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**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.: 2008-1586-AIR-E TCEQ ID: RN100219252 CASE NO.: 36623**  
**RESPONDENT NAME: Huntsman Petrochemical Corporation**

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<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><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Huntsman Port Neches, 6001 Highway 366, Port Neches, Jefferson County</p> <p><b>TYPE OF OPERATION:</b> Synthetic organic chemical plant</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There are additional pending enforcement actions regarding this facility location, Docket Nos. 2008-0664-AIR-E and 2009-0041-AIR-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on March 9, 2009. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768  <b>TCEQ Enforcement Coordinator:</b> Mr. Raymond Marlow, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8785;  Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387  <b>Respondent:</b> Mr. Steven Barre, Plant Manager, Huntsman Petrochemical Corporation, P. O. Box 847, Port Neches, Texas 77651;  Mr. Jordan Morgan, Director of Manufacturing - Port Neches Performance Products, Huntsman Petrochemical Corporation, P. O. Box 847, Port Neches, Texas 77651  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> April 17 through May 12, April 30, May 2, July 1 through 3, and August 26, 2008</p> <p><b>Date of NOV/NOE Relating to this Case:</b> June 12 and 20, July 9, and August 4, and September 9, 2008 (NOE)</p> <p><b>Background Facts:</b> These were routine investigations.</p> <p><b>AIR</b></p> <p>1) Failure to prevent unauthorized emissions (Incident No. 104823). Specifically, 12.55 pounds ("lbs") of volatile organic compounds were released without authorization from the F4 Unit Wastewater Fugitives Emissions Point Number ("EPN") F4WWFUG on March 11, 2008, for eight hours and 42 minutes. The emissions event was caused by a valve left closed during a line-up operation between Tanks TO186 and TO25 creating a pressure buildup in the F4 Unit activating a pressure relief valve. Since this emissions event was avoidable by better maintenance practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit 5972A, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-01320, SC 13, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>2) Failure to prevent unauthorized emissions (Incident No. 98892). Specifically, 142 lbs of ethylene and two lbs of ethylene oxide were released from the F-6 Reabsorber Vent on October 18, 2007, for 21 minutes. The emissions event</p>	<p><b>Total Assessed:</b> \$117,715</p> <p><b>Total Deferred:</b> \$23,543  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$47,086</p> <p><b>Total Paid to General Revenue:</b> \$47,086</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a) Began monitoring the wastewater conveyance on July 25, 2008;</p> <p>b) Began monitoring the CAS on May 7, 2008;</p> <p>c) Installed field wiring guards to prevent accidental shutdown of cracked gas compressor on March 1, 2008 (Incident No. 104871);</p> <p>d) Repaired the rupture disk and disk housing on April 4, 2008 and trained personnel in proper installation of the rupture disk on June 12, 2008 (Incident No. 105823); and</p> <p>e) Submitted the emissions event report on March 11, 2008 to the Beaumont Regional Office which was due on January 11, 2008.</p> <p><b>Ordering Provisions:</b></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 documentation that training of personnel has been provided to ensure future line-up errors that caused the March 11, 2008, emissions event (Incident No. 104823) are prevented;</p> <p>ii) Implement measures designed to ensure future thermocouple failure is averted (Incident No. 98892);</p>

<p>was caused by a stack temperature transmitter malfunction due to a shorted out thermocouple which sent a false signal to the F-6 Incinerator shutting it down. Thermocouple failure was the result of excessive heat exposure facilitated by thermowell (heat shield) breakdown. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit 5952A, SC 1, FOP O-01320, General Terms and Conditions ("GTC"), and SC 13, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>3) Failure to conduct volatile organic compound monitoring on the wastewater conveyance EPN RSEGLYWWFUG from February 19, 2007 through February 19, 2008 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit 36646, SC 18, FOP O-01320, SC 13, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>4) Failure to conduct monitoring of the Carbon Absorption System ("CAS") connected to Tank T-A3-46 from February 19, 2007 through February 19, 2008 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit 19823, SC 9(A), FOP O-02288, SC 16, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>5) Failure to prevent unauthorized emissions (Incident No. 105823). Specifically, seven lbs of ethylene oxide and 7,856 lbs of ethylene were released from reactor number 2 on April 3, 2008, for ten minutes. The event was caused by an improperly aligned rupture disk that failed when the reactor was started. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit 5952A, SC 1, FOP O-01320, SC 13, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>6) Failure to prevent unauthorized emissions (Incident No. 104871). Specifically, 573.69 lbs of unauthorized volatile organic compounds were emitted from the South Flare (EPN UER037) from January 6, 2008 through January 10, 2008, for 99 hours. Improper guarding of field wiring associated with the manual unit trip</p>		<p>iii) Train personnel to ensure emissions events are properly reported (Incident No. 104871); and</p> <p>iv) Design and implement measures to prevent the recurrence of emissions events due to the same or similar causes as the November 5, 2007 and December 23, 2007 through December 24, 2007 emissions events (Incident Nos. 99672 and 101672).</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 Nos. 2.a.i. through 2.a.iv.</p>
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switch in central control resulted in the shutdown of the cracked gas compressor causing the unauthorized emissions. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit 19823, SC 1, FOP O-02288, SC 16, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7) Failure to notify the TCEQ Regional Office within 24 hours of a reportable emissions event (Incident No. 104871). Specifically, the Respondent submitted the initial scheduled shutdown notification on December 21, 2007, and did not realize that the estimated emissions had been exceeded until the final calculations for the shutdown were conducted on March 11, 2008. Therefore the emissions released from January 6, 2008, through January 10, 2008, should have been reported on January 11, 2008 [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), FOP O-02288, GTC, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8) Failure to prevent unauthorized emissions (Incident No. 99672). Specifically, 352 pounds ("lbs") and 132 lbs of ethylene were released from the F-6 Reabsorber vent and F-6 Regenerator vent, respectively, on November 5, 2007 for one hour and 58 minutes, when waste gas flow was too high to the incinerator while the F-6 Reclaim Compressor was down and two of the incinerator's burners were off-line, causing pressure to exceed the shutdown setting and atmospheric vents to open. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(2) and (3) [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit 5952A, SC 1, FOP O-01320, GTC and SC 13, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

9) Failure to prevent unauthorized emissions (Incident No. 101672). Specifically, 277.56 lbs of ethylene were released from the F-6 Reabsorber Vent (EPN F6FF6104) on December 23, 2007 through December 24, 2007 for two hours and 56 minutes, when improper manual control of combustion air flow caused an incinerator shutdown and three failed

