

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2008-1282-AIR-E **TCEQ ID:** RN100221589 **CASE NO.:** 36338
RESPONDENT NAME: The Lubrizol Corporation

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Lubrizol Deer Park Plant, 41 Tidal Road, Deer Park, Harris County</p> <p>TYPE OF OPERATION: Chemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p>		
<p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on February 23, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Ms. Trina Grieco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Mr. Ronald J. Sears, Texas Environmental Affairs Department, The Lubrizol Corporation, P.O. Box 158, Deer Park, Texas 77536-0158 Mr. Steven C. Oxley, General Manager, The Lubrizol Corporation, P.O. Box 158, Deer Park, Texas 77536-0158 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: July 1, July 3 through 7, July 10, 16, and 17, and August 7, 2008</p> <p>Date of NOV/NOE Relating to this Case: July 17, 18, 23, and August 28, 2008 (NOE)</p> <p>Background Facts: These were record reviews.</p> <p>AIR</p> <p>1) Failure to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the January 27, 2007 through July 26, 2007 semi-annual deviation reporting period [30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7), Federal Operating Permit ("FOP") No. O-01932, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period [30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-01930, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b).</p> <p>3) Failure to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period [30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-01934, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$20,410</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$10,205</p> <p>Total Paid to General Revenue: \$10,205</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification: The Respondent has three repeated enforcement actions over the prior five year period for the same violation.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. In order to satisfy FOP No. O-01932 semi-annual deviation reporting requirements, submitted a certified copy of the semi-annual deviation report for the January 27 through July 26, 2007 semi-annual deviation reporting period on February 25, 2008;</p> <p>b. In order to satisfy FOP Nos. O-01930 and O-01934 semi-annual deviation reporting requirements, submitted certified copies of the semi-annual deviation reports for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period on April 10, 2008; and</p> <p>c. In order to satisfy FOP No. O-02191, the fire eye in the natural gas regulator of the thermal oxidizer, EPN FI-07, was replaced on August 13, 2007.</p> <p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Submit certified annual compliance certifications for the March 18, 2007 through March 17, 2008 annual compliance certification period for FOPs O-01931 and O-01933;</p> <p>ii. Submit certified semi-annual deviation reports for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods for FOPs O-01931 and O-01933; and</p>

<p>4) Failure to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 1, 2007 through August 31, 2007 semi-annual deviation reporting period [30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-02191, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>5) Failure to maintain the thermal oxidizer, emission point number ("EPN") FI-07, in good working order [30 TEX. ADMIN. CODE §§ 122.143(4), FOP No. O-02191, General Terms and Conditions, New Source Review Permit No. 22048, General Condition 9, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>6) Failure to ensure that a responsible official certified the accuracy and completeness of the annual compliance certification submitted for the March 18, 2007 through March 17, 2008 annual compliance certification reporting period; and the semi-annual deviation reports submitted for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods [30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7) and (a)(8), FOP No. O-01931, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		<p>iii. Implement measures designed to ensure that annual compliance certifications and semi-annual deviation reports are certified by a responsible official prior to being submitted.</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2 .a.</p>
<p>7) Failure to ensure that a responsible official certified the accuracy and completeness of the annual compliance certification submitted for the March 18, 2007 through March 17, 2008 annual compliance certification reporting period; and the semi-annual deviation reports submitted for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods [30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7) and (a)(8), FOP No. O-01933, General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		

Additional ID No(s): HG0459J

Attachment A
Docket Number: 2008-1282-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: The Lubrizol Corporation
Payable Penalty Amount: Twenty Thousand Four Hundred Ten Dollars (\$20,410)
SEP Amount: Ten Thousand Two Hundred Five Dollars (\$10,205)
Type of SEP: Pre-approved
Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
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

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

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 a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

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:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

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 ATexas Commission on Environmental Quality@ and mailed to:

The Lubrizol Corporation
Agreed Order B Attachment A

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

TCEQ

DATES	Assigned	28-Jul-2008	Screening	6-Aug-2008	EPA Due	17-Apr-2009
	PCW	18-Nov-2008				

RESPONDENT/FACILITY INFORMATION	
Respondent	The Lubrizol Corporation
Reg. Ent. Ref. No.	RN100221589
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	36338	No. of Violations	7
Docket No.	2008-1282-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes: Penalty enhancement due to 16 NOVs issued for same or similar violations, 36 NOVs issued for dissimilar violations (which includes 22 self-reported effluent violations), four agreed orders containing a denial of liability, and one court order containing a denial of liability. Penalty reduction due to one Notice of Audit letter submitted.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

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

Economic Benefit Enhancement* **Subtotal 6**

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

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY

Screening Date 6-Aug-2008

Docket No. 2008-1282-AIR-E

PCW

Respondent The Lubrizol Corporation

Policy Revision 2 (September 2002)

Case ID No. 36338

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN100221589

Media [Statute] Air

Enf. Coordinator Trina Grieco

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	36	72%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	1	30%
	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) 261%

>> 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 issued for same or similar violations, 36 NOVs issued for dissimilar violations (which includes 22 self-reported effluent violations), four agreed orders containing a denial of liability, and one court order containing a denial of liability. Penalty reduction due to one Notice of Audit letter submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 261%

Screening Date 6-Aug-2008	Docket No. 2008-1282-AIR-E	PCW	
Respondent The Lubrizon Corporation		<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 36338		<small>PCW Revision June 12, 2008</small>	
Reg. Ent. Reference No. RN100221589			
Media [Statute] Air			
Enf. Coordinator Trina Grieco			
Violation Number <input type="text" value="1"/>			
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and (15) and 122.165(a)(7), Federal Operating Permit ("FOP") No. O-01932, General Terms and Conditions and Tex. Health & Safety Code § 382.085(b)		
Violation Description	Failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the January 27, 2007 through July 26, 2007 semi-annual deviation reporting period.		
	Base Penalty	<input type="text" value="\$10,000"/>	
>> Environmental, Property and Human Health Matrix			
OR	Harm		
	Major	Moderate	Minor
	Actual <input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential <input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>
>> Programmatic Matrix			
	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>
		Percent	<input type="text" value="1%"/>
Matrix Notes	Most (greater than 70%) of the rule requirements were met.		
	Adjustment	<input type="text" value="\$9,900"/>	
			<input type="text" value="\$100"/>
Violation Events			
	Number of Violation Events	<input type="text" value="1"/>	Number of violation days
		<input type="text" value="185"/>	
<small>mark only one with an x</small>	daily	<input type="text"/>	Violation Base Penalty
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text" value="x"/>	
	<input type="text" value="\$100"/>		
	One single event is recommended.		
Good Faith Efforts to Comply			
	0.0% Reduction	<input type="text" value="\$0"/>	
	<small>Before NOV NOV to EDPRP/Settlement Offer</small>		
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input type="text"/>	<input type="text"/>	
N/A	<input type="text" value="x"/>	<input type="text" value="(mark with x)"/>	
Notes	The Respondent does not meet the good faith criteria for this violation.		
	Violation Subtotal	<input type="text" value="\$100"/>	
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	<input type="text" value="\$40"/>	Violation Final Penalty Total	<input type="text" value="\$361"/>
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$361"/>

Economic Benefit Worksheet

Respondent The Lubrizol Corporation
Case ID No. 36338
Reg. Ent. Reference No. RN100221589
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			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)	\$500	25-Aug-2007	1-Apr-2009	1.60	\$40	\$40

