2006	(480644)
149	05/31/2006	(480645)
150	05/31/2006	(480646)
151	05/31/2006	(480647)
152	05/31/2006	(480648)
153	05/31/2006	(480649)
154	05/31/2006	(480651)
155	05/31/2006	(480653)
156	05/31/2006	(480654)
157	05/31/2006	(480655)
158	05/31/2006	(480656)
159	05/31/2006	(480866)
160	07/21/2006	(481780)
161	07/21/2006	(481873)
162	07/21/2006	(481904)
163	07/27/2006	(459885)
164	08/08/2006	(462831)
165	08/28/2006	(488528)
166	08/28/2006	(488585)
167	08/28/2006	(488643)
168	08/31/2006	(488584)
169	10/30/2006	(487750)
170	11/17/2006	(518574)
171	12/05/2006	(532642)
172	12/21/2006	(534106)
173	12/21/2006	(534110)
174	01/04/2007	(534107)
175	02/01/2007	(533800)
176	02/07/2007	(539409)
177	03/02/2007	(538543)
178	03/09/2007	(542643)
179	03/20/2007	(542634)
180	03/30/2007	(512156)
181	04/25/2007	(557786)
182	05/08/2007	(542720)
183	05/09/2007	(538778)

184	07/06/2007	(566435)
185	07/26/2007	(567778)
186	08/20/2007	(572373)
187	08/24/2007	(573306)
188	09/07/2007	(593363)
189	09/11/2007	(594099)
190	09/14/2007	(593593)
191	09/28/2007	(593596)
192	10/09/2007	(596500)
193	10/11/2007	(567263)
194	10/16/2007	(596503)
195	11/02/2007	(598212)
196	11/19/2007	(598092)
197	11/27/2007	(568545)
198	12/04/2007	(567375)
199	12/07/2007	(568199)
200	12/11/2007	(597258)
201	12/27/2007	(609857)
202	01/02/2008	(599484)
203	01/04/2008	(594351)
204	01/07/2008	(600299)
205	01/08/2008	(532643)
206	01/09/2008	(611819)
207	01/11/2008	(612081)
208	01/18/2008	(614404)
209	02/05/2008	(617279)
210	02/08/2008	(616766)
211	02/22/2008	(619100)
212	02/29/2008	(617227)
213	03/03/2008	(637501)
214	03/06/2008	(637625)
215	03/07/2008	(637636)
216	03/11/2008	(616417)
217	03/25/2008	(639470)
218	03/26/2008	(638986)
219	04/03/2008	(640743)

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

Date: 06/30/2003 (60730)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Failure to control emissions of heavy oils (12 Carbons- 20 Carbons).

Date: 08/08/2003 (40801)

Self Report? NO Classification: Moderate

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

Description: Failure to not cause, suffer, allow, or permit air contaminants in violation of commission rules.

Self Report? NO Classification: Moderate

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

Description: Failure to be authorized by a commission rule and permitted air contaminants in violation of commission rules

Self Report? NO Classification: Minor

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

Description: Failure to meet the record keeping requirements that TPC submit the proper compound descriptive type of all individually listed compounds or mixtures of air contaminants.

Self Report? NO Classification: Minor

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

Description: Failure to meet the record keeping requirements that TPC submit the proper authorized emissions limits for the facility involved in the final record.

Date: 02/10/2004 (255227)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Description: Failure to maintain opacity of emissions within the allowable limit of 20% for a period of six minutes at Boiler Nos. 4 and 8.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA TCEQ Air Permit 1341A

Description: Failure to comply with special provision No. 3 of TCEQ Air permit #1341A.

Date: 05/26/2004 (262402)

Self Report? NO Classification: Major

Citation: 30 TAC Chapter 106, SubChapter X 106.532(1)(O)
30 TAC Chapter 115, SubChapter B 115.137(a)(2)

Rqmt Prov: PA September 4, 2000

Description: Failure to adhere to permit conditions, such that the psia of 2.0 for the fuel oil in the wastewater treatment system exceeded the permitted and regulated limits.

Date: 08/30/2004 (282027)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(12)

Description: The company failed to submit additional information neccessary to evaluate an emissions event when requested by the director or any air pollution control agency with jurisdiction, within the time frames established in the request as specified in 30 TAC 101.201(b)(12) and 30 TAC Chapter 101.201(a)(4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)

Description: The regulated entity is in violation of 30 TAC Chapter 115.112(a)(1) which states no person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times.

Date: 05/05/2005 (373870)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307, SC 9C

Description: Failure to control smoke from a flare resulting in an exceedance of the 5 minute time period in any two hours.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 GC #7

Description: Failure to maintain information required to demonstrate compliance with the general condition number 7 of TCEQ Air Permit No. 46307.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 SC 1

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Self Report? NO Classification: Minor

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

Description: Failure to submit the final record for an emissions event

Date: 06/06/2005 (378762)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Description: Failure to maintain opacity of emissions less than 20% at the Boiler #9 Stack.

Date: 08/08/2005 (394042)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)

Description: Failure to submit information by the due date.

Self Report? NO Classification: Moderate

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

Description: Failure to obtain a permit amendment for emissions from the D-100 Tower.

Date: 08/26/2005 (401337)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP Permit 46307 SC 8B

Description: Failed to meet the requirements specified under TCEQ Source Sampling Procedure Manual Appendix P, 5.1.1.3, which requires samples should be drawn from either the vertical section near the base of the riser pipe or the top of a horizontal section prior to the riser pipe at a location where the pipe will be full.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP 46307 GC 7
PERMIT TCEQ VERP 46307 SC 8B

Description: Failed to document "Zero Air Check", "Stabilization Time" and "Water Blank Check" as required by Manual Appendix P.

Date: 03/13/2006 (450024)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450051)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450068)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the Nox and O2 analyzers.

Date: 07/31/2006 (459885)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(I)

Description: RE failed to submit stack test reports on time.

Date: 08/29/2006 (466376)

Self Report? NO Classification: Moderate

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

Description: Found to be in violation of 30 TAC Chapter 101.4 and 5C THC Chapter 382.085(b) for failure to control emissions.