<p>attempts to relight the incinerator burners. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(2) and (3) [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c), and 122.143(4), NSR Permit 5952A, SC 1, FOP O-01320, GTC and SC 13, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): Air JE0052V



**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Huntsman Petrochemical Corporation</b>
<b>Payable Penalty Amount:</b>	<b>Ninety-Four Thousand One Hundred Seventy-Two Dollars (\$94,172)</b>
<b>SEP Amount:</b>	<b>Forty-Seven Thousand Eighty-Six Dollars (\$47,086)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles</b>
<b>Location of SEP:</b>	<b>Jefferson County</b>

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

**1. Project Description**

**A. Project**

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

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

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

**B. Environmental Benefit**

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

**C. Minimum Expenditure**

Huntsman Petrochemical Corporation  
Agreed Order – Attachment A

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

**2. Performance Schedule**

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

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

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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

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

**5. Publicity**

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

**6. Clean Texas Program**

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

**7. Other SEPs by TCEQ or Other Agencies**

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





Policy Revision 2 (September 2002)

## Penalty Calculation Worksheet (PCW)

PCW Revision June 12, 2008

TCEQ

DATES	Assigned	22-Sep-2008	Screening	1-Oct-2008	EPA Due	28-Jun-2009
	PCW	22-Oct-2008				

## RESPONDENT/FACILITY INFORMATION

Respondent	Huntsman Petrochemical Corporation		
Reg. Ent. Ref. No.	RN100219252		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

## CASE INFORMATION

Enf./Case ID No.	36623	No. of Violations	2
Docket No.	2008-1586-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Daniel Siringi
Admin. Penalty \$	Limit Minimum \$0	Maximum	\$10,000
		EC's Team	Enforcement Team 5

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$5,000</b>
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	<b>260.0%</b> Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$13,000</b>
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Notes	Penalty enhancement due to eight NOVs with same or similar violations, seven NOVs for unrelated violations, three Agreed orders containing a denial of liability and six Findings orders without denial of liability. Penalty reduction due to four letters of intended audits.
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<b>Culpability</b>	<b>No</b>	<b>0.0%</b> Enhancement	<b>Subtotal 4</b>	<b>\$0</b>
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Notes	The Respondent does not meet the culpability criteria.
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<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>\$0</b>
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<b>Economic Benefit</b>	<b>0.0%</b> Enhancement	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts	\$302	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$4,500	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$18,000</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b>	<b>Adjustment</b>	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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<b>Final Penalty Amount</b>	<b>\$18,000</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$18,000</b>
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<b>DEFERRAL</b>	<b>20.0%</b> Reduction	<b>Adjustment</b>	<b>-\$3,600</b>
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes	Deferral offered for expedited settlement.
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<b>PAYABLE PENALTY</b>	<b>\$14,400</b>
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Screening Date 1-Oct-2008

Docket No. 2008-1586-AIR-E

PCW

Respondent Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

Case ID No. 36623

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Daniel Siringi

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	8	40%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	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	6	150%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	4	-4%
	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) 260%

>> 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 eight NOVs with same or similar violations, seven NOVs for unrelated violations, three Agreed orders containing a denial of liability and six Findings orders without denial of liability. Penalty reduction due to four letters of intended audits.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 260%

<b>Screening Date</b> 1-Oct-2008	<b>Docket No.</b> 2008-1586-AIR-E	<b>PCW</b>												
<b>Respondent</b> Huntsman Petrochemical Corporation		<i>Policy Revision 2 (September 2002)</i>												
<b>Case ID No.</b> 36623		<i>PCW Revision June 12, 2008</i>												
<b>Reg. Ent. Reference No.</b> RN100219252														
<b>Media [Statute]</b> Air														
<b>Enf. Coordinator</b> Daniel Siringi														
<b>Violation Number</b> <input type="text" value="1"/>														
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c), and 122.143(4), Federal Operating Permit ("FOP") O-01320, General Terms and Conditions ("GTC") and Special Condition ("SC") 13, New Source Review ("NSR") Permit 5952A, SC 1 and Tex. Health & Safety Code § 382.085(b)													
<b>Violation Description</b>	Failed to prevent unauthorized emissions (Incident No. 99672). Specifically, 352 pounds ("lbs") and 132 lbs of ethylene were released from the F-6 Reabsorber vent and F-6 Regenerator vent, respectively, on November 5, 2007 for one hour 58 minutes, when waste gas flow was too high to the incinerator while the F-6 Reclaim Compressor was down and two of the incinerator's burners were off-line, causing pressure to exceed the shutdown setting and atmospheric vents to open. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222(b)(2) and (3).													
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>												
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>														
<b>OR</b>	<b>Release</b>	<b>Harm</b>												
		Major      Moderate      Minor												
	Actual	<input type="text"/> <input type="text"/> <input checked="" type="text" value="x"/>												
	Potential	<input type="text"/> <input type="text"/> <input type="text"/>												
	<b>Percent</b>	<input type="text" value="25%"/>												
<b>&gt;&gt; Programmatic Matrix</b>														
	Falsification	Major      Moderate      Minor												
	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>												
	<b>Percent</b>	<input type="text" value="0%"/>												
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.													
	<b>Adjustment</b>	<input type="text" value="\$7,500"/>												
		<input type="text" value="\$2,500"/>												
<b>Violation Events</b>														
	Number of Violation Events <input type="text" value="1"/>	Number of violation days <input type="text" value="1"/>												
	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input checked="" type="text" value="x"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input checked="" type="text" value="x"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$2,500"/>
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input checked="" type="text" value="x"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text"/>													
<i>mark only one with an x</i>	One quarterly event is recommended.													
<b>Good Faith Efforts to Comply</b>														
	<input type="text" value="0.0%"/> Reduction	<input type="text" value="\$0"/>												
	Before NOV      NOV to EDRP/Settlement Offer													
Extraordinary	<input type="text"/>	<input type="text"/>												
Ordinary	<input type="text"/>	<input type="text"/>												
N/A	<input checked="" type="text" value="x"/>	(mark with x)												
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.													
	<b>Violation Subtotal</b>	<input type="text" value="\$2,500"/>												
<b>Economic Benefit (EB) for this violation</b>														
	<b>Estimated EB Amount</b> <input type="text" value="\$175"/>	<b>Statutory Limit Test:</b>												
		<b>Violation Final Penalty Total</b> <input type="text" value="\$9,000"/>												
	<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$9,000"/>													