Notes for DELAYED costs
 Estimated cost to implement measures designed to ensure that semi-annual deviation reports are certified by a responsible official prior to being submitted. Date required is the date the certified report was due. Final date is the date corrective actions are projected to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$40

Screening Date 6-Aug-2008	Docket No. 2008-1282-AIR-E	PCW													
Respondent The Lubrizol Corporation		<i>Policy Revision 2 (September 2002)</i>													
Case ID No. 36338		<i>PCW Revision June 12, 2008</i>													
Reg. Ent. Reference No. RN100221589															
Media [Statute] Air															
Enf. Coordinator Trina Grieco															
Violation Number <input type="text" value="2"/>															
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-01930, General Terms and Conditions and Tex. Health & Safety Code § 382.085(b)														
Violation Description	Failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period.														
	Base Penalty	<input type="text" value="\$10,000"/>													
>> Environmental, Property and Human Health Matrix															
OR	Release	Harm													
		Major Moderate Minor													
	Actual	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>											
	Potential	<input type="text"/>	<input type="text"/>												
>> Programmatic Matrix															
	Falsification	Major Moderate Minor													
	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	Percent <input type="text" value="1%"/>											
Matrix Notes	<input type="text" value="Most (greater than 70%) of the rule requirements were met."/>														
	Adjustment	<input type="text" value="\$9,900"/>	<input type="text" value="\$100"/>												
Violation Events															
	Number of Violation Events <input type="text" value="1"/>	<input type="text" value="182"/>	Number of violation days												
<i>mark only one with an x</i>	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input checked="" type="text" value="x"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input checked="" type="text" value="x"/>		Violation Base Penalty <input type="text" value="\$100"/>
daily	<input type="text"/>														
monthly	<input type="text"/>														
quarterly	<input type="text"/>														
semiannual	<input type="text"/>														
annual	<input type="text"/>														
single event	<input checked="" type="text" value="x"/>														
	<input type="text" value="One single event is recommended."/>														
Good Faith Efforts to Comply															
	<input type="text" value="0.0%"/>	Reduction	<input type="text" value="\$0"/>												
	Before NOV	NOV to EDPRP/Settlement Offer													
Extraordinary	<input type="text"/>	<input type="text"/>													
Ordinary	<input type="text"/>	<input type="text"/>													
N/A	x	(mark with x)													
Notes	<input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>														
	Violation Subtotal	<input type="text" value="\$100"/>													
Economic Benefit (EB) for this violation		Statutory Limit Test													
Estimated EB Amount	<input type="text" value="\$0"/>	Violation Final Penalty Total	<input type="text" value="\$361"/>												
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$361"/>												

Economic Benefit Worksheet

Respondent The Lubrizol Corporation
Case ID No. 36338
Reg. Ent. Reference No. RN100221589
Media Air
Violation No. 2

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			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

See Economic Benefit for Violation 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Screening Date 6-Aug-2008	Docket No. 2008-1282-AIR-E	PCW																		
Respondent The Lubrizol Corporation		<small>Policy Revision 2 (September 2002)</small>																		
Case ID No. 36338		<small>PCW Revision June 12, 2008</small>																		
Reg. Ent. Reference No. RN100221589																				
Media [Statute] Air																				
Enf. Coordinator Trina Grieco																				
Violation Number <input type="text" value="3"/>																				
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-01934, General Terms and Conditions and Tex. Health & Safety Code § 382.085(b)																			
Violation Description	Failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period.																			
	Base Penalty	<input type="text" value="\$10,000"/>																		
>> Environmental, Property and Human Health Matrix																				
OR	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <th colspan="3">Harm</th> <td></td> </tr> <tr> <td>Release</td> <th>Major</th> <th>Moderate</th> <th>Minor</th> <td></td> </tr> <tr> <td>Actual</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td rowspan="2" style="text-align: right;">Percent <input type="text" value="0%"/></td> </tr> <tr> <td>Potential</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </table>		Harm				Release	Major	Moderate	Minor		Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Harm																			
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Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>																
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>																	
>> Programmatic Matrix																				
	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> <td></td> </tr> <tr> <td></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td style="text-align: center;">x</td> <td style="text-align: right;">Percent <input type="text" value="1%"/></td> </tr> </table>		Falsification	Major	Moderate	Minor			<input type="text"/>	<input type="text"/>	<input type="text"/>	x	Percent <input type="text" value="1%"/>							
	Falsification	Major	Moderate	Minor																
	<input type="text"/>	<input type="text"/>	<input type="text"/>	x	Percent <input type="text" value="1%"/>															
Matrix Notes	Most (greater than 70%) of the rule requirements were met.																			
	Adjustment	<input type="text" value="\$9,900"/>																		
		<input type="text" value="\$100"/>																		
Violation Events																				
	Number of Violation Events <input type="text" value="1"/>	<input type="text" value="182"/> Number of violation days																		
	<small>mark only one with an x</small>	Violation Base Penalty <input type="text" value="\$100"/>																		
	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td>daily</td> <td><input type="text"/></td> </tr> <tr> <td>monthly</td> <td><input type="text"/></td> </tr> <tr> <td>quarterly</td> <td><input type="text"/></td> </tr> <tr> <td>semiannual</td> <td><input type="text"/></td> </tr> <tr> <td>annual</td> <td><input type="text"/></td> </tr> <tr> <td>single event</td> <td style="text-align: center;">x</td> </tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	x	1						
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monthly	<input type="text"/>																			
quarterly	<input type="text"/>																			
semiannual	<input type="text"/>																			
annual	<input type="text"/>																			
single event	x																			
	One single event is recommended.																			
Good Faith Efforts to Comply																				
	<input type="text" value="0.0%"/> Reduction	<input type="text" value="\$0"/>																		
	<small>Before NOV NOV to EDPRP/Settlement Offer</small>																			
	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td>Extraordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>Ordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>N/A</td> <td style="text-align: center;">x</td> <td style="text-align: center;">(mark with x)</td> </tr> </table>	Extraordinary	<input type="text"/>	<input type="text"/>	Ordinary	<input type="text"/>	<input type="text"/>	N/A	x	(mark with x)										
Extraordinary	<input type="text"/>	<input type="text"/>																		
Ordinary	<input type="text"/>	<input type="text"/>																		
N/A	x	(mark with x)																		
Notes	The Respondent does not meet the good faith criteria for this violation.																			
	Violation Subtotal	<input type="text" value="\$100"/>																		
Economic Benefit (EB) for this violation																				
	Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$361"/>																		
	Statutory Limit Test																			
	This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$361"/>																			

Economic Benefit Worksheet

Respondent The Lubrizol Corporation
Case ID No. 36338
Reg. Ent. Reference No. RN100221589
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See Economic Benefit for Violation 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