Date: 08/31/2006 (488584)

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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open ended lines.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

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

Description: Failure to comply with 30 TAC 1170206(i) by operating pump between the hours of 6:00 AM to noon.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A
Description: Failure to document presence and frequency of drips and to the sensor that indiates failure of the seal system for the 23 pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(e)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to conduct daily inspection on the Number 5 compressor seal system sensor, which did not have an alarm system.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, 1A
Description: Failure repair leaking connector within 15 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to monitor 18 pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598
Description: Failure to provide 30-day refilling notice to the IFR tank T-73.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to repair a leaking fugitive valve that is HRVOC service within 7 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-01598, SC 1A
Description: Failure to conduct first attempt repair on a leaking valve in HRVOC service within one day.

Date: 11/17/2006 (518574)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(4)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(A)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(B)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(C)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(4)
Description: The facility was unable to document any refusal of state or local agencies to enter into arrangements to provide emergency response.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.8(b)(1)
Description: NOR Unit 009-Tank: This unit has been removed. No notification regarding the removal of this tank, has been provided.

Unit 019 Tank: This unit has been converted from hazardous watse use to product use. The unit should go through the closure process.

Date: 12/21/2006 (534110)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Release of unauthorized emissions that exceeded a reportable quantity.
Date: 12/21/2006 (534106)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Operator inadvertently left a valve open resulting in unauthorized emissions.
Date: 08/21/2007 (572373)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1
Description: Failure to demonstrate an affirmative defense.
Date: 01/08/2008 (532643)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 46307, Special Condition No. 12(E)
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to seal 166 open-ended lines in VOC/HRVOC service and 92 open-ended lines in HAP service or a total of 258 open-ended lines during October 7, 2005 through October 7, 2006 reporting period.

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 A 382.085(b)

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent the emissions from cooling towers CT-1, CT-10, and CT-14 from exceeding the VOC rolling 12-month permit limit from October 7, 2005 through October 6, 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent the hourly emissions from cooling tower CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307 MAER table.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01598, Special T& C No. 1(E)(ii)

Description: Failure of the continuous monitoring system to maintain adequate records on PRV 2063 and PVR 2071.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01598, Special T & C No. 1(E)(ii)

Description: Failure to conduct the 2006 first quarter inspection of the transmitter associated with pressure relief valve No. 2071 and 2006 second quarter inspection of the transmitter associated with pressure relief valve Nos. 2166, 23, 818, and 819.

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 A 382.085

Rqmt Prov: PERMIT 46307, Special Condition No. 7
OP O-01598, Special Terms & Cond. 19

Description: Failure to prevent tanks T-155 and T-85 from exceeding VERP Permit No. 46307 annual (on a rolling 12-month period) throughput limit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598 Special Terms & Cond. No. 1(A)

Description: Failure to notify the EPA prior to the refilling of tanks T-74 and T-73, which is a violation of 40 CFR 63.120(a)(5).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to maintain the hatch on the internal floating roof of tank T-74 closed at all times.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to repair two (2) leaking valves (tag nos. 1200081 & 1260261) within seven (7) calendar days after the leaks were found.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 11(B)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform daily zero and span on the CEMS for the process heater 1B-901, boiler B-905, and stationary turbine 1G-901T.

5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)
Description: Failure to perform the 10-year inspection on tanks T-71, T-114, and T-115.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT 46307, Special Condition No. 6(E)
OP O-01598, Special Terms & Cond. No. 19
Description: Failure to maintain operation without visible liquid leaks or spills at all loading/unloading facilities. The regulated entity reported that oil was seeping out from the bottom of tank T-84 from November 14, 2005 through April 6, 2006 and from April 8, 2006 through October 6, 2006.

Date: 03/27/2008 (638986)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT No. 46307, Special Condition No. 1
Description: Failed to prevent pihole leak on the compressor suction line in the PIB Unit.

F. Environmental audits.

Notice of Intent Date: 05/11/2006 (467603)
No DOV Associated

Notice of Intent Date: 04/04/2008 (653971)
No DOV Associated

Notice of Intent Date: 04/01/2008 (653990)
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.

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform multipoint calibration when cooling towers CT-14, CT-3, and CT-1 drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to manually collect and analyze three cooling tower samples during the calendar week that cooling tower CT-3 analyzer drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to calibrate the temperature probe on CT-1, CT-10, CT-14, CT-3, and CT-7 analyzers during the first half of 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent VOC emissions from cooling towers CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307, MAER table.

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 46307, Special Condition No. 9
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to combust gas with a net heating value equal to or above 11.2 MJ/scm during four 5-minute periods.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. 1(E)(v)

Description: Failure to quarterly monitor the pressure relieve valves associated with group GRP - FUG1/FUG2/FUG3.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to monitor four pumps in HAP service and one pump in VOC service on a monthly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to repair leaking valve within 15 days of leak discovery.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598

Description: Failure to monitor two valves (Tag Nos. 668956 and 673684) on a quarterly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) *PCW Revision February 29, 2008*

TCEQ

DATES					
Assigned	26-Mar-2008				
PCW	26-Mar-2008	Screening	26-Mar-2008	EPA Due	21-Dec-2008

RESPONDENT/FACILITY INFORMATION

Respondent	Texas Petrochemicals LP		
Reg. Ent. Ref. No.	RN100219526		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35511	No. of Violations	2
Docket No.	2008-0391-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* $2,600

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 231% Enhancement *Subtotals 2, 3, & 7* $6,006

Notes: Penalty enhancement due to 14 NOVs with same or similar violations, six NOVs with unrelated violations, five 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to one Notice of Audit letter.

Culpability No 0% Enhancement *Subtotal 4* $0

Notes: The Respondent does not meet the culpability criteria.

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

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

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

50% Enhancement* *Subtotal 6* $1,300

Total EB Amounts $16,823
Approx. Cost of Compliance $555,500

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 *Final Subtotal* $9,906

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount $9,906

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty* $9,906

DEFERRAL 20% Reduction *Adjustment* -$1,981

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY $7,925

Screening Date 26-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision February 29, 2008*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	14	70%
	Other written NOVs	6	12%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	5	100%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 231%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 14 NOVs with same or similar violations, six NOVs with unrelated violations, five 1660 Agreed Orders, and two Findings Orders. Penalty reduction due to one Notice of Audit letter.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 231%

Screening Date 26-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision February 29, 2008*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Air Permit No. 46307, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,932 pounds ("lbs") of volatile organic compounds (including 542.26 lbs of 1,3-butadiene) from a pin hole leak at the east end of the flare gas header between the Polyisobutylene and the North Absorber Units during an avoidable emissions event (Incident No. 104025) that began February 8, 2008 and lasted for 505 hours. Since this emissions event could have been avoided by better maintenance practices and was not properly reported, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

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

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 | 21 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended from the date of the emissions event (February 8, 2008) to the date of the investigation (March 19, 2008).