### Economic Benefit Worksheet

**Respondent:** Huntsman Petrochemical Corporation  
**Case ID No.:** 36623  
**Reg. Ent. Reference No.:** RN100219252  
**Media:** Air  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

Item; Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,500	5-Nov-2007	30-Mar-2009	1.40	\$175	n/a	\$175

**Notes for DELAYED costs**

Estimated cost of monitoring waste gas flow when equipment is down or off-line to prevent pressure build-up. Date required is the date of the emissions event; final date is the estimated date corrective actions will 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

\$2,500

**TOTAL**

\$175

<b>Screening Date</b> 1-Oct-2008	<b>Docket No.</b> 2008-1586-AIR-E	<b>PCW</b>		
<b>Respondent</b> Huntsman Petrochemical Corporation		<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b> 36623		<i>PCW Revision June 12, 2008</i>		
<b>Reg. Ent. Reference No.</b> RN100219252				
<b>Media [Statute]</b> Air				
<b>Enf. Coordinator</b> Daniel Siringi				
<b>Violation Number</b> <input type="text" value="2"/>				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c), and 122.143(4), FOP O-01320, GTC and SC 13, NSR Permit 5952A, SC 1 and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions (Incident No. 101672). Specifically, 277.56 lbs of ethylene were released from the F-6 Reabsorber Vent (EPN F6FF6104) on December 23, 2007 through December 24, 2007 for two hours and 56 minutes, when improper manual control of combustion air flow caused an incinerator shutdown and three failed attempts to relight the incinerator burners. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222(b)(2) and (3).			
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	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"/>
		<b>Percent</b>	<input type="text" value="25%"/>	
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="0%"/>	
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
	<b>Adjustment</b>	<input type="text" value="\$7,500"/>		
		<input type="text" value="\$2,500"/>		
<b>Violation Events</b>				
	<b>Number of Violation Events</b>	<input type="text" value="1"/>	<input type="text" value="1"/>	<b>Number of violation days</b>
	<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"/>	
		<b>Violation Base Penalty</b>	<input type="text" value="\$2,500"/>	
One quarterly event is recommended.				
<b>Good Faith Efforts to Comply</b>				
	<input type="text" value="0.0%"/>	<b>Reduction</b>	<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	<input checked="" type="checkbox"/>	(mark with x)	
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.			
		<b>Violation Subtotal</b>	<input type="text" value="\$2,500"/>	
<b>Economic Benefit (EB) for this violation</b>				
	<b>Estimated EB Amount</b>	<input type="text" value="\$127"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$9,000"/>
			<b>This violation Final Assessed Penalty (adjusted for limits)</b>	<input type="text" value="\$9,000"/>

## Economic Benefit Worksheet

**Respondent:** Huntsman Petrochemical Corporation  
**Case ID No.:** 36623  
**Reg. Ent. Reference No.:** RN100219252  
**Media:** Air  
**Violation No.:** 2

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$2,000	23-Dec-2007	30-Mar-2009	1.27	\$127	n/a	\$127
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 cost of training personnel to properly operate the incinerator. Date required is the start date of the emissions event; final date is the estimated date corrective actions will be completed.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$2,000

**TOTAL**

\$127

# Compliance History

Customer/Respondent/Owner-Operator:	CN600632848	Huntsman Petrochemical Corporation	Classification: AVERAGE	Rating: 4.79
Regulated Entity:	RN100219252	HUNTSMAN PORT NECHES	Classification: AVERAGE	Site Rating: 22.96
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0052V	
	AIR OPERATING PERMITS	PERMIT	1320	
	AIR OPERATING PERMITS	PERMIT	2286	
	AIR OPERATING PERMITS	PERMIT	2287	
	AIR OPERATING PERMITS	PERMIT	2288	
	AIR OPERATING PERMITS	PERMIT	1322	
	AIR OPERATING PERMITS	PERMIT	1327	
	AIR OPERATING PERMITS	PERMIT	3056	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008076846	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30029	
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	35486	
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	40711	
	AIR NEW SOURCE PERMITS	AFS NUM	4824500006	
	AIR NEW SOURCE PERMITS	PERMIT	29516	
	AIR NEW SOURCE PERMITS	REGISTRATION	71975	
	AIR NEW SOURCE PERMITS	REGISTRATION	71986	
	AIR NEW SOURCE PERMITS	PERMIT	51889	
	AIR NEW SOURCE PERMITS	PERMIT	51736	
	AIR NEW SOURCE PERMITS	PERMIT	52715	
	AIR NEW SOURCE PERMITS	PERMIT	54551	
	AIR NEW SOURCE PERMITS	PERMIT	54550	
	AIR NEW SOURCE PERMITS	PERMIT	53515	
	AIR NEW SOURCE PERMITS	PERMIT	54565	
	AIR NEW SOURCE PERMITS	PERMIT	44055	
	AIR NEW SOURCE PERMITS	PERMIT	44034	
	AIR NEW SOURCE PERMITS	PERMIT	44434	
	AIR NEW SOURCE PERMITS	PERMIT	44454	
	AIR NEW SOURCE PERMITS	PERMIT	44561	
	AIR NEW SOURCE PERMITS	PERMIT	44694	
	AIR NEW SOURCE PERMITS	PERMIT	44812	
	AIR NEW SOURCE PERMITS	PERMIT	45090	
	AIR NEW SOURCE PERMITS	PERMIT	45094	
	AIR NEW SOURCE PERMITS	PERMIT	45277	
	AIR NEW SOURCE PERMITS	PERMIT	45278	
	AIR NEW SOURCE PERMITS	PERMIT	45644	
	AIR NEW SOURCE PERMITS	PERMIT	45569	
	AIR NEW SOURCE PERMITS	PERMIT	46059	
	AIR NEW SOURCE PERMITS	PERMIT	46088	
	AIR NEW SOURCE PERMITS	PERMIT	42324	
	AIR NEW SOURCE PERMITS	PERMIT	46489	
	AIR NEW SOURCE PERMITS	PERMIT	46604	
	AIR NEW SOURCE PERMITS	PERMIT	46791	
	AIR NEW SOURCE PERMITS	PERMIT	47011	
	AIR NEW SOURCE PERMITS	PERMIT	47065	
	AIR NEW SOURCE PERMITS	PERMIT	47066	
	AIR NEW SOURCE PERMITS	PERMIT	47555	
	AIR NEW SOURCE PERMITS	PERMIT	47513	
	AIR NEW SOURCE PERMITS	PERMIT	47577	
	AIR NEW SOURCE PERMITS	PERMIT	47887	
	AIR NEW SOURCE PERMITS	PERMIT	48178	
	AIR NEW SOURCE PERMITS	PERMIT	48176	
	AIR NEW SOURCE PERMITS	PERMIT	47939	
	AIR NEW SOURCE PERMITS	PERMIT	49247	
	AIR NEW SOURCE PERMITS	PERMIT	49429	
	AIR NEW SOURCE PERMITS	PERMIT	49295	
	AIR NEW SOURCE PERMITS	PERMIT	49493	
	AIR NEW SOURCE PERMITS	PERMIT	49615	
	AIR NEW SOURCE PERMITS	PERMIT	50109	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0052V	
	AIR NEW SOURCE PERMITS	PERMIT	647B	
	AIR NEW SOURCE PERMITS	PERMIT	4508A	
	AIR NEW SOURCE PERMITS	PERMIT	5807A	
	AIR NEW SOURCE PERMITS	PERMIT	5952A	
	AIR NEW SOURCE PERMITS	PERMIT	5972A	
	AIR NEW SOURCE PERMITS	PERMIT	7761	
	AIR NEW SOURCE PERMITS	PERMIT	11824	
	AIR NEW SOURCE PERMITS	PERMIT	12276	
	AIR NEW SOURCE PERMITS	PERMIT	12800	
	AIR NEW SOURCE PERMITS	PERMIT	12599	
	AIR NEW SOURCE PERMITS	PERMIT	12951	
	AIR NEW SOURCE PERMITS	PERMIT	13091	