<p>Screening Date 6-Aug-2008</p> <p>Respondent The Lubrizol Corporation</p> <p>Case ID No. 36338</p> <p>Reg. Ent. Reference No. RN100221589</p> <p>Media [Statute] Air</p> <p>Enf. Coordinator Trina Grieco</p> <p>Violation Number <input type="text" value="4"/></p> <p>Rule Cite(s) <input style="width:100%;" type="text" value="30 Tex. Admin. Code §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-02191, General Terms and Conditions and Tex. Health & Safety Code § 382.085(b)"/></p> <p>Violation Description <input style="width:100%;" type="text" value="Failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 1, 2007 through August 31, 2007 semi-annual deviation reporting period."/></p>	<p>Docket No. 2008-1282-AIR-E</p> <p>PCW</p> <p><small>Policy Revision 2 (September 2002)</small></p> <p><small>PCW Revision June 12, 2008</small></p>																			
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	Harm																			
Release	Major	Moderate	Minor																	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input style="width:50px;" type="text" value="0%"/>																
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	<input type="text"/>	<input type="text"/>	<input type="text"/>	x	Percent <input style="width:50px;" type="text" value="1%"/>															
Adjustment <input style="width:100%;" type="text" value="\$9,900"/>																				
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Violation Events																				
<p>Number of Violation Events <input style="width:50px;" type="text" value="1"/></p> <p>Number of violation days <input style="width:50px;" type="text" value="345"/></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;"></td> <td style="width:10%;">daily</td> <td><input type="text"/></td> </tr> <tr> <td></td> <td>monthly</td> <td><input type="text"/></td> </tr> <tr> <td></td> <td>quarterly</td> <td><input type="text"/></td> </tr> <tr> <td></td> <td>semiannual</td> <td><input type="text"/></td> </tr> <tr> <td></td> <td>annual</td> <td><input type="text"/></td> </tr> <tr> <td></td> <td>single event</td> <td style="text-align: center;">x</td> </tr> </table> <p><small>mark only one with an x</small></p>		daily	<input type="text"/>		monthly	<input type="text"/>		quarterly	<input type="text"/>		semiannual	<input type="text"/>		annual	<input type="text"/>		single event	x	<p>Violation Base Penalty <input style="width:100%;" type="text" value="\$100"/></p>	
	daily	<input type="text"/>																		
	monthly	<input type="text"/>																		
	quarterly	<input type="text"/>																		
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	single event	x																		
<input style="width:100%;" type="text" value="One single event is recommended."/>																				
Good Faith Efforts to Comply																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">0.0%</td> <td style="text-align: center;">Reduction</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">Before NOV</td> <td style="text-align: center;">NOV to EDPRP/Settlement Offer</td> <td></td> </tr> <tr> <td style="text-align: center;">Extraordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> <td rowspan="3" style="text-align: right;">Violation Subtotal <input style="width:100%;" type="text" value="\$100"/></td> </tr> <tr> <td style="text-align: center;">Ordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;">x</td> <td style="text-align: center;">(mark with x)</td> </tr> </table> <p>Notes <input style="width:100%;" type="text" value="The Respondent does not meet the good faith criteria for this violation."/></p>		0.0%	Reduction			Before NOV	NOV to EDPRP/Settlement Offer		Extraordinary	<input type="text"/>	<input type="text"/>	Violation Subtotal <input style="width:100%;" type="text" value="\$100"/>	Ordinary	<input type="text"/>	<input type="text"/>	N/A	x	(mark with x)		
	0.0%	Reduction																		
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Extraordinary	<input type="text"/>	<input type="text"/>	Violation Subtotal <input style="width:100%;" type="text" value="\$100"/>																	
Ordinary	<input type="text"/>	<input type="text"/>																		
N/A	x	(mark with x)																		
Economic Benefit (EB) for this violation																				
<p>Estimated EB Amount <input style="width:100%;" type="text" value="\$0"/></p>	<p>Statutory Limit Test</p> <p>Violation Final Penalty Total <input style="width:100%;" type="text" value="\$361"/></p> <p>This violation Final Assessed Penalty (adjusted for limits) <input style="width:100%;" type="text" value="\$361"/></p>																			

Economic Benefit Worksheet

Respondent The Lubrizol Corporation
Case ID No. 36338
Reg. Ent. Reference No. RN100221589
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	One-time Costs	EB Amount
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Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See Economic Benefit for Violation 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

<p>Screening Date 6-Aug-2008</p> <p>Respondent The Lubrizon Corporation</p> <p>Case ID No. 36338</p> <p>Reg. Ent. Reference No. RN100221589</p> <p>Media [Statute] Air</p> <p>Enf. Coordinator Trina Grieco</p> <p>Violation Number <input type="text" value="5"/></p> <p>Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4), FOP No. O-02191, General Terms and Conditions, New Source Review Permit No. 22048, General Condition 9, and Tex. Health & Safety Code § 382.085(b)</p> <p>Violation Description Failed to maintain the thermal oxidizer, emission point number FI-07, in good working order. Specifically, between March 1, 2007 and August 13, 2007 (when the fire eye in the natural gas regulator was replaced), the thermal oxidizer failed while heating the reactor and was unable to achieve the required destruction efficiency or the required VOC concentration in exhaust gas.</p>	<p>Docket No. 2008-1282-AIR-E</p> <p>PCW <i>Policy Revision 2 (September 2002)</i> <i>PCW Revision June 12, 2008</i></p>																				
Base Penalty <input type="text" value="\$10,000"/>																					
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		Harm																			
	Release	Major	Moderate	Minor																	
	Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>																	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>																	
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Matrix Notes	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2"></td> <th>Falsification</th> <th>Major</th> <th>Moderate</th> <th>Minor</th> <td></td> </tr> <tr> <td></td> <td></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td>Percent <input type="text" value="0%"/></td> </tr> </table> <p>Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.</p> <p style="text-align: right;">Adjustment <input type="text" value="\$7,500"/></p>			Falsification	Major	Moderate	Minor				<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>						
		Falsification	Major	Moderate	Minor																
		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>															
<input type="text" value="\$2,500"/>																					
Violation Events																					
	<p>Number of Violation Events <input type="text" value="2"/> <input type="text" value="20"/> Number of violation days</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td rowspan="6" style="vertical-align: middle;"><i>mark only one with an x</i></td> <td>daily</td> <td><input type="text"/></td> </tr> <tr> <td>monthly</td> <td><input type="text"/></td> </tr> <tr> <td>quarterly</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>semiannual</td> <td><input type="text"/></td> </tr> <tr> <td>annual</td> <td><input type="text"/></td> </tr> <tr> <td>single event</td> <td><input type="text"/></td> </tr> </table> <p style="text-align: right;">Violation Base Penalty <input type="text" value="\$5,000"/></p> <p>Two quarterly events are recommended from the first malfunction (March 1, 2007) to the date the oxidizer was repaired (August 13, 2007).</p>	<i>mark only one with an x</i>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input checked="" type="checkbox"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>							
<i>mark only one with an x</i>	daily		<input type="text"/>																		
	monthly		<input type="text"/>																		
	quarterly		<input checked="" type="checkbox"/>																		
	semiannual		<input type="text"/>																		
	annual		<input type="text"/>																		
	single event	<input type="text"/>																			
Good Faith Efforts to Comply																					
	<p><input type="text" value="25.0%"/> Reduction</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2"></td> <th>Before NOV</th> <th>NOV to EDPRP/Settlement Offer</th> </tr> <tr> <td>Extraordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>Ordinary</td> <td><input checked="" type="checkbox"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>N/A</td> <td><input type="text"/></td> <td colspan="2" style="text-align: center;">(mark with x)</td> </tr> </table> <p>Notes: Corrective actions were completed on August 13, 2007.</p> <p style="text-align: right;">Violation Subtotal <input type="text" value="\$3,750"/></p>			Before NOV	NOV to EDPRP/Settlement Offer	Extraordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>	Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	N/A	<input type="text"/>	(mark with x)					
		Before NOV	NOV to EDPRP/Settlement Offer																		
Extraordinary	<input type="text"/>	<input type="text"/>	<input type="text"/>																		
Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>																		
N/A	<input type="text"/>	(mark with x)																			
Economic Benefit (EB) for this violation																					
Statutory Limit Test																					
Estimated EB Amount	<input type="text" value="\$63"/> Violation Final Penalty Total <input type="text" value="\$16,800"/>																				
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$16,800"/>																					