Economic Benefit (EB) for this violation

Estimated EB Amount $16,817

Statutory Limit Test

Violation Final Penalty Total $9,525

This violation Final Assessed Penalty (adjusted for limits) $9,525

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	$555,000	8-Feb-2008	15-Jul-2008	0.4	$801	$16,016	$16,817
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	Estimated cost for replacing the flare line. Date required based on the date of the emissions event. Final date based on the date the corrective actions were completed.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance: $555,000

TOTAL: $16,817

Screening Date 26-Mar-2008 **Docket No.** 2008-0391-AIR-E **PCW**

Respondent Texas Petrochemicals LP *Policy Revision 2 (September 2002)*

Case ID No. 35511 *PCW Revision February 29, 2008*

Reg. Ent. Reference No. RN100219526

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit an initial notification within 24 hours of discovery of the February 8, 2008 emissions event (Incident No. 104025). Specifically, the emissions event was discovered on February 8, 2008, and the initial report was not submitted until February 21, 2008.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: The Respondent met at least 70% of the rule requirement.

Adjustment $9,900

$100

Violation Events

Number of Violation Events 1 — 12 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Economic Benefit (EB) for this violation

Estimated EB Amount $6

Statutory Limit Test

Violation Final Penalty Total $381

This violation Final Assessed Penalty (adjusted for limits) $381

Economic Benefit Worksheet

Respondent Texas Petrochemicals LP
Case ID No. 35511
Reg. Ent. Reference No. RN100219526
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling	$500	8-Feb-2008	7-May-2008	0.2	$6	n/a	$6
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost for training for emissions event reporting. Date required based on the date of the emissions event. Final date based on the date the corrective actions were completed.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	$0	$0	$0
Personnel				0.0	$0	$0	$0
Inspection/Reporting/Sampling				0.0	$0	$0	$0
Supplies/equipment				0.0	$0	$0	$0
Financial Assurance [2]				0.0	$0	$0	$0
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance $500

TOTAL $6

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600130322	Texas Petrochemicals LP	Classification: AVERAGE	Rating: 2.69
Regulated Entity:	RN100219526	TEXAS PETROCHEMICALS HOUSTON FACILITY	Classification: AVERAGE	Site Rating: 8.92

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0562P
AIR OPERATING PERMITS	PERMIT	1598
AIR OPERATING PERMITS	PERMIT	2884
AIR NEW SOURCE PERMITS	PERMIT	1341A
AIR NEW SOURCE PERMITS	PERMIT	1766
AIR NEW SOURCE PERMITS	PERMIT	4136
AIR NEW SOURCE PERMITS	PERMIT	4238A
AIR NEW SOURCE PERMITS	PERMIT	10296
AIR NEW SOURCE PERMITS	PERMIT	10323A
AIR NEW SOURCE PERMITS	PERMIT	10352A
AIR NEW SOURCE PERMITS	PERMIT	10675A
AIR NEW SOURCE PERMITS	PERMIT	10840A
AIR NEW SOURCE PERMITS	PERMIT	11427A
AIR NEW SOURCE PERMITS	PERMIT	11801
AIR NEW SOURCE PERMITS	PERMIT	11801A
AIR NEW SOURCE PERMITS	PERMIT	13805A
AIR NEW SOURCE PERMITS	PERMIT	13806A
AIR NEW SOURCE PERMITS	PERMIT	15606
AIR NEW SOURCE PERMITS	PERMIT	16351
AIR NEW SOURCE PERMITS	PERMIT	19806
AIR NEW SOURCE PERMITS	PERMIT	22052
AIR NEW SOURCE PERMITS	PERMIT	24187
AIR NEW SOURCE PERMITS	PERMIT	28410
AIR NEW SOURCE PERMITS	PERMIT	37317
AIR NEW SOURCE PERMITS	PERMIT	40807
AIR NEW SOURCE PERMITS	PERMIT	43252
AIR NEW SOURCE PERMITS	PERMIT	43536
AIR NEW SOURCE PERMITS	PERMIT	44268
AIR NEW SOURCE PERMITS	PERMIT	44488
AIR NEW SOURCE PERMITS	PERMIT	44686
AIR NEW SOURCE PERMITS	PERMIT	44927
AIR NEW SOURCE PERMITS	PERMIT	46307
AIR NEW SOURCE PERMITS	PERMIT	46426
AIR NEW SOURCE PERMITS	PERMIT	46456
AIR NEW SOURCE PERMITS	PERMIT	47147
AIR NEW SOURCE PERMITS	PERMIT	47393
AIR NEW SOURCE PERMITS	PERMIT	48550
AIR NEW SOURCE PERMITS	PERMIT	49829
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0562P
AIR NEW SOURCE PERMITS	AFS NUM	4820100031
AIR NEW SOURCE PERMITS	REGISTRATION	71443
AIR NEW SOURCE PERMITS	REGISTRATION	71687
AIR NEW SOURCE PERMITS	PERMIT	50761
AIR NEW SOURCE PERMITS	EPA ID	PSDTX999
AIR NEW SOURCE PERMITS	REGISTRATION	77348
AIR NEW SOURCE PERMITS	REGISTRATION	77347
AIR NEW SOURCE PERMITS	REGISTRATION	77346
AIR NEW SOURCE PERMITS	REGISTRATION	77345
AIR NEW SOURCE PERMITS	REGISTRATION	77344
AIR NEW SOURCE PERMITS	REGISTRATION	77343
AIR NEW SOURCE PERMITS	REGISTRATION	78118
AIR NEW SOURCE PERMITS	REGISTRATION	79933
AIR NEW SOURCE PERMITS	REGISTRATION	79799
AIR NEW SOURCE PERMITS	REGISTRATION	80271
AIR NEW SOURCE PERMITS	REGISTRATION	80019
AIR NEW SOURCE PERMITS	REGISTRATION	79947
AIR NEW SOURCE PERMITS	REGISTRATION	80340
AIR NEW SOURCE PERMITS	REGISTRATION	80916
AIR NEW SOURCE PERMITS	REGISTRATION	80921
AIR NEW SOURCE PERMITS	REGISTRATION	81648
AIR NEW SOURCE PERMITS	REGISTRATION	81669
AIR NEW SOURCE PERMITS	REGISTRATION	81662
AIR NEW SOURCE PERMITS	REGISTRATION	82280
AIR NEW SOURCE PERMITS	REGISTRATION	82797
AIR NEW SOURCE PERMITS	PERMIT	83905
AIR NEW SOURCE PERMITS	REGISTRATION	82963
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008072134
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30417
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30417