AIR NEW SOURCE PERMITS	PERMIT	13377
AIR NEW SOURCE PERMITS	PERMIT	16909
AIR NEW SOURCE PERMITS	PERMIT	19823
AIR NEW SOURCE PERMITS	PERMIT	20134
AIR NEW SOURCE PERMITS	PERMIT	20160
AIR NEW SOURCE PERMITS	PERMIT	20485
AIR NEW SOURCE PERMITS	PERMIT	23141
AIR NEW SOURCE PERMITS	PERMIT	23568
AIR NEW SOURCE PERMITS	PERMIT	31443
AIR NEW SOURCE PERMITS	PERMIT	32823
AIR NEW SOURCE PERMITS	PERMIT	33285
AIR NEW SOURCE PERMITS	PERMIT	36646
AIR NEW SOURCE PERMITS	PERMIT	36453
AIR NEW SOURCE PERMITS	PERMIT	36831
AIR NEW SOURCE PERMITS	PERMIT	39725
AIR NEW SOURCE PERMITS	PERMIT	40103
AIR NEW SOURCE PERMITS	PERMIT	40527
AIR NEW SOURCE PERMITS	PERMIT	40804
AIR NEW SOURCE PERMITS	PERMIT	41444
AIR NEW SOURCE PERMITS	PERMIT	41301
AIR NEW SOURCE PERMITS	PERMIT	41757
AIR NEW SOURCE PERMITS	PERMIT	42103
AIR NEW SOURCE PERMITS	PERMIT	42153
AIR NEW SOURCE PERMITS	PERMIT	42526
AIR NEW SOURCE PERMITS	PERMIT	42154
AIR NEW SOURCE PERMITS	PERMIT	55077
AIR NEW SOURCE PERMITS	PERMIT	53808
AIR NEW SOURCE PERMITS	REGISTRATION	75754
AIR NEW SOURCE PERMITS	REGISTRATION	75597
AIR NEW SOURCE PERMITS	REGISTRATION	76018
AIR NEW SOURCE PERMITS	REGISTRATION	75748
AIR NEW SOURCE PERMITS	REGISTRATION	76383
AIR NEW SOURCE PERMITS	PERMIT	83816
AIR NEW SOURCE PERMITS	PERMIT	54935
AIR NEW SOURCE PERMITS	REGISTRATION	55753
AIR NEW SOURCE PERMITS	REGISTRATION	70023
AIR NEW SOURCE PERMITS	REGISTRATION	70024
AIR NEW SOURCE PERMITS	REGISTRATION	56738
AIR NEW SOURCE PERMITS	REGISTRATION	56737
AIR NEW SOURCE PERMITS	PERMIT	56390
AIR NEW SOURCE PERMITS	REGISTRATION	56243
AIR NEW SOURCE PERMITS	REGISTRATION	70571
AIR NEW SOURCE PERMITS	REGISTRATION	70781
AIR NEW SOURCE PERMITS	REGISTRATION	70858
AIR NEW SOURCE PERMITS	REGISTRATION	71038
AIR NEW SOURCE PERMITS	REGISTRATION	71506
AIR NEW SOURCE PERMITS	REGISTRATION	71126
AIR NEW SOURCE PERMITS	REGISTRATION	71130
AIR NEW SOURCE PERMITS	REGISTRATION	70726
AIR NEW SOURCE PERMITS	PERMIT	53551
AIR NEW SOURCE PERMITS	PERMIT	54057
AIR NEW SOURCE PERMITS	PERMIT	52313
AIR NEW SOURCE PERMITS	PERMIT	52318
AIR NEW SOURCE PERMITS	PERMIT	56077
AIR NEW SOURCE PERMITS	PERMIT	56073
AIR NEW SOURCE PERMITS	REGISTRATION	72336
AIR NEW SOURCE PERMITS	PERMIT	70011
AIR NEW SOURCE PERMITS	PERMIT	52583
AIR NEW SOURCE PERMITS	PERMIT	54219
AIR NEW SOURCE PERMITS	PERMIT	53979
AIR NEW SOURCE PERMITS	REGISTRATION	72310
AIR NEW SOURCE PERMITS	PERMIT	52531
AIR NEW SOURCE PERMITS	PERMIT	54231
AIR NEW SOURCE PERMITS	PERMIT	54570
AIR NEW SOURCE PERMITS	PERMIT	54234
AIR NEW SOURCE PERMITS	PERMIT	53005
AIR NEW SOURCE PERMITS	REGISTRATION	72329
AIR NEW SOURCE PERMITS	REGISTRATION	71751
AIR NEW SOURCE PERMITS	REGISTRATION	73102
AIR NEW SOURCE PERMITS	REGISTRATION	72802
AIR NEW SOURCE PERMITS	PERMIT	52077
AIR NEW SOURCE PERMITS	PERMIT	54881
AIR NEW SOURCE PERMITS	PERMIT	50360
AIR NEW SOURCE PERMITS	REGISTRATION	73927
AIR NEW SOURCE PERMITS	REGISTRATION	73665
AIR NEW SOURCE PERMITS	REGISTRATION	73663
AIR NEW SOURCE PERMITS	PERMIT	72907
AIR NEW SOURCE PERMITS	REGISTRATION	73601
AIR NEW SOURCE PERMITS	REGISTRATION	73956
AIR NEW SOURCE PERMITS	PERMIT	74236
AIR NEW SOURCE PERMITS	REGISTRATION	74362