Economic Benefit Worksheet

Respondent The Lubrizol Corporation
Case ID No. 36338
Reg. Ent. Reference No. RN100221589
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	\$2,000	1-Mar-2007	13-Aug-2007	0.45	\$3	\$60	\$63
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs Estimated expense to replace the fire eye in the natural gas regulator of the thermal oxidizer. Date required is the date of the first malfunction. Final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$2,000

TOTAL \$63

Screening Date 6-Aug-2008 Respondent The Lubrizon Corporation Case ID No. 36338 Reg. Ent. Reference No. RN100221589 Media [Statute] Air Enf. Coordinator Trina Grieco Violation Number <input type="text" value="6"/> Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and (15) and 122.165(a)(7) and (a)(8), FOP No. O-01931, General Terms and Conditions and Tex. Health & Safety Code § 382.085(b)	Docket No. 2008-1282-AIR-E PCW <i>Policy Revision 2 (September 2002)</i> <i>PCW Revision June 12, 2008</i>																			
Violation Description Failed to ensure that a responsible official certified the accuracy and completeness of the annual compliance certification submitted for the March 18, 2007 through March 17, 2008 annual compliance certification reporting period; and the semi-annual deviation reports submitted for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods.																				
Base Penalty <input type="text" value="\$10,000"/>																				
>> Environmental, Property and Human Health Matrix																				
OR	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td colspan="3" style="text-align: center;">Harm</td> <td></td> </tr> <tr> <td style="text-align: center;">Release</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> <td></td> </tr> <tr> <td style="text-align: center;">Actual</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td rowspan="2" style="text-align: right;">Percent <input type="text" value="0%"/></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </table>		Harm				Release	Major	Moderate	Minor		Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Harm																			
Release	Major	Moderate	Minor																	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>																
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>																	
>> Programmatic Matrix																				
Matrix Notes	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> <td></td> </tr> <tr> <td style="text-align: center;">Falsification</td> <td><input type="text"/></td> <td><input type="text"/></td> <td style="text-align: center;">x</td> <td rowspan="2" style="text-align: right;">Percent <input type="text" value="1%"/></td> </tr> </table> <p style="text-align: center; border: 1px solid black; padding: 5px;">Most (greater than 70%) of the rule requirements were met.</p>		Major	Moderate	Minor		Falsification	<input type="text"/>	<input type="text"/>	x	Percent <input type="text" value="1%"/>									
	Major	Moderate	Minor																	
Falsification	<input type="text"/>	<input type="text"/>	x	Percent <input type="text" value="1%"/>																
Adjustment <input type="text" value="\$9,900"/>																				
<input type="text" value="\$100"/>																				
Violation Events																				
Number of Violation Events <input type="text" value="3"/> <input type="text" value="294"/> Number of violation days																				
mark only one with an x	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">daily</td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">monthly</td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">quarterly</td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">semiannual</td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">annual</td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">single event</td> <td style="text-align: center;">x</td> </tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	x							
daily	<input type="text"/>																			
monthly	<input type="text"/>																			
quarterly	<input type="text"/>																			
semiannual	<input type="text"/>																			
annual	<input type="text"/>																			
single event	x																			
Violation Base Penalty <input type="text" value="\$300"/>																				
Three single events (one per report) are recommended.																				
Good Faith Efforts to Comply																				
0.0% Reduction <input type="text" value="\$0"/>																				
Before NOV NOV to EDPRP/Settlement Offer																				
Extraordinary Ordinary N/A Notes	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Extraordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">Ordinary</td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;">x</td> <td style="text-align: center;">(mark with x)</td> </tr> </table> <p style="text-align: center; border: 1px solid black; padding: 5px;">The Respondent does not meet the good faith criteria for this violation.</p>	Extraordinary	<input type="text"/>	<input type="text"/>	Ordinary	<input type="text"/>	<input type="text"/>	N/A	x	(mark with x)										
Extraordinary	<input type="text"/>	<input type="text"/>																		
Ordinary	<input type="text"/>	<input type="text"/>																		
N/A	x	(mark with x)																		
Violation Subtotal <input type="text" value="\$300"/>																				
Economic Benefit (EB) for this violation																				
Estimated EB Amount <input type="text" value="\$36"/>																				
Statutory Limit Test																				
Violation Final Penalty Total <input type="text" value="\$1,083"/>																				
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$1,083"/>																				

Economic Benefit Worksheet

Respondent The Lubrizol Corporation
Case ID No. 36338
Reg. Ent. Reference No. RN100221589
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	One-time Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	17-Oct-2007	1-Apr-2009	1.46	\$36	n/a	\$36

Notes for DELAYED costs

Estimated cost to implement measures designed to ensure that annual compliance certification reports are certified by a responsible official prior to being submitted (the economic benefit for not submitting certified semi-annual deviation reports are included the economic benefit for Violation1). Date required is the date the certified reports were due. Final date is the date corrective actions are projected to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$36

Screening Date 6-Aug-2008	Docket No. 2008-1282-AIR-E	PCW		
Respondent The Lubrizol Corporation		<small>Policy Revision 2 (September 2002)</small>		
Case ID No. 36338		<small>PCW Revision June 12, 2008</small>		
Reg. Ent. Reference No. RN100221589				
Media [Statute] Air				
Enf. Coordinator Trina Grieco				
Violation Number <input type="text" value="7"/>				
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4) and (15) and 122.165(a)(7) and (a)(8), FOP No. O-01933, General Terms and Conditions and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to ensure that a responsible official certified the accuracy and completeness of the annual compliance certification submitted for the March 18, 2007 through March 17, 2008 annual compliance certification reporting period; and the semi-annual deviation reports submitted for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods.			
	Base Penalty	<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major Moderate Minor		
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>
		Percent	<input type="text" value="1%"/>	
Matrix Notes	Most (greater than 70%) of the rule requirements were met.			
		Adjustment	<input type="text" value="\$9,900"/>	
			<input type="text" value="\$100"/>	<input type="text" value="\$100"/>
Violation Events				
	<input type="text" value="3"/>	<input type="text" value="294"/>	Number of violation days	
<small>mark only one with an x</small>	daily	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input checked="" type="checkbox"/>		
		Violation Base Penalty	<input type="text" value="\$300"/>	
	Three single events (one per report) are recommended.			
Good Faith Efforts to Comply		<input type="text" value="0.0%"/>	Reduction	<input type="text" value="\$0"/>
		<small>Before NOV</small>	<small>NOV to EDPRP/Settlement Offer</small>	
	Extraordinary	<input type="text"/>	<input type="text"/>	
	Ordinary	<input type="text"/>	<input type="text"/>	
	N/A	<input checked="" type="checkbox"/>	<small>(mark with x)</small>	
Notes	The Respondent does not meet the good faith criteria for this violation.			
		Violation Subtotal	<input type="text" value="\$300"/>	
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount	<input type="text" value="\$0"/>	Violation Final Penalty Total	<input type="text" value="\$1,083"/>
			This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$1,083"/>

Economic Benefit Worksheet

Respondent The Lubrizol Corporation
Case ID No. 36338
Reg. Ent. Reference No. RN100221589
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See Economic Benefit for Violation 6.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Compliance History