Location: 8600 PARK PLACE BLVD, HOUSTON, TX, 77017 Rating Date: 9/1/2008 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: November 12, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 26, 2003 to March 26, 2008

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

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

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: 05/24/2004 ADMINORDER 2002-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)

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

Rqmt Prov: SC10 PERMIT
Description: Failure to properly cap or plug open ended lines as documented during an investigation conducted on October 17, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)

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

Description: Failure to monitor 23 valves during the monitoring period ending March 31, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)

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

Description: Failure to monitor 2 repaired valves within 15 days.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

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

Rqmt Prov: SC10 PERMIT
Description: Failure to adhere to LDAR monitoring schedule for pumps.

Effective Date: 04/26/2007 ADMINORDER 2005-0257-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter X 106.532
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent the unauthorized emissionof 1,366 lbs of butane, 2,053 lbs of butylene isomers, 1,518 lbs of isobutylene, 5 lbs of methanol, 6 lbs of methyl tert-butyl ether, 12 lbs of pentane, and 12 lbs of propane to the atmosphere from the central gland water system during an avoidable emissions event on August 18

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)

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

Rqmt Prov: Special Condition 2. PERMIT
Special Condition 3.E PERMIT

Description: Failed to equip and open-ended valve with a second valve, cap, blind flange, or plug.

Classification: Minor

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

Rqmt Prov: Special Condition 3.E PERMIT

Description: Failed to ensure that there were not screwed connections on lines greater then two inches in diameter.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.781(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 18 connections within one day after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to make the first attempt to repair 29 components within five days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition 12 I. PERMIT

Description: Failed to repair 97 components within 15 days after discovering a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to repair 55 components within seven days after discovering a leak.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
30 TAC Chapter 116, SubChapter B 116.116(a)

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

Description: Failure to obtain authorization for the emissions from the oily water sewer hubs which lead to the API Separator.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Provision 7.E. OP
Special Condition 1.E (v) OP

Special Condition No. 12.E PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition No. 1.E.(v) OP
Special Condition No. 12.E. OP

Description: Failed to seal three open-eded valves with a second valve, cap, blind flange, or plug.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Special Condition 7.B.(i). OP

Description: Failed to ensure a leak-free connection while loading and/or unloading VOCs into rail car transport vessels.

Classification: Minor

Citation: 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 D 382.085(b)

Description: Failed to properly notify the TCEQ of an emissions event that occurred on July 23, 2005.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that occurred on July 23, 2005.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit #46307, SC #1 PERMIT

Description: Failure to prevent unauthorized emissions of 1,290 lbs of VOCs.

Effective Date: 04/26/2007 ADMINORDER 2007-0073-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions from Tank 851 during a cleaning process on September 14, 2006, resulting in an aviodable emissions event.

Classification: Minor

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

Description: Failure to submit the initial notification within 24 hours and the final report within two weeks of the end of the September 14, 2006 emissions emissions event.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Release of unauthorized emissions that exceeded a reportable quantity.

Classification: Moderate

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

Rqmt Prov: No. 46307, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 104 lbs of butane, 9,066 lbs of butene, 6 lbs of butylenes isomers, 1,560 lbs of isobutene, 910 lbs of isobutylene, 45 lbs of propane, 87 lbs of propylene from the 4D-4A-OH Line over a period of 3 hrs and 22 min during an emissions event that occurred on December 1, 2006.

Effective Date: 08/31/2007 ADMINORDER 2007-0365-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions during a December 28, 2006 emissions event.

Classification: Moderate

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

Rqmt Prov: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions during a December 18, 2006 emissions event.

Effective Date: 01/12/2008 ADMINORDER 2007-1220-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Texas Petrochemicals is alleged to have failed to prevent unauthorized emissions during a June 25, 2007 emissions event, in violation of Air Permit No. 46307, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 28, 2007.

Effective Date: 01/28/2008 ADMINORDER 2007-1510-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions during an August 14, 2007 emissions event.

Classification: Minor

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

Description: Failed to properly notify the TCEQ of an emissions event that occurred on August 14, 2007.

Effective Date: 02/25/2008 ADMINORDER 2007-1675-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: Permit No. 46307, Special Condition No.1 PERMIT

Description: Failure to prevent unauthorized emissions, resulting in 79.75 pounds ("lbs") of butene, 74.7 lbs of butane, 9.97 lbs of 1,3-butadiene, 1.99 lbs of benzene, 1.99 lbs of decane, 14.95 lbs of diisobutylene, 9.97 lbs of dimethylformamide, 19.94 lbs of ethylbenzene, 24.92 lbs of furfural, 1.99 lbs of indene, 4.98 lbs of methyl tertiary-butyl ether ("MTBE"), 4.98 lbs of toluene, 274.13 lbs of vinylcyclohexane, and 9.97 lbs of xylene, were released from the API Oil/Water Separator.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	04/21/2003	(27289)
2	05/20/2003	(29901)
3	06/18/2003	(36257)
4	07/09/2003	(98190)
5	07/15/2003	(114135)
6	07/21/2003	(114195)
7	08/08/2003	(40801)
8	08/11/2003	(130767)
9	08/26/2003	(149809)
10	08/28/2003	(152866)
11	10/17/2003	(249451)
12	10/30/2003	(152888)
13	11/18/2003	(249532)
14	01/02/2004	(254540)
15	01/08/2004	(258394)
16	01/15/2004	(255521)
17	01/23/2004	(258353)
18	01/28/2004	(256991)
19	01/28/2004	(257009)
20	02/10/2004	(255227)
21	02/10/2004	(256355)
22	04/12/2004	(260974)
23	04/20/2004	(255875)
24	05/26/2004	(262402)
25	06/10/2004	(270492)
26	06/15/2004	(270507)
27	07/09/2004	(270285)
28	07/13/2004	(268259)
29	07/26/2004	(277574)
30	07/29/2004	(279114)
31	07/30/2004	(278578)
32	08/11/2004	(288425)
33	08/11/2004	(288800)
34	08/18/2004	(276597)
35	08/30/2004	(282027)
36	08/31/2004	(285908)
37	08/31/2004	(291888)
38	10/08/2004	(335087)
39	10/11/2004	(333747)