AIR NEW SOURCE PERMITS	REGISTRATION	74296
AIR NEW SOURCE PERMITS	REGISTRATION	74838
AIR NEW SOURCE PERMITS	REGISTRATION	75203
AIR NEW SOURCE PERMITS	REGISTRATION	75183
AIR NEW SOURCE PERMITS	REGISTRATION	75202
AIR NEW SOURCE PERMITS	REGISTRATION	74849
AIR NEW SOURCE PERMITS	REGISTRATION	74851
AIR NEW SOURCE PERMITS	REGISTRATION	75064
AIR NEW SOURCE PERMITS	REGISTRATION	76932
AIR NEW SOURCE PERMITS	REGISTRATION	76510
AIR NEW SOURCE PERMITS	REGISTRATION	76627
AIR NEW SOURCE PERMITS	REGISTRATION	76732
AIR NEW SOURCE PERMITS	REGISTRATION	77129
AIR NEW SOURCE PERMITS	REGISTRATION	77217
AIR NEW SOURCE PERMITS	REGISTRATION	77327
AIR NEW SOURCE PERMITS	REGISTRATION	78199
AIR NEW SOURCE PERMITS	REGISTRATION	79036
AIR NEW SOURCE PERMITS	REGISTRATION	79296
AIR NEW SOURCE PERMITS	REGISTRATION	78974
AIR NEW SOURCE PERMITS	REGISTRATION	79198
AIR NEW SOURCE PERMITS	REGISTRATION	79800
AIR NEW SOURCE PERMITS	REGISTRATION	79529
AIR NEW SOURCE PERMITS	REGISTRATION	80149
AIR NEW SOURCE PERMITS	REGISTRATION	80390
AIR NEW SOURCE PERMITS	REGISTRATION	80171
AIR NEW SOURCE PERMITS	REGISTRATION	80169
AIR NEW SOURCE PERMITS	REGISTRATION	80328
AIR NEW SOURCE PERMITS	REGISTRATION	79939
AIR NEW SOURCE PERMITS	REGISTRATION	80702
AIR NEW SOURCE PERMITS	REGISTRATION	81531
AIR NEW SOURCE PERMITS	REGISTRATION	81415
AIR NEW SOURCE PERMITS	REGISTRATION	83113
AIR NEW SOURCE PERMITS	REGISTRATION	84374
AIR NEW SOURCE PERMITS	REGISTRATION	84617
AIR NEW SOURCE PERMITS	REGISTRATION	82543
AIR NEW SOURCE PERMITS	PERMIT	82488
AIR NEW SOURCE PERMITS	REGISTRATION	84694
AIR NEW SOURCE PERMITS	REGISTRATION	82922
AIR NEW SOURCE PERMITS	REGISTRATION	84519
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50055
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30029
STORMWATER	PERMIT	TXR15EV47

Location: 6001 HIGHWAY 366, PORT NECHES, TX, 77651 Rating Date: 9/1/2008 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT  
Date Compliance History Prepared: October 01, 2008  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: October 01, 2003 to October 01, 2008

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

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

**Site Compliance History Components**

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

**Components (Multimedia) for the Site :**

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

Effective Date: 06/13/2004 ADMINORDER 2003-0650-AIR-E  
Classification: Moderate  
Citation: 5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to prevent the emission of an air contaminant that will contribute to air pollution.

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

Rqmt Prov: 20485 Special Conditions No. 5 PERMIT  
Description: Failure to maintain an emission rate below an allowable emission limit at the Butadiene Unit.

Effective Date: 08/20/2006 ADMINORDER 2006-0107-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Permit 5952A SC 1 PA

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

Classification: Minor

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

Description: Failure to properly notify the Beaumont Region Office of a reportable emissions event for Incident 69694.

Classification: Moderate

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

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

Rqmt Prov: 19823, SPECIAL CONDITION 1 PERMIT

Description: Failure to prevent ethylene emissions during Incident 69694.

Effective Date: 09/21/2006

ADMINORDER 2006-0399-AIR-E

Classification: Moderate

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

Rqmt Prov: No. 16909 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: 20485 PERMIT

O-01327 OP

Description: Failure to meet the minimum net heating value requirement during the compliance test conducted on June 8, 2005, which should be greater than 11.2MJ/scm. Results of the compliance test show a minimum net heating value of 10.23MJ/scm.

Classification: Moderate

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

Rqmt Prov: Permit 5952A, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

Description: Failure to report an emissions event within 24 hours after discovery.

Classification: Moderate

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

Rqmt Prov: No. 16909/ Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 12/02/2006

ADMINORDER 2005-0926-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: 20485 PERMIT

Description: Failure to maintain VOC limit less than 2.0 ppmw in C4 Cooling Tower.

Classification: Moderate

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

Rqmt Prov: 20485 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 647B/MAERT PERMIT

Description: Failure to prevent unauthorized ammonia emissions from the E7 Cooling Tower. A8c2Aii

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 113, SubChapter C 113.730

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct HON sampling and analysis following an approved method.

Classification: Moderate

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

Rqmt Prov: 20160 PERMIT

Description: Failure to repair leaking exchanger in the PO/MTBE cooling water system during unit shutdown.

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 1:00 p.m. on September 16, 2003 at the MTBE Drying Column Overhead Line.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 20160/General Condition 8 PERMIT

Description: Failed to prevent unauthorized emissions of 479.5 lbs of Dimethyl Ether, 8631.6 lbs of Isobutylene and 479.5 lbs of Methyl Formate from the MTBE Drying Column Overhead Line on September

16, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 1322/SC17 OP  
20160/GC 8 PERMIT

Description: Failed to prevent unauthorized emissions of 15 lbs of Ethylene Glycol, 699 lbs of Tert Butanol and 854 lbs of Tert Butyl Hydroperoxide from the Tertiary Butyl Alcohol (TBHP) Feed Header on January 11, 2004.

Classification: Moderate

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

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

Rqmt Prov: 20160, GC8 PERMIT  
O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions of 745 lbs of Tert Butanol from Tank 007, the TBA Day Tank (EPN POTK007) on February 23, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 1322/SC 17 OP  
5972A/SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 67 lbs of ethylene oxide from the F-P-137 Ethylene Oxide Rundown on August 25, 2003.