Customer/Respondent/Owner-Operator:	CN600269617	The Lubrizol Corporation	Classification: AVERAGE	Rating: 2.11
Regulated Entity:	RN100221589	LUBRIZOL DEER PARK PLANT	Classification: AVERAGE	Site Rating: 2.81
ID Number(s):	AIR OPERATING PERMITS	PERMIT		1934
	AIR OPERATING PERMITS	PERMIT		1931
	AIR OPERATING PERMITS	PERMIT		1581
	AIR OPERATING PERMITS	PERMIT		1929
	AIR OPERATING PERMITS	PERMIT		1933
	AIR OPERATING PERMITS	PERMIT		2191
	AIR OPERATING PERMITS	PERMIT		1932
	AIR OPERATING PERMITS	PERMIT		1930
	AIR OPERATING PERMITS	PERMIT		1935
	AIR OPERATING PERMITS	ACCOUNT NUMBER		HG0459J
	AIR OPERATING PERMITS	PERMIT		1929
	AIR OPERATING PERMITS	PERMIT		1930
	AIR OPERATING PERMITS	PERMIT		1932
	AIR OPERATING PERMITS	PERMIT		1933
	AIR OPERATING PERMITS	PERMIT		1935
	AIR OPERATING PERMITS	PERMIT		2191
	AIR OPERATING PERMITS	PERMIT		1581
	AIR OPERATING PERMITS	PERMIT		1931
	AIR OPERATING PERMITS	PERMIT		1934
	AIR OPERATING PERMITS	PERMIT		1934
	AIR OPERATING PERMITS	PERMIT		1931
	AIR OPERATING PERMITS	PERMIT		1581
	WASTEWATER	PERMIT		WQ0000639000
	WASTEWATER	PERMIT		TPDES0007048
	WASTEWATER	PERMIT		TX0007048
	AIR NEW SOURCE PERMITS	PERMIT		669
	AIR NEW SOURCE PERMITS	PERMIT		2311
	AIR NEW SOURCE PERMITS	PERMIT		2757
	AIR NEW SOURCE PERMITS	PERMIT		3663
	AIR NEW SOURCE PERMITS	PERMIT		3921
	AIR NEW SOURCE PERMITS	PERMIT		5847
	AIR NEW SOURCE PERMITS	PERMIT		7577
	AIR NEW SOURCE PERMITS	PERMIT		10807
	AIR NEW SOURCE PERMITS	PERMIT		14714
	AIR NEW SOURCE PERMITS	PERMIT		19465
	AIR NEW SOURCE PERMITS	PERMIT		19487
	AIR NEW SOURCE PERMITS	PERMIT		19657
	AIR NEW SOURCE PERMITS	PERMIT		19804
	AIR NEW SOURCE PERMITS	PERMIT		21715
	AIR NEW SOURCE PERMITS	PERMIT		21933
	AIR NEW SOURCE PERMITS	PERMIT		22044
	AIR NEW SOURCE PERMITS	PERMIT		22045
	AIR NEW SOURCE PERMITS	PERMIT		22046
	AIR NEW SOURCE PERMITS	PERMIT		22048
	AIR NEW SOURCE PERMITS	PERMIT		22049
	AIR NEW SOURCE PERMITS	PERMIT		22051
	AIR NEW SOURCE PERMITS	PERMIT		22055
	AIR NEW SOURCE PERMITS	PERMIT		22056
	AIR NEW SOURCE PERMITS	PERMIT		22059
	AIR NEW SOURCE PERMITS	PERMIT		22060
	AIR NEW SOURCE PERMITS	PERMIT		22095
	AIR NEW SOURCE PERMITS	PERMIT		22050
	AIR NEW SOURCE PERMITS	PERMIT		23695
	AIR NEW SOURCE PERMITS	PERMIT		38145
	AIR NEW SOURCE PERMITS	PERMIT		39292
	AIR NEW SOURCE PERMITS	PERMIT		39308
	AIR NEW SOURCE PERMITS	PERMIT		40048
	AIR NEW SOURCE PERMITS	PERMIT		46323
	AIR NEW SOURCE PERMITS	PERMIT		46464
	AIR NEW SOURCE PERMITS	PERMIT		46920
	AIR NEW SOURCE PERMITS	PERMIT		49758
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		HG0459J
	AIR NEW SOURCE PERMITS	REGISTRATION		76173
	AIR NEW SOURCE PERMITS	AFS NUM		4820100109

AIR NEW SOURCE PERMITS	PERMIT	71546
AIR NEW SOURCE PERMITS	PERMIT	71568
AIR NEW SOURCE PERMITS	PERMIT	50658
AIR NEW SOURCE PERMITS	REGISTRATION	73602
AIR NEW SOURCE PERMITS	REGISTRATION	74835
AIR NEW SOURCE PERMITS	REGISTRATION	76823
AIR NEW SOURCE PERMITS	REGISTRATION	77948
AIR NEW SOURCE PERMITS	REGISTRATION	84324
AIR NEW SOURCE PERMITS	REGISTRATION	47016
AIR NEW SOURCE PERMITS	REGISTRATION	84298
AIR NEW SOURCE PERMITS	PERMIT	84764
AIR NEW SOURCE PERMITS	REGISTRATION	83199
AIR NEW SOURCE PERMITS	REGISTRATION	83439
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30324
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD041067638
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1011526
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30324
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50077
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50077
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50077

Location: 41 TIDAL RD, DEER PARK, TX, 77536 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: August 04, 2008
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: August 04, 2003 to August 04, 2008

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

Name: Trina Grieco Phone: (210) 403-4006

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: 08/07/2005 ADMINORDER 2004-1527-AIR-E
Classification: Moderate

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

Rqmt Prov: NSR Permit # 22048 PERMIT
Title V Permit # O-02191 OP

Description: Failure to operate as represented in the permit by operating the Plate & Frame (P&F) filter without a hood and blower.

Effective Date: 12/15/2005 ADMINORDER 2004-0674-IWD-E

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

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permitted effluent limits.

Effective Date: 05/28/2006

ADMINORDER 2005-1020-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: Air Permit No. 22046, Special Cond No. 1 PERMIT

Description: Failed to prevent the unauthorized release of 1,200 pounds of butene from a valve plug on a liquid discharge line during an emissions event that occurred on September 19, 2004 and lasted for 36 hours.

Classification: Minor

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

Description: Failed to notify the TCEQ of the September 18, 2004 emissions event within 24 hours of discovery.

Effective Date: 06/15/2006

ADMINORDER 2005-1554-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: 19465, SC 6 PERMIT

Description: Failed to route waste streams from Storage Tank Q-3 to the FI-02 Incinerator, resulting in the unauthorized emissions from January 15, 2002 to May 16, 2005, as reported in a July 28, 2005 deviation report.

Classification: Moderate

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

Description: Failed to amend the Title V Federal Operating Permit (FOP) O-01930 to include Emission Point Numbers covered by Air Permit No. 71546.

Effective Date: 08/21/2006

COURTORDER

Classification: Minor

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

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

Rqmt Prov: MAERT PERMIT

Description: On February 3, 2005, Lubrizol emitted into the atmosphere a highly reactive volatile organic compound from their site.