40	10/18/2004	(336459)
41	10/18/2004	(336854)
42	10/19/2004	(335878)
43	10/26/2004	(291758)
44	11/02/2004	(339528)
45	11/11/2004	(289544)
46	11/11/2004	(292795)
47	11/22/2004	(339425)
48	12/13/2004	(339426)
49	12/16/2004	(293258)
50	01/05/2005	(345579)
51	01/21/2005	(342214)
52	02/03/2005	(349418)
53	02/18/2005	(345797)
54	04/07/2005	(347331)
55	04/07/2005	(347336)
56	04/18/2005	(374447)
57	04/19/2005	(377616)
58	05/05/2005	(373870)
59	05/10/2005	(380624)
60	05/13/2005	(373465)
61	05/31/2005	(376325)
62	06/06/2005	(378762)
63	07/07/2005	(394060)
64	08/08/2005	(394042)
65	08/11/2005	(374658)
66	08/23/2005	(402060)
67	08/23/2005	(404475)
68	08/24/2005	(333418)
69	08/24/2005	(402041)
70	08/26/2005	(401337)
71	08/29/2005	(404046)
72	08/29/2005	(405738)
73	08/31/2005	(402446)
74	08/31/2005	(418954)
75	09/27/2005	(405860)
76	02/23/2006	(455880)
77	02/25/2006	(456997)
78	02/27/2006	(457159)
79	02/28/2006	(457074)
80	03/13/2006	(450024)
81	03/13/2006	(450051)
82	03/13/2006	(450068)
83	04/04/2006	(458271)
84	04/04/2006	(458283)
85	04/04/2006	(461031)
86	04/28/2006	(458466)
87	05/30/2006	(459802)
88	05/30/2006	(471013)
89	05/30/2006	(477634)
90	05/30/2006	(478963)
91	05/30/2006	(480099)
92	05/30/2006	(480133)
93	05/30/2006	(480141)
94	05/30/2006	(480186)
95	05/30/2006	(480200)
96	05/30/2006	(480206)
97	05/30/2006	(480219)
98	05/30/2006	(480222)
99	05/30/2006	(480233)
100	05/30/2006	(480237)
101	05/30/2006	(480245)
102	05/30/2006	(480265)
103	05/30/2006	(480277)
104	05/30/2006	(480282)
105	05/30/2006	(480287)
106	05/30/2006	(480289)
107	05/30/2006	(480292)
108	05/30/2006	(480297)
109	05/30/2006	(480300)
110	05/30/2006	(480302)
111	05/30/2006	(480303)
112	05/30/2006	(480304)

113	05/30/2006	(480305)
114	05/30/2006	(480306)
115	05/30/2006	(480308)
116	05/30/2006	(480311)
117	05/30/2006	(480313)
118	05/30/2006	(480314)
119	05/30/2006	(480315)
120	05/31/2006	(480197)
121	05/31/2006	(480214)
122	05/31/2006	(480226)
123	05/31/2006	(480242)
124	05/31/2006	(480244)
125	05/31/2006	(480246)
126	05/31/2006	(480254)
127	05/31/2006	(480263)
128	05/31/2006	(480425)
129	05/31/2006	(480445)
130	05/31/2006	(480455)
131	05/31/2006	(480468)
132	05/31/2006	(480479)
133	05/31/2006	(480502)
134	05/31/2006	(480530)
135	05/31/2006	(480569)
136	05/31/2006	(480610)
137	05/31/2006	(480623)
138	05/31/2006	(480631)
139	05/31/2006	(480634)
140	05/31/2006	(480635)
141	05/31/2006	(480637)
142	05/31/2006	(480638)
143	05/31/2006	(480639)
144	05/31/2006	(480640)
145	05/31/2006	(480641)
146	05/31/2006	(480642)
147	05/31/2006	(480643)
148	05/31/2006	(480644)
149	05/31/2006	(480645)
150	05/31/2006	(480646)
151	05/31/2006	(480647)
152	05/31/2006	(480648)
153	05/31/2006	(480649)
154	05/31/2006	(480651)
155	05/31/2006	(480653)
156	05/31/2006	(480654)
157	05/31/2006	(480655)
158	05/31/2006	(480656)
159	05/31/2006	(480866)
160	07/21/2006	(481780)
161	07/21/2006	(481873)
162	07/21/2006	(481904)
163	07/27/2006	(459885)
164	08/08/2006	(462831)
165	08/28/2006	(488528)
166	08/28/2006	(488585)
167	08/28/2006	(488643)
168	08/31/2006	(488584)
169	10/30/2006	(487750)
170	11/17/2006	(518574)
171	12/05/2006	(532642)
172	12/21/2006	(534106)
173	12/21/2006	(534110)
174	01/04/2007	(534107)
175	02/01/2007	(533800)
176	02/07/2007	(539409)
177	03/02/2007	(538543)
178	03/09/2007	(542643)
179	03/20/2007	(542634)
180	03/30/2007	(512156)
181	04/25/2007	(557786)
182	05/08/2007	(542720)
183	05/09/2007	(538778)
184	07/06/2007	(566435)
185	07/26/2007	(567778)

186	08/20/2007	(572373)
187	08/24/2007	(573306)
188	09/07/2007	(593363)
189	09/11/2007	(594099)
190	09/14/2007	(593593)
191	09/28/2007	(593596)
192	10/09/2007	(596500)
193	10/11/2007	(567263)
194	10/16/2007	(596503)
195	11/02/2007	(598212)
196	11/19/2007	(598092)
197	11/27/2007	(568545)
198	12/04/2007	(567375)
199	12/07/2007	(568199)
200	12/11/2007	(597258)
201	12/27/2007	(609857)
202	01/02/2008	(599484)
203	01/04/2008	(594351)
204	01/07/2008	(600299)
205	01/08/2008	(532643)
206	01/09/2008	(611819)
207	01/11/2008	(612081)
208	01/18/2008	(614404)
209	02/05/2008	(617279)
210	02/08/2008	(616766)
211	02/22/2008	(619100)
212	02/29/2008	(617227)
213	03/03/2008	(637501)
214	03/06/2008	(637625)
215	03/07/2008	(637636)
216	03/11/2008	(616417)
217	03/25/2008	(639470)
218	03/26/2008	(638986)

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

Date: 06/30/2003 (60730)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.4
Description: Failure to control emissions of heavy oils (12 Carbons- 20 Carbons).