Classification: Moderate

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

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

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of VOCs of 303 lbs on December 10, 2003, 98 lbs December 13, 2003, 432 lbs January 1, 2004, 394 lbs January 15, 2004, 547 lbs February 17, 2004, and 167 lbs on February 28, 2004 from the F-F-6 Regenerator Vent.

Classification: Moderate

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

Rqmt Prov: 5952/ SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 595 lbs of Ethylene and 44 lbs of Ethylene Glycol from the Regenerator Flash Drum Vent on November 22, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event on August 23, 2003 at the F-4 Regenerator (EPN F4FF135).

Classification: Moderate

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

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

Rqmt Prov: 19823, SC1 PERMIT  
20160, GC8 PERMIT

5972A, SC1 PERMIT  
O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions on August 23, 2003 of 1) 5304 lbs of VOC from the PO/MTBE Unit, and 2073 lbs of CO and 251 lbs of NOx from the F5 Unit of the PO/MTBE Plant to the PO/MTBE Flare (EPN POFLARE), and 2) 221 lbs of Ethylene from the Regen/Reabsorb Vent at the F4 Regenerator (EPN F4FF135).

Classification: Moderate

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

Description: Failed to submit a final record to the TCEQ within two weeks after the end of a reportable emissions event on September 6, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

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

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

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 106 lbs of Ethylene from the F-6 Regenerator Vent (EPN F6FF6104) on September 6, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 8:15 p.m. on October 5, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

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

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

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 146 lbs VOCs (Ethylene and Ethylene Glycol) from the F-6 Regenerator Vent (EPN F6FF6104) on October 5, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 12:15 p.m. on October 25, 2003 at the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the Olefins and Oxides (O&O) Plant.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 1322/ SC 15 OP  
5897A/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 2514 lbs of Ammonia from the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the O&O Plant on October 25, 2003.

Classification: Moderate

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

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

Rqmt Prov: 20485, SC1 PERMIT  
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions on January 15, 2004 of 12 lbs of VOCs and 18 lbs of 1,3-Butadiene from the North Unit of the C4/MTBE/Butadiene Units, and 3 lbs of NOx and 19 lbs of CO from the Butadiene Unit of the C4 Plant to the North/South Flare (EPN UWNR1, UW6R1).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 1327/ SC15 OP  
20485/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 163.46 lbs of VOCs on August 20, 2003 and 302.658 lbs of VOCs on February 20, 2004 from the tank hatch of Tank 77.

Classification: Moderate

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

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

Rqmt Prov: 20485, SC1 PERMIT  
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions to the North/South Flare (EPN UWN6R1/UWS6R1) of 2) 48 lbs of VOC and 17 lbs of 1,3 Butadiene from the MTBE Unit on July 22, 2003, and 3) 173 lbs of VOC, 79 lbs of 1,3 Butadiene, 131 lbs of CO and 13 lbs of NOx from the C4 Plant on February 7, 2004.

Classification: Minor

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

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Minor

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

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Moderate

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

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

Rqmt Prov: 5807A SC.1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

Rqmt Prov: 29516 General Conditions PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 56390 SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 Special Condition 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3.  
A8c1G

Classification: Moderate

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

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

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

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

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

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

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

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

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

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

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

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

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

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

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

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

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

Description: Failure to comply with a reporting requirement.

Classification: Moderate

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

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

Rqmt Prov: 20485, Special Condition 1 PERMIT

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

Classification: Moderate

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

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

Rqmt Prov: 19823 Special Condition 1 PERMIT

O-02288 Special Condition 16 OP

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

Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.211(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit a timely reports of an emissions events on October 20 and 25, 2004, and March 16, 2005.

Classification: Major

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

Rqmt Prov: Permit 5807A SC 1 PERMIT

Description: Failure to prevent unauthorized emissions that occurred at the anhydrous ammonia loading area of the E4 Unit; E4 Unit covered by Permit 5807A. Incident 48357.

Classification: Moderate

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

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

Rqmt Prov: FOP O-01327, SC 15 OP  
Permit 20486, SC 1 PERMIT

Description: Failure to comply with the MAERT limits of permit 20485; failure to comply with the conditions of FOP O-01327.

Classification: Moderate

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

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

Rqmt Prov: FOP O-01327, SC 15 OP  
Permit 20485, SC 1 PERMIT

Description: Failure to comply with the emissions limits as specified in Special Condition 1, which references the Maximum Allowable Emissions Rate Table, of TCEQ Permit 20485, and Special Condition 15 of Federal Operating Permit O-01327.

Classification: Minor

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

Description: Failure to properly report emissions events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

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

Description: Failure to submit an initial notification of an emissions event with 24 hours.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

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

Description: Huntsman failed to properly identify the correct Emission Point Common Name in 57946 final notification.

Classification: Moderate

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

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

Rqmt Prov: 19823/ SC 1 PERMIT

Description: Failure to comply with the Maximum Allowable Emissions Rate Table (MAERT) of TCEQ Permit 19823.

Effective Date: 05/25/2007

ADMINORDER 2006-0902-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Permit 19823 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit for the Demethanizer Tower Pressure Relief Vent, PRV 2355.

Effective Date: 10/25/2007

ADMINORDER 2007-0360-AIR-E

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: 19823 Special Condition 1 PERMIT  
O-02288 Special Condition 16 OP

Description: failed to prevent unauthorized emissions. Specifically, on November 28, 2006, over a period of 5 hours, the South Flare emitted 340.38 pounds ("lbs") of Volatile Organic Compound ("VOC") and 374.86 lbs of carbon monoxide ("CO"). Permit No. 19823 authorizes 32.87 lbs of VOC per hour and 53.59 lbs of CO per hour.

Effective Date: 01/28/2008

ADMINORDER 2007-0989-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 20134 Special Condition 20 E PERMIT  
5807A Special Condition 10 PERMIT

5807A Special Condition 2 E PERMIT  
647B Special Condition 11 E PERMIT  
O-02286 Special Condition 10 OP  
O-02287 Special Condition 10 OP

Description: Failed to seal open-ended lines in volatile organic compounds service with a cap, blind flange, plug, or a second valve.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Terms And Conditions OP

Description: Failed to submit two semi-annual deviation reports and one annual compliance certification within 30 days after each reporting period.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(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 A 60.18(f)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20134 Special Condition 12 B PERMIT  
647B Special Condition 3 PERMIT

O-02286 Special Condition 10 OP  
O-02287 Special Condition 10 OP

Description: Failed to monitor the E7 Flare to ensure a pilot flame is present at all times.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)

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

Rqmt Prov: O-02287 Special Condition 10 OP

Description: Failed to notify the executive director within 10 days after the installation of the E7 Flare drum seal (F-E7-72).