Classification: Minor

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
2D TWC Chapter 26, SubChapter A 26.121(c)

Description: On July 14, 2005, Lubrizol discharged industrial and/or other waste into Patrick Bayou.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	08/14/2003	(124960)
2	08/22/2003	(296165)
3	08/26/2003	(145108)
4	08/29/2003	(120251)
5	08/29/2003	(145097)
6	08/29/2003	(125484)
7	08/29/2003	(145102)
8	09/17/2003	(296167)
9	10/20/2003	(251596)
10	10/21/2003	(296169)
11	10/28/2003	(251502)
12	11/10/2003	(252808)
13	11/20/2003	(296170)
14	12/19/2003	(257716)
15	12/29/2003	(296171)
16	01/06/2004	(257269)

17	01/14/2004	(258985)
18	01/20/2004	(296172)
19	02/17/2004	(296154)
20	03/09/2004	(264659)
21	03/15/2004	(296156)
22	04/21/2004	(296157)
23	05/14/2004	(296159)
24	05/25/2004	(296163)
25	05/28/2004	(269448)
26	06/07/2004	(267652)
27	06/09/2004	(272661)
28	06/09/2004	(272641)
29	06/15/2004	(272133)
30	06/17/2004	(296161)
31	07/21/2004	(272014)
32	07/22/2004	(258000)
33	07/30/2004	(258005)
34	08/02/2004	(258247)
35	08/06/2004	(258003)
36	08/11/2004	(288542)
37	08/18/2004	(352461)
38	08/27/2004	(258249)
39	08/30/2004	(258273)
40	08/31/2004	(258261)
41	08/31/2004	(258298)
42	08/31/2004	(291134)
43	08/31/2004	(292665)
44	09/07/2004	(290438)
45	09/09/2004	(284208)
46	09/21/2004	(352462)
47	09/21/2004	(352466)
48	10/11/2004	(334998)
49	10/18/2004	(335657)
50	10/18/2004	(352463)
51	10/19/2004	(335299)
52	10/22/2004	(293188)
53	10/25/2004	(291777)
54	11/11/2004	(289533)
55	11/23/2004	(352464)
56	11/23/2004	(352465)
57	11/29/2004	(339571)
58	12/13/2004	(339096)
59	12/16/2004	(339083)
60	12/27/2004	(381991)
61	02/25/2005	(430053)
62	03/28/2005	(381990)
63	04/18/2005	(430054)
64	05/26/2005	(342032)
65	06/03/2005	(430055)
66	06/23/2005	(430056)
67	07/15/2005	(399944)
68	07/18/2005	(399943)
69	07/21/2005	(430057)
70	07/25/2005	(371921)
71	07/26/2005	(399942)
72	08/10/2005	(396903)
73	08/23/2005	(404920)
74	08/23/2005	(440964)
75	08/23/2005	(404441)
76	08/23/2005	(401961)
77	08/24/2005	(403704)
78	08/25/2005	(403720)
79	08/25/2005	(406040)
80	08/30/2005	(399146)
81	08/30/2005	(407300)
82	09/01/2005	(403715)
83	09/20/2005	(440965)
84	09/20/2005	(440966)
85	10/21/2005	(418291)
86	10/24/2005	(468657)
87	12/08/2005	(438073)

88	12/20/2005	(468658)
89	01/24/2006	(468659)
90	02/13/2006	(468654)
91	02/22/2006	(436030)
92	02/22/2006	(455180)
93	02/23/2006	(455899)
94	02/23/2006	(455875)
95	02/25/2006	(456961)
96	02/25/2006	(457099)
97	02/27/2006	(457163)
98	02/27/2006	(457166)
99	02/28/2006	(457155)
100	02/28/2006	(457146)
101	02/28/2006	(456744)
102	03/09/2006	(457679)
103	03/23/2006	(468656)
104	04/20/2006	(498351)
105	05/11/2006	(498352)
106	05/11/2006	(498354)
107	05/24/2006	(457271)
108	05/30/2006	(451683)
109	05/30/2006	(452323)
110	05/30/2006	(451682)
111	05/31/2006	(461636)
112	06/12/2006	(457300)
113	06/15/2006	(498353)
114	06/16/2006	(457349)
115	06/20/2006	(460607)
116	07/05/2006	(484702)
117	08/21/2006	(520363)
118	08/25/2006	(457352)
119	08/28/2006	(457312)
120	08/28/2006	(479896)
121	08/30/2006	(479887)
122	09/20/2006	(512786)
123	09/29/2006	(520364)
124	10/20/2006	(544701)
125	10/20/2006	(544702)
126	10/31/2006	(515469)
127	10/31/2006	(515877)
128	10/31/2006	(515868)
129	12/15/2006	(544703)
130	01/22/2007	(544704)
131	01/24/2007	(537230)
132	02/23/2007	(575607)
133	03/12/2007	(575608)
134	04/05/2007	(593183)
135	05/13/2007	(575609)
136	05/16/2007	(575610)
137	05/31/2007	(560002)
138	06/18/2007	(575611)
139	07/03/2007	(593184)
140	07/18/2007	(575612)
141	08/14/2007	(568549)
142	08/15/2007	(601706)
143	08/17/2007	(568681)
144	08/17/2007	(568659)
145	08/17/2007	(568798)
146	08/17/2007	(568779)
147	08/21/2007	(571104)
148	08/22/2007	(566797)
149	08/27/2007	(571102)
150	08/31/2007	(568678)
151	09/24/2007	(601707)
152	09/27/2007	(574135)
153	10/05/2007	(595350)
154	10/05/2007	(593429)
155	10/25/2007	(619635)
156	11/26/2007	(619636)
157	01/14/2008	(672162)

158 02/04/2008 (672163)
 159 02/25/2008 (672161)
 160 03/31/2008 (597321)
 161 04/07/2008 (639677)
 162 04/22/2008 (636227)
 163 04/29/2008 (636620)
 164 04/30/2008 (636878)
 165 05/15/2008 (657083)
 166 06/14/2008 (434921)
 167 06/15/2008 (681639)
 168 07/21/2008 (686152)
 169 07/21/2008 (680059)
 170 07/22/2008 (680031)
 171 07/25/2008 (686620)
 172 07/25/2008 (686128)
 173 07/25/2008 (686985)

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

Date: 08/29/2003 (145102)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.144(4)

Description: Lubrizol failed to submit requested information pertaining to the annual compliance certification report for Operating Permit O-01930.

Date: 08/29/2003 (145097)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.136(b)

Description: Lubrizol failed to accurately represent facts regarding product loading areas in the general operating permit application, then failed to correct the error within 60 days of discovery.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP 1581
 PERMIT 3663

Description: Lubrizol exceeded the permitted limit for steam production in Boiler #4.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP 1581
 PERMIT 669

Description: Lubrizol failed to record the time of each weekly inspection on the VOC stream equipment applicable to NSPS Permit 669.

Date: 08/31/2003 (296167)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)

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

Date: 09/30/2003 (296169)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)

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

Date: 10/20/2003 (251596)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 22060 Special Condition (SC) #3

Description: Lubrizol failed to comply with the requirements of Permit 22060 Special Condition (SC) #3 which states that specific waste gas streams shall be routed to the FI-03 Thermal Oxidizer from the S-42 Caustic Scrubber. Any other exception to this provision requires prior review and approval by the Executive Director.

Date: 10/31/2003 (296170)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)

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

Date: 11/30/2003 (296171)

Self Report? YES Classification: Moderate

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

TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 02/29/2004 (296156)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 05/31/2004 (296161)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 06/08/2004 (267652)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PA Permit No. 22046 SC No. 2
 Description: Failure to install a rupture disc and a pressure guage on safety relief valves on tanks J-22, J-23 and J-54.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PA Permit No. 3921 SC No. 8(E)
 Description: Failure to conduct weekly walk-through inspections of connectors as required by permit condition.

Date: 06/15/2004 (272133)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to comply with the permitted daily maximum flow limit of 1.440 MGD for Outfall 001.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to comply with the permit limits for Biochemical Oxygen Demand (BOD) and pH Maximum at Outfall 001, for pH Maximum at Outfall 002, for Oil & Grease (O&G) Maximum and pH Maximum at Outfall 003, and pH Maximum at Outfall 004 during the review period of 3/02 through 3/04.