Date: 08/08/2003 (40801)
Self Report? NO Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failure to not cause, suffer, allow, or permit air contaminants in violation of commission rules.

Self Report? NO Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to be authorized by a commission rule and permitted air contaminants in violation of commission rules

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to meet the record keeping requirements that TPC submit the proper compound descriptive type of all individually listed compounds or mixtures of air contaminants.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: Failure to meet the record keeping requirements that TPC submit the proper authorized emissions limits for the facility involved in the final record.

Date: 02/10/2004 (255227)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to maintain opacity of emissions within the allowable limit of 20% for a period of six minutes at Boiler Nos. 4 and 8.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PA TCEQ Air Permit 1341A
Description: Failure to comply with special provision No. 3 of TCEQ Air permit #1341A.

Date: 05/26/2004 (262402)
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 106, SubChapter X 106.532(1)(O)
30 TAC Chapter 115, SubChapter B 115.137(a)(2)
Rqmt Prov: PA September 4, 2000
Description: Failure to adhere to permit conditions, such that the psia of 2.0 for the fuel oil in the wastewater treatment system exceeded the permitted and regulated limits.

Date: 08/30/2004 (282027)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)

30 TAC Chapter 101, SubChapter F 101.201(b)(12)

Description: The company failed to submit additional information neccessary to evaluate an emissions event when requested by the director or any air pollution control agency with jurisdiction, within the time frames established in the request as specified in 30 TAC 101.201(b)(12) and 30 TAC Chapter 101.201(a)(4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)

Description: The regulated entity is in violation of 30 TAC Chapter 115.112(a)(1) which states no person shall place, store, or hold in any stationary tank, reservoir, or other container any volatile organic compound (VOC) unless such container is capable of maintaining working pressure sufficient at all times.

Date: 05/05/2005 (373870)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307, SC 9C

Description: Failure to control smoke from a flare resulting in an exceedance of the 5 minute time period in any two hours.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 GC #7

Description: Failure to maintain information required to demonstrate compliance with the general condition number 7 of TCEQ Air Permit No. 46307.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Rqmt Prov: PERMIT TCEQ Air Permit No. 46307 SC 1

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Self Report? NO Classification: Minor

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

Description: Failure to submit the final record for an emissions event

Date: 06/06/2005 (378762)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

Description: Failure to maintain opacity of emissions less than 20% at the Boiler #9 Stack.

Date: 08/08/2005 (394042)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)

Description: Failure to submit information by the due date.

Self Report? NO Classification: Moderate

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

Description: Failure to obtain a permit amendment for emissions from the D-100 Tower.

Date: 08/26/2005 (401337)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP Permit 46307 SC 8B

Description: Failed to meet the requirements specified under TCEQ Source Sampling Procedure Manual Appendix P, 5.1.1.3, which requires samples should be drawn from either the vertical section near the base of the riser pipe or the top of a horizontal section prior to the riser pipe at a location where the pipe will be full.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(i)
30 TAC Chapter 116, SubChapter H 116.814(a)

Rqmt Prov: PERMIT TCEQ VERP 46307 GC 7
PERMIT TCEQ VERP 46307 SC 8B

Description: Failed to document "Zero Air Check", "Stabilization Time" and "Water Blank Check" as required by Manual Appendix P.

Date: 03/13/2006 (450024)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450051)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO when the RATA was conducted for the NOx and O2 CEMS.

Date: 03/13/2006 (450068)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(d)(2)(B)

Description: Failed to monitor CO emissions when the RATA was conducted for the Nox and O2 analyzers.

Date: 07/31/2006 (459885)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(I)

Description: RE failed to submit stack test reports on time.

Date: 08/29/2006 (466376)

Self Report? NO Classification: Moderate

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

Description: Found to be in violation of 30 TAC Chapter 101.4 and 5C THC Chapter 382.085(b) for failure to control emissions.

Date: 08/31/2006 (488584)

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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open ended lines.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to plug open-ended lines.

Self Report? NO Classification: Minor

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

Description: Failure to comply with 30 TAC 1170206(i) by operating pump between the hours of 6:00 AM to noon.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to document presence and frequency of drips and to the sensor that indiates failure of the seal system for the 23 pumps.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(e)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598

Description: Failure to conduct daily inspection on the Number 5 compressor seal system sensor, which did not have an alarm system.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, 1A

Description: Failure repair leaking connector within 15 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to monitor 18 pumps.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-01598

Description: Failure to provide 30-day refilling notice to the IFR tank T-73.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to repair a leaking fugitive valve that is HRVOC service within 7 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01598, SC 1A

Description: Failure to conduct first attempt repair on a leaking valve in HRVOC service within one day.

Date: 11/17/2006 (518574)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(4)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(A)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(B)
30 TAC Chapter 335, SubChapter C 335.69(a)(4)(C)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(4)

Description: The facility was unable to document any refusal of state or local agencies to enter into arrangements to provide emergency response.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.8(b)(1)

Description: NOR Unit 009-Tank: This unit has been removed. No notification regarding the removal of this tank, has been provided.

Unit 019 Tank: This unit has been converted from hazardous watse use to product use. The unit should go through the closure process.

Date: 12/21/2006 (534110)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1

Description: Release of unauthorized emissions that exceeded a reportable quantity.

Date: 12/21/2006 (534106)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1

Description: Operator inadvertently left a valve open resulting in unauthorized emissions.

Date: 08/21/2007 (572373)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT Permit No. 46307, Special Condition No.1

Description: Failure to demonstrate an affirmative defense.

Date: 01/08/2008 (532643)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 46307, Special Condition No. 12(E)
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to seal 166 open-ended lines in VOC/HRVOC service and 92 open-ended lines in HAP service or a total of 258 open-ended lines during October 7, 2005 through October 7, 2006 reporting period.

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 A 382.085(b)

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent the emissions from cooling towers CT-1, CT-10, and CT-14 from exceeding the VOC rolling 12-month permit limit from October 7, 2005 through October 6, 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent the hourly emissions from cooling tower CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307 MAER table.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01598, Special T& C No. 1(E)(ii)

Description: Failure of the continuous monitoring system to maintain adequate records on PRV 2063 and PVR 2071.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01598, Special T & C No. 1(E)(ii)

Description: Failure to conduct the 2006 first quarter inspection of the transmitter associated with pressure relief valve No. 2071 and 2006 second quarter inspection of the transmitter associated with pressure relief valve Nos. 2166, 23, 818, and 819.