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: O-02287 Special Condition 10 OP  
Permit 647B, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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: 20134 Special Condition 23E PERMIT  
O-02286 Special Condition 10 OP

Description: Failed to submit a final sampling report within 30 days after sampling is completed.

Effective Date: 04/14/2008

ADMINORDER 2007-0581-MLM-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(c)  
30 TAC Chapter 106, SubChapter A 106.4(c)

30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 335, SubChapter A 335.4  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135(b)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP 2288 Special Condition 17 OP  
FOP 2288 Special Condition 1D OP

Special Condition 16 OP

Description: Failure to maintain emissions below the allowable reportable quantity for benzene in regards to Permit by Rule Number 106.532. MOD 2(D) EIC A(8)

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: 5952A Special Condition 1 PERMIT  
O-01320 Special Condition 13 OP

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

Effective Date: 08/15/2008 ADMINORDER 2007-2006-AIR-E

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: O-1320 General Terms and Conditions OP  
O-1320 Special Condition 13A OP

P-5972A Special Condition 1 PERMIT

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

Classification: Moderate

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

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

Rqmt Prov: O-1322 General Terms and Conditions OP  
O-1322 Special Condition 2F OP

Description: Failure to properly report an emissions event.

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: O-1322 General Terms and Conditions OP  
O-1322 Special Conditions 17A OP

P-20160 Special Condition 1 PERMIT

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

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: FOP-O-1322 Special Condition 17 OP  
Permit 20160 Special condition 1 PERMIT

Description: Failure to maintain emissions below the allowable emission limit. A10

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	10/03/2003	(249924)
2	12/12/2003	(256877)
3	03/30/2004	(262961)
4	03/30/2004	(263046)
5	04/01/2004	(262873)
6	04/01/2004	(262879)
7	04/01/2004	(262946)
8	04/01/2004	(262956)
9	04/01/2004	(262968)
10	04/01/2004	(263010)
11	04/01/2004	(263014)
12	04/01/2004	(263022)
13	04/01/2004	(263043)
14	04/01/2004	(263588)
15	04/01/2004	(263607)
16	04/02/2004	(263644)
17	04/02/2004	(264437)
18	04/02/2004	(264455)
19	04/08/2004	(263004)

20	04/08/2004	(263600)
21	04/08/2004	(264474)
22	04/21/2004	(264092)
23	04/21/2004	(264098)
24	04/21/2004	(264467)
25	04/21/2004	(264471)
26	06/23/2004	(273321)
27	07/16/2004	(270119)
28	08/26/2004	(273402)
29	08/31/2004	(263533)
30	08/31/2004	(285082)
31	09/08/2004	(288721)
32	10/18/2004	(333854)
33	01/11/2005	(343813)
34	01/28/2005	(343967)
35	02/16/2005	(344499)
36	02/16/2005	(344565)
37	02/16/2005	(351061)
38	02/23/2005	(346660)
39	03/08/2005	(346632)
40	03/08/2005	(347207)
41	03/10/2005	(341723)
42	03/31/2005	(373656)
43	04/04/2005	(349315)
44	04/04/2005	(349319)
45	04/05/2005	(349133)
46	04/05/2005	(349320)
47	04/05/2005	(374774)
48	04/15/2005	(375442)
49	04/15/2005	(375452)
50	04/15/2005	(375457)
51	04/21/2005	(373550)
52	04/26/2005	(374614)
53	05/12/2005	(377543)
54	05/12/2005	(377613)
55	05/12/2005	(377634)
56	05/12/2005	(378225)
57	05/12/2005	(378265)
58	05/12/2005	(378267)
59	05/12/2005	(378487)
60	05/18/2005	(377798)
61	05/20/2005	(376583)
62	05/20/2005	(377225)
63	06/14/2005	(379665)
64	06/15/2005	(379607)
65	06/15/2005	(394963)
66	06/17/2005	(380357)
67	07/05/2005	(395572)
68	07/05/2005	(395675)
69	07/06/2005	(397867)
70	07/15/2005	(392639)
71	07/15/2005	(392774)
72	08/02/2005	(401638)
73	08/25/2005	(403293)
74	08/29/2005	(399102)
75	08/31/2005	(381075)
76	09/09/2005	(404606)
77	11/03/2005	(419194)
78	11/16/2005	(434314)
79	12/05/2005	(398736)
80	12/05/2005	(431206)
81	12/06/2005	(437334)
82	12/06/2005	(437338)
83	12/06/2005	(437343)
84	12/16/2005	(437133)
85	01/27/2006	(437989)
86	01/27/2006	(450224)
87	01/27/2006	(451827)
88	01/30/2006	(438965)
89	02/22/2006	(455838)
90	02/22/2006	(455947)
91	02/22/2006	(456022)

92	02/22/2006	(456036)
93	02/22/2006	(456099)
94	02/27/2006	(454550)
95	02/28/2006	(457516)
96	02/28/2006	(457553)
97	02/28/2006	(457561)
98	03/30/2006	(453754)
99	03/30/2006	(456815)
100	03/30/2006	(458020)
101	03/30/2006	(458485)
102	03/30/2006	(458616)
103	03/31/2006	(458673)
104	04/07/2006	(454572)
105	04/07/2006	(455375)
106	04/07/2006	(458321)
107	04/07/2006	(459162)
108	04/26/2006	(461473)
109	05/01/2006	(463769)
110	05/04/2006	(464589)
111	05/26/2006	(465414)
112	06/22/2006	(465864)
113	07/13/2006	(487611)
114	08/17/2006	(481936)
115	08/23/2006	(485023)
116	08/31/2006	(449889)
117	08/31/2006	(454082)
118	08/31/2006	(486891)
119	08/31/2006	(487767)
120	09/11/2006	(488579)
121	09/19/2006	(513278)
122	09/20/2006	(511204)
123	09/20/2006	(511947)
124	09/25/2006	(488474)
125	09/25/2006	(497536)
126	09/25/2006	(509094)
127	10/10/2006	(513527)
128	10/25/2006	(515478)
129	10/25/2006	(515506)
130	10/25/2006	(515822)
131	10/30/2006	(511240)
132	11/08/2006	(515666)
133	11/13/2006	(517036)
134	11/13/2006	(517041)
135	11/15/2006	(514399)
136	11/15/2006	(517191)
137	11/16/2006	(515790)
138	11/27/2006	(518436)
139	11/28/2006	(516609)
140	11/28/2006	(517675)
141	11/30/2006	(516090)
142	12/04/2006	(533060)
143	12/12/2006	(533440)
144	12/15/2006	(531666)
145	12/28/2006	(488675)
146	12/29/2006	(456006)
147	01/17/2007	(531872)
148	02/08/2007	(535487)
149	02/20/2007	(535145)
150	02/21/2007	(537271)
151	02/23/2007	(534486)
152	02/23/2007	(537684)
153	02/23/2007	(540396)
154	02/26/2007	(540551)
155	03/19/2007	(539598)
156	03/20/2007	(539462)
157	03/20/2007	(539695)
158	04/09/2007	(541905)
159	04/20/2007	(541289)
160	04/21/2007	(533084)
161	04/26/2007	(537371)
162	04/27/2007	(543604)