Date: 06/30/2004 (296163)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 07/21/2004 (272014)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
 Description: The facility was advised to review review existing waste streams and determine if additional waste streams should be added; review existing waste streams and determine if some waste streams should be inactivated; review waste streams and management units and determine if reported information is accurate.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 Description: A review of records indicated that hazardous container storage area Unit 054 was not inspected during the two week period of 12/11/03 to 12/28/03.

Date: 08/05/2004 (258247)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PA NSR # 22060
 OP O-01934
 Description: Thermal Oxidizer FI-03 vent gas was diverted to a flare (EPN FL-MMB) which is not authorized under SC #3 of TCEQ Air Permit # 22060.

Date: 08/30/2004 (258249)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 Description: Lubrizol failed to create a final record of the non-reportable (recordable) emission events, as soon as practicable, but no later than two weeks after the end of an emission event.

Date: 08/31/2004 (258298)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(4).
 Description: Lubrizol failed to provide true, accurate, and complete compliance certification reports used to assess compliance.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 Description: Lubrizol failed to create a final record of all non-reportable (recordable) emission events, as soon as practicable, but no later than two weeks after the end of an emission event.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)
 Rqmt Prov: PERMIT NSR Permit 669, General Condition #1
 Description: Lubrizol failed to operate Blending Vessel BL-22 in accordance with the permit application.

Date: 08/31/2004 (258273)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(4)
 Description: Lubrizol failed to provide a true, accurate, and complete annual compliance certification report used to assess compliance.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 Description: Lubrizol failed to create a final record of all non-reportable (recordable) emission events, as soon as practicable, but no later than two weeks after the end of an emission event.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
 Rqmt Prov: OP FOP O-01935, Condition 1.A.
 OP FOP O-01935, Condition 10.B.
 OP FOP O-01935, Condition 9
 PERMIT NSR Permit 22056, Special Condition 9.H.
 Description: Lubrizol failed to meet deadlines for repairing valves found leaking VOC's. Components were not repaired within 15 days.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60; SubPT VV 60.482-7(d)(2)
 Rqmt Prov: OP FOP O-01935, Condition 1.A.
 OP FOP O-01935, Condition 10.B.
 OP FOP O-01935, Condition 9
 Description: Lubrizol failed to meet deadlines for repairing valves found leaking VOC's. Component without the 5-day first attempt to repair.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.353(1)
 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 60.486(c)
 Rqmt Prov: OP FOP O-01935, Condition 1.A.
 OP FOP O-01935, Condition 10.A.
 OP FOP O-01935, Condition 9
 PERMIT NSR Permit 22056, Special Condition 9.K.
 Description: Lubrizol failed to create and maintain all required records associated with leak detection and repair monitoring. Specifically, for valves found leaking above acceptable concentrations, the facility failed to create and maintain records for repair methods, process unit shutdown dates, and dates of successful repair.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.144(4)
 Description: Lubrizol failed to submit requested information pertaining to semi-annual reports reviewed during the OPCC. Specifically, 40 CFR 60 Subpart VV reports dated September 17, 2003, and March 15, 2004, were reviewed.

Date: 08/31/2004 (258261)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 Description: Lubrizol failed to create a final record of all non-reportable (recordable) emission events, as soon as practicable, but no later than two weeks after the end of an emission event.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-01930, Condition 7
 PERMIT NSR Permit #22074, Special Condition #7
 Description: According to burn records provided to the TCEQ investigators on August 12, 2004, the FI-05 incinerator operated at temperatures below the minimum required 1400 degrees; therefore, unless records are provided, violations will be issued.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.144(4)
 Description: Lubrizol failed to provide requested records for 2002 concerning the diversion of vent flow from FI-05 to FI-04 during periods of backup due to equipment failure or maintenance activities.

Date: 08/31/2004 (352462)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 11/30/2004 (381991)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2005 (381990)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/26/2005 (399942)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
 Rqmt Prov: PA Permit # 22050 General Condition 2
 Description: Failure to obtain authorization for the use of Flare FL-MMB as back-up to Incinerator FI-03, prior to using it for such purposes.
 Date: 07/31/2005 (440964)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/30/2005 (407300)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 21933 Special Condition 6 C
 Description: Lubrizol failed to prevent the build up of nitrogen in the butadiene railcars.
 Date: 09/30/2005 (468657)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/21/2005 (418291)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 22046, Special Condition No. 1
 Description: Lubrizol failed to prevent the IOB relief valves from over-pressurizing.
 Date: 12/31/2005 (468659)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/31/2006 (468654)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 06/13/2006 (457300)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02191, SC 6
PERMIT Permit 22048, SC 5
Description: Failure to maintain the incinerator firebox exit temperature at a minimum of 1400 F on five occasions.

Date: 06/16/2006 (457349)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-01931, SC 10

Description: Failure to provide a complete list of the storage tanks covered by PBR 30 TAC 106.473.

Date: 06/30/2006 (498354)

Self Report? YES Classification: Moderate

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

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

Date: 07/31/2006 (520363)

Self Report? YES Classification: Moderate

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

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

Date: 08/25/2006 (457352)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.165(a)(7)
30 TAC Chapter 122, SubChapter B 122.165(a)(8)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to provide a responsible official signature on the Form OP-CR01 for the annual Permit Compliance Certification report for the period of March 12, 2005 to March 11, 2006.

Date: 08/29/2006 (457312)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.165(a)(7)
30 TAC Chapter 122, SubChapter B 122.165(a)(8)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to provide certification signatures for the annual Permit Compliance Certification and the semi-annual deviation reports were submitted for the period of March 18, 2005 to March 17, 2006.

Date: 08/30/2006 (479887)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.165(a)(7)
30 TAC Chapter 122, SubChapter B 122.165(a)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to provide signature (Form OP-CRO1) when the deviation reports and the Annual Compliance Certification were submitted.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP OP, O-01934

Description: Failure to provide a complete deviation report. The regulated entity failed to report a recordable event in the deviation report

Date: 08/31/2006 (520364)

Self Report? YES Classification: Moderate

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

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

Date: 09/01/2006 (479896)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.165(a)(8)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit Permit Compliance Certification duly signed by a responsible official.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.165(a)(7)

5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to submit Semiannual Deviation Reports duly signed by a responsible official.

Date: 04/05/2007 (593183)
Self Report? NO Classification: Moderate

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

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 05/31/2007 (575611)
Self Report? YES Classification: Moderate

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

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

Date: 07/03/2007 (593184)
Self Report? NO Classification: Moderate

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

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 07/31/2007 (601706)
Self Report? YES Classification: Moderate

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

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

Date: 08/17/2007 (568681)
Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-01930 General Terms and Conditions

Description: Failure to submit the permit compliance certification within 30 days of the end of the reporting period

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-01930 General Terms and Conditions

Description: Failure to submit the semiannual deviation report within 30 days of the end of the deviation reporting period.

Date: 08/17/2007 (568659)
Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-01581 General Terms and Conditions

Description: Failure to submit the permit compliance certification within 30 days of the end of the reporting period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
OP O-01581 General Terms and Conditions

Description: Failure to submit semiannual deviation report within 30 days of end of deviation reporting period.

Date: 08/17/2007 (568779)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
OP O-01931 General Terms and Conditions

Description: Failure to submit the semiannual deviation report within 30 days of the end of the deviation reporting period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
OP O-01931 General Terms and Conditions

Description: Failure to submit the permit compliance certification within 30 days of the end of the reporting period.