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 A 382.085

Rqmt Prov: PERMIT 46307, Special Condition No. 7
OP O-01598, Special Terms & Cond. 19

Description: Failure to prevent tanks T-155 and T-85 from exceeding VERP Permit No. 46307 annual (on a rolling 12-month period) throughput limit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598 Special Terms & Cond. No. 1(A)

Description: Failure to notify the EPA prior to the refilling of tanks T-74 and T-73, which is a violation of 40 CFR 63.120(a)(5).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to maintain the hatch on the internal floating roof of tank T-74 closed at all times.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to repair two (2) leaking valves (tag nos. 1200081 & 1260261) within seven (7) calendar days after the leaks were found.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 11(B)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform daily zero and span on the CEMS for the process heater 1B-901, boiler B-905, and stationary turbine 1G-901T.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to perform multipoint calibration when cooling towers CT-14, CT-3, and CT-1 drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to manually collect and analyze three cooling tower samples during the calendar week that cooling tower CT-3 analyzer drifted by more than 10 percent.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
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 46307, Special Condition No. 8(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to calibrate the temperature probe on CT-1, CT-10, CT-14, CT-3, and CT-7 analyzers during the first half of 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 46307, Special Condition No. 1
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to prevent VOC emissions from cooling towers CT-1 and CT-14 from exceeding the VOC emission rate limit in the VERP Permit No. 46307, MAER table.

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 46307, Special Condition No. 9
OP O-01598, Special Terms & Cond. No. 1(A)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to combust gas with a net heating value equal to or above 11.2 MJ/scm during four 5-minute periods.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. 1(E)(v)

Description: Failure to quarterly monitor the pressure relieve valves associated with group GRP - FUG1/FUG2/FUG3.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to monitor four pumps in HAP service and one pump in VOC service on a monthly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to repair leaking valve within 15 days of leak discovery.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598

Description: Failure to monitor two valves (Tag Nos. 668956 and 673684) on a quarterly basis.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01598, Special Terms & Cond. No. 1(A)

Description: Failure to perform the 10-year inspection on tanks T-71, T-114, and T-115.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 46307, Special Condition No. 6(E)
OP O-01598, Special Terms & Cond. No. 19

Description: Failure to maintain operation without visible liquid leaks or spills at all loading/unloading facilities. The regulated entity reported that oil was seeping out from the bottom of tank T-84 from November 14, 2005 through April 6, 2006 and from April 8, 2006 through October 6, 2006.

F. Environmental audits.

Notice of Intent Date: 05/11/2006 (467603)
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.

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	**TEXAS COMMISSION ON**
TEXAS PETROCHEMICALS LP	§	
RN100219526	§	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2008-0391-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 Texas Petrochemicals LP ("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 chemical manufacturing plant at 8600 Park Place Boulevard in Houston, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.

4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about January 27, March 12, March 31, April 8, April 20 and May 20, 2008.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Sixty-Two Thousand Three Hundred Sixty-Nine Dollars ($62,369) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Twenty-Four Thousand Nine Hundred Forty-Nine Dollars ($24,949) of the administrative penalty. Twelve Thousand Four Hundred Seventy-Two

Dollars ($12,472) 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. Twenty-Four Thousand Nine Hundred Forty-Eight Dollars ($24,948) 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 recognizes that the Respondent has taken the following corrective actions:

   a. Reduced the pressure on Methanol Surge Drum 7F-215 from 50 pounds per square inch gauge ("psig") to 35 psig through 40 psig to maximize the venting rate upstream of Methanol Recovery Tower 7D-53 by February 22, 2008 (Incident No. 103286);

   b. Reduced the operating pressure on Methanol Recovery Tower 7D-53 from 25 psig to 10 through 15 psig to increase the venting of the light components by February 22, 2008 (Incident No. 103286);

   c. Maximized the reflux temperature on Isobutane Clean-up Tower 7D-51 to 100 degrees Fahrenheit by February 22, 2008 (Incident No. 103286);

   d. Changed the operating pressure and implemented new procedures to maintain Tank operating pressure. New procedures were also included in operator rounds by February 22, 2008 (Incident No. 103286);

   e. By February 14, 2008, created STEERs reporting guidelines that include listing the applicable permit on final STEERs reports in order to ensure that emissions events are properly reported (Incident No. 103286);

   f. On December 21, 2007, the open-ended line ("OEL") policy was revised to be more specific. The revised OEL policy was distributed to all of the operators and shift supervisors on December 31, 2007 (Incident No. 101567);

   g. On January 23, 2008, the pre-startup safety review was revised to be more detailed so that it will have to be signed off on stating that all safety and environmental requirements are implemented, and it is now necessary to sign off on the section stating that all plugs and caps have been installed (Incident No. 101567);

   h. On May 7, 2008, the Respondent set up a monitoring service through a third-party contractor to ensure that e-mail alerts are properly generated and sent to ensure that emissions events are properly reported (Incident Nos. 104945 and 104025);

i. On March 13, 2008, the Respondent instituted procedures and training Plant-wide to ensure that personnel close and plug bleed valves upon startup of equipment, and also initiated internal audits and inspections for all areas of the Plant (Incident No. 104465); and

j. On July 15, 2008, the Respondent completed the flare line replacement project by replacing 230 feet of an eight inch flare header (Incident No. 104025).

10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

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

II. ALLEGATIONS

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

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit No. 46307, Special Condition No. 1, as documented during a record review conducted on March 5, 2008. Specifically, the Respondent released 953 pounds ("lbs") of the hazardous air pollutant 1,3-butadiene from Methanol Tank 80 during an avoidable emissions event (Incident No. 103286) that began February 2, 2008 and lasted 462 hours. Since this emissions event could have been avoided by better operational practices and the duration was not minimized, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

2. Failed to include the permit number on the incident report for the emissions event (Incident No. 103286) that occurred February 2, 2008, in violation of 30 TEX. ADMIN. CODE § 101.201(b)(1)(H) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on March 5, 2008.

3. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 46307, Special Condition No. 1, as documented during a record review conducted on January 14, 2008. Specifically, the Respondent released 2,706.18 lbs of 1,3 butadiene, 2,651.20 lbs of butenes, 743.72 lbs of butanes, 43.24 lbs of vinyl acetylene, 17.91 lbs of methyl acetylene, 6.79 lbs of propane, 6.18 lbs of ethyl acetylene, 1.24 lbs of propylene, 0.62 lbs of carbon dioxide, 0.62 lbs of cyclopropane, 0.62 lbs of ethane, and 0.62 lbs of volatile organic compounds ("VOCs") from a ruptured disk on Distillation Tower 2D-1 in the Butadiene Plant during an avoidable emissions event (Incident No. 101567) that began on December 18, 2007 and lasted for 26 hours. Since this emissions event could have

been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

4. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 46307, Special Condition No. 1, as documented during an investigation conducted on April 14, 2008. Specifically, the Respondent released 61.39 lbs of VOCs due to the shutdown of Boilers 9, 10, and 11, which caused a lack of steam supply to the Plant, resulting in complete shutdown of the entire operations and heavy flaring during an avoidable emissions event (Incident No. 106222) that began April 11, 2008 and lasted seven hours and twenty minutes. Since this emissions event could have been avoided by better maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

5. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit No. 46307, Special Condition No. 1, as documented during an investigation conducted on April 10, 2008. Specifically, the Respondent released 6,990 lbs of VOCs from Cooling Tower CT-1 during an emissions event (Incident No. 104945) that began March 10, 2008 and lasted 21 hours. Since this emissions event was not properly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

6. Failed to submit an initial notification within 24 hours after discovery of the March 10, 2008 emissions event (Incident No. 104945), in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 10, 2008. Specifically, the emissions event was discovered on March 10, 2008, and the initial report was not submitted until March 13, 2008.

7. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit No. 46307, Special Condition No. 1, as documented during a record review conducted on March 31, 2008. Specifically, the Respondent released 4,125 lbs of VOCs (including 194 lbs of 1,3-butadiene) from the bleed valve on Pump 6GF-4 during an avoidable emissions event (Incident No. 104465) that began March 1, 2008 and lasted one hour and eight minutes. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

8. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Air Permit No. 46307, Special Condition No. 1, as documented during a record review conducted on March 19, 2008. Specifically, the Respondent released 1,932 lbs of VOCs (including 542.26 lbs of 1,3-butadiene) from a pin hole leak at the east end of the flare gas header between the Polyisobutylene and the North Absorber Units during an avoidable emissions event (Incident No. 104025) that began February 8, 2008 and lasted for 505 hours. Since this emissions event could have been avoided by better maintenance practices and was not properly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

9. Failed to submit an initial notification within 24 hours of discovery of the February 8, 2008 emissions event (Incident No. 104025), in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review

conducted on March 19, 2008. Specifically, the emissions event was discovered on February 8, 2008, and the initial report was not submitted until February 21, 2008.

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: Texas Petrochemicals LP, Docket No. 2008-0391-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 I, Paragraph 6 above, Twenty-Four Thousand Nine Hundred Forty-Eight Dollars ($24,948) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

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

   a. Within 180 days after the effective date of this Agreed Order:

      i. Make improvements to the fuel gas pressure control stations for Boilers 9, 10, and 11 in order to regulate quick responses to changes in fuel gas pressure. These improvements will include, but not be limited to, installing a connection to the flare header such that future excess gas can be relieved to the flare header (Incident No. 106222);

      ii. Properly set ranges with alarms (Incident No. 106222);

      iii. Install a turbine speed indicator with an alarm for the steam drive forced draft fan in the Distributive Control System (Incident No. 106222); and

b. Within 195 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision 3.a. as described below.

The certification shall be notarized by a State of Texas Notary Public and contain the following language:

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

The certification shall be submitted to:

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

with a copy to:

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

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

_____ 2/17/2009
For the Executive Director 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.

_____ 12/15/08
Signature Date

Kirk Johnson PLANT MANAGER
Name (Printed or typed) Title
Authorized Representative of
Texas Petrochemicals LP

_____ 12/11/08
Signature Date

JAMES SCROGGINS DIRECTOR EHSS
Name (Printed or typed) Title
Authorized Representative of
Texas Petrochemicals LP

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: 2008-0391-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Texas Petrochemicals LP**
Payable Penalty Amount:	**Forty-Nine Thousand Eight Hundred Ninety-Seven Dollars ($49,897)**
SEP Amount:	**Twenty-Four Thousand Nine Hundred Forty-Eight Dollars ($24,948)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Harris County Public Health and Environmental Services-Pollution Control Division's Fourier Transform Infra Red (FTIR) Project**
Location of SEP:	**Harris 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

This project includes the lease/contracting for services of air monitoring equipment, Fourier Transform Infra Red (FTIR) and other associated monitoring equipment, site preparation (including power and a shelter for the monitoring equipment), installation, operation and maintenance for a minimum of a two year period. Data validation management and reporting, and site closure and restoration will also be performed as a part of this project using methods approved by the TCEQ. The FTIR will analyze volatile organic compounds in ambient air. Harris County, in cooperation with the TCEQ, will establish Internet connectivity and automated data ingestion into the TCEQ LEADS system. SEP monies will fund the lease/contract for services of the FTIR and related equipment, site creation, preparation and installation of the FTIR, and the operation and maintenance of the FTIR site for a minimum of two years. SEP monies will also be used to pay for any equipment, software, and programming associated with establishing Internet connectivity and automated data ingestion.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide significant and discernible environmental benefits to the Harris County area by providing measurements of concentrations of certain air pollutants. The information obtained from this monitoring site will provide the community with more knowledge of the types and quantities of pollutants present in this industrialized area. Data obtained from the monitoring site, and made available to the public, may be used by the TCEQ, EPA, scientists, local government and industry to reduce emissions, as appropriate. Because air quality is an important priority in the Harris County area, this project is focused on providing air quality data that may be used by the TCEQ, local programs, and other stakeholders to investigate and improve knowledge of any identified air quality concerns. Data from the project may be used to detect and track air emissions in near real-time to determine air pollution source locations for enforcement actions, permitting and regulatory decisions, potential future health effects studies and/or as part of a pollution program such as the Environmental Monitoring and Response System. The data also can be used by the TCEQ and the EPA to help determine if additional air quality problems that have not yet been detected exist in the Harris County 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:

Mr. Chris Barry
Harris County Pollution Control Division
P.O. Box 6031
Pasadena, Texas 77506

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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