163	04/30/2007	(543451)
164	05/16/2007	(555268)
165	05/31/2007	(543792)
166	06/14/2007	(557699)
167	06/14/2007	(557996)
168	06/14/2007	(558239)
169	06/14/2007	(561265)
170	06/26/2007	(543284)
171	07/12/2007	(515129)
172	07/30/2007	(558200)
173	09/21/2007	(570457)
174	09/21/2007	(570656)
175	09/27/2007	(570470)
176	11/12/2007	(600643)
177	11/27/2007	(597203)
178	11/27/2007	(597280)
179	11/27/2007	(598101)
180	11/28/2007	(597647)
181	11/28/2007	(600001)
182	12/03/2007	(597429)
183	12/04/2007	(560147)
184	12/10/2007	(611227)
185	12/14/2007	(597547)
186	01/13/2008	(613058)
187	02/08/2008	(617709)
188	02/29/2008	(614644)
189	02/29/2008	(614736)
190	03/13/2008	(613437)
191	04/02/2008	(638186)
192	04/10/2008	(617468)
193	04/25/2008	(617083)
194	05/05/2008	(656845)
195	05/08/2008	(617644)
196	05/08/2008	(639688)
197	05/16/2008	(654879)
198	06/11/2008	(560362)
199	06/12/2008	(655044)
200	06/20/2008	(671039)
201	07/09/2008	(682286)
202	08/02/2008	(684777)
203	08/04/2008	(684258)
204	08/04/2008	(685268)
205	08/25/2008	(683718)
206	08/26/2008	(700526)
207	09/07/2008	(686333)
208	09/09/2008	(684358)
209	09/10/2008	(702254)

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

Date: 10/03/2003 (249924)

Self NO Classification Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to provide the basis used for determining the quantity of air contaminants emitted during an emissions event.

Self NO Classification Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to maintain an emission rate below an allowable emission limit.  
 Date: 06/23/2004 (273321)

Self NO Classification Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 113, SubChapter C 113.110  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 20485, SC 2D  
 PERMIT 20485, SC 3  
 Description: Failure to properly operate the South Flare on May 3, 2004.  
 Date: 01/12/2005 (343813)

Self NO Classification Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Part 63, Subpart H 63.167  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: OP Permit O-02286, SC 1D  
Description: Failure to maintain all VOC lines equipped with a capped end, blind flange, or double blocked valve at the T-E3-147 Tank and the Pump Out Line 56.  
Date: 04/01/2005 (373656)  
Self NO Classification Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to prevent visible emissions.  
Date: 08/23/2006 (485023)  
Self NO Classification Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 5807A  
OP O-02287  
Description: Failure to maintain the daily production limit for the E4 Unit as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.  
Self NO Classification Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)(F)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02287  
Description: Failure to continuously collect and maintain pilot monitoring data, as required by 30 TAC 122.144(1) and 40 CFR 60.7(f), and reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.  
Self NO Classification Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02287  
Description: Failure to analyze quarterly cooling water samples using Method 624 as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.  
Self NO Classification Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 19823  
PERMIT 5807A  
OP O-02287  
OP O-02288  
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Units: O-02287 - 5 components (Component Numbers 03968, 05771, 06097, 07502 and 07824) in E4FUG; O-02288 - 1 component (Component Number 0228) in A3FUG.  
Self Report? NO Classification Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 647B  
OP O-02287  
Description: Failure to maintain the hourly production limit for Morpholine as reported in the Deviation Report for FOP O-02287 covering July 21, 2004 to January 19, 2005.  
Self Report? NO Classification Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02287  
Description: Failure to submit a notification within ten days following installation of the replacement facility as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.  
Self Report? NO Classification Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 647B  
OP O-02287  
Description: Failure to operate the E7 flare with a flame present at all times as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.  
Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 29516  
 OP O-02288

Description: Failure to maintain the minimum scrubber flow rate of 4,800 gallons per hour and the maximum Ethylene Oxide (EO) vapor flow to the scrubber of 1562.4 lbs/hr. as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.703(c)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(d)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to conduct and maintain records of monthly inspections of by-pass seals applicable to 40 CFR Part 60, Subparts NNN/RRR/FF as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to maintain the tank opening in a closed position during normal operations on Tanks T087 and T088, as reported in the Deviation Reports for FOP O-02288 covering February 14, 2005 to August 14, 2005 and August 15, 2005 to February 14, 2006.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)  
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to submit a Form PI-7 within 10 days following the addition of fugitive components as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 29516  
 OP O-02288

Description: Failure to maintain records of the scrubber water flow rate and temperature, and vapor flow rate in lbs/hr at the inlet of the scrubber for Unit RSEF085 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 19823  
 OP O-02288

Description: Failure to maintain records of the Waste Heat Boiler CEMS daily calibrations for Unit A3HA35 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(6)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288

Description: Failure to submit one 40 CFR Part 61, Subpart FF quarterly report for Unit PROA3WW and one 40 CFR Part 60, Subparts NNN/RRR semiannual report for applicable facilities within 30 days after the end of the applicable reporting period of December 31, 2005 as reported in the Deviation Report for FOP O-02288.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 16909  
 PERMIT 19823

OP O-02288

Description: Failure to submit the semiannual reports within 30 days after the end of the applicable reporting period of December 31, 2005 for Units UEHK11, CG1/CG2, and A3HA35, as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Date: 11/13/2006 (517041)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(2)

Rqmt Prov: PERMIT P.P. II.C.1.I  
PERMIT P.P. II.C.2.a

Description: Failure to maintain safety and emergency equipment inspection