Date: 08/17/2007 (568798)
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02191 General Terms and Conditions
Description: Failure to submit the permit compliance certification within 30 days of the end of the reporting period.

Date: 08/21/2007 (571104)
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit the permit compliance certification within 30 days of the end of the reporting period.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit the semiannual deviation report within 30 days of the end of the deviation reporting period.

Date: 08/23/2007 (566797)
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to conduct monitoring checks of safety relief devices.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.726(c)(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to maintain records of the quarterly monitoring of the safety relief devices.

Date: 08/27/2007 (571102)
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit the permit compliance certification within 30 days of the end of the reporting period.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit the semiannual deviation report within 30 days of the end of the deviation reporting period.

Date: 08/31/2007 (568678)
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to submit the Permit Compliance Certification within the required time frame.

Date: 08/31/2007 (601707)
Self Report? YES **Classification:** Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2007 (619635)
Self Report? YES **Classification:** Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2007 (619636)
Self Report? YES **Classification:** Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

Notice of Intent Date: 09/22/2006 (515252)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
THE LUBRIZOL CORPORATION
RN100221589

§
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§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-1282-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The Lubrizol Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a chemical manufacturing plant at 41 Tidal Road in Deer Park, 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. During a record review on July 10, 2008, TCEQ staff documented that the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the January 27, 2007 through July 26, 2007 semi-annual deviation reporting period.
4. During a record review on July 16, 2008, TCEQ staff documented that the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period.
5. During a record review on July 17, 2008, TCEQ staff documented that the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period.
6. During a record review on August 7, 2008, TCEQ staff documented that the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 1, 2007 through August 31, 2007 semi-annual deviation reporting period.
7. During a record review on August 7, 2008, TCEQ staff documented that the Respondent failed to maintain the thermal oxidizer, emission point number ("EPN") FI-07, in good working order. Specifically, between March 1, 2007 and August 13, 2007 (when the fire eye in the natural gas regulator was replaced), the thermal oxidizer failed while heating the reactor and was unable to achieve the required destruction efficiency or the required volatile organic compound concentration in exhaust gas.
8. During a record review on July 3 through 7, 2008, TCEQ staff documented the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the annual compliance certification submitted for the March 18, 2007 through March 17, 2008 annual compliance certification reporting period; and the semi-annual deviation reports submitted for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods.
9. During a record review on July 1, 2008, TCEQ staff documented the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the annual compliance certification submitted for the March 18, 2007 through March 17, 2008 annual compliance certification reporting period; and the semi-annual deviation reports submitted for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods.
10. The Respondent received notices of the violations on July 22, 23, and 28 and September 2, 2008.
11. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:

- a. In order to satisfy Federal Operating Permit ("FOP") No. O-01932 semi-annual deviation reporting requirements, submitted a certified copy of the semi-annual deviation report for the January 27 through July 26, 2007 semi-annual deviation reporting period on February 25, 2008;
- b. In order to satisfy FOP Nos. O-01930 and O-01934 semi-annual deviation reporting requirements, submitted certified copies of the semi-annual deviation reports for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period on April 10, 2008; and
- c. In order to satisfy FOP No. O-02191, the fire eye in the natural gas regulator of the thermal oxidizer, EPN FI-07, was replaced on August 13, 2007.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the January 27, 2007 through July 26, 2007 semi-annual deviation reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-01932, General Terms and Conditions and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-01930, General Terms and Conditions and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. As evidenced by Findings of Fact No. 5, the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 12, 2007 through September 11, 2007 semi-annual deviation reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-01934, General Terms and Conditions and TEX. HEALTH & SAFETY CODE § 382.085(b).
5. As evidenced by Findings of Fact No. 6, the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the semi-annual deviation report submitted for the March 1, 2007 through August 31, 2007 semi-annual deviation reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7), FOP No. O-02191, General Terms and Conditions and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. As evidenced by Findings of Fact No. 7, the Respondent failed to maintain the thermal oxidizer, EPN FI-07, in good working order, in violation of 30 TEX. ADMIN. CODE § 122.143(4), FOP

- No. O-02191, General Terms and Conditions, New Source Review Permit No. 22048, General Condition 9, and TEX. HEALTH & SAFETY CODE § 382.085(b).
7. As evidenced by Findings of Fact No. 8, the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the annual compliance certification submitted for the March 18, 2007 through March 17, 2008 annual compliance certification reporting period; and the semi-annual deviation reports submitted for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7) and (a)(8), FOP No. O-01931, General Terms and Conditions and TEX. HEALTH & SAFETY CODE § 382.085(b).
 8. As evidenced by Findings of Fact No. 9, the Respondent failed to ensure that a responsible official certified the accuracy and completeness of the annual compliance certification submitted for the March 18, 2007 through March 17, 2008 annual compliance certification reporting period; and the semi-annual deviation reports submitted for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and (15) and 122.165(a)(7) and (a)(8), FOP No. O-01933, General Terms and Conditions and TEX. HEALTH & SAFETY CODE § 382.085(b).
 9. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
 10. An administrative penalty in the amount of Twenty Thousand Four Hundred Ten Dollars (\$20,410) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Ten Thousand Two Hundred Five Dollars (\$10,205) of the administrative penalty. Ten Thousand Two Hundred Five Dollars (\$10,205) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Twenty Thousand Four Hundred Ten Dollars (\$20,410) as set forth in Section II, Paragraph 10 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Lubrizol Corporation, Docket No. 2008-1282-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 II, Paragraph 10 above, Ten Thousand Two Hundred Five Dollars (\$10,205) 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. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Submit certified annual compliance certifications for the March 18, 2007 through March 17, 2008 annual compliance certification period for FOPs O-01931 and O-01933;
 - ii. Submit certified semi-annual deviation reports for the March 18, 2007 through September 17, 2007 and September 18, 2007 through March 17, 2008 semi-annual deviation reporting periods for FOPs O-01931 and O-01933; and
 - iii. Implement measures designed to ensure that annual compliance certifications and semi-annual deviation reports are certified by a responsible official prior to being submitted.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

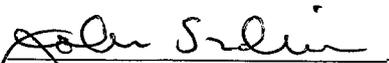
4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any 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. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. 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.
9. 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.

10. 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.
 11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

3/12/2009
Date

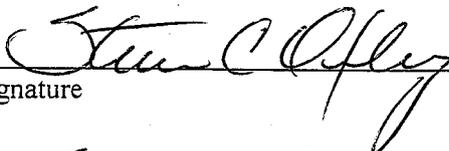
I, the undersigned, have read and understand the attached Agreed Order in the matter of The Lubrizol Corporation. I am authorized to agree to the attached Agreed Order on behalf of The Lubrizol Corporation, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, The Lubrizol Corporation waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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


Signature

December 5, 2008
Date

STEVEN C OXLEY
Name (Printed or typed)
Authorized Representative of
The Lubrizol Corporation

GENERAL MANAGER
Title

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

Attachment A
Docket Number: 2008-1282-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: The Lubrizol Corporation
Payable Penalty Amount: Twenty Thousand Four Hundred Ten Dollars (\$20,410)
SEP Amount: Ten Thousand Two Hundred Five Dollars (\$10,205)
Type of SEP: Pre-approved
Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
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

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

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 a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

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:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

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 ATexas Commission on Environmental Quality@ and mailed to:

The Lubrizol Corporation
Agreed Order B Attachment A

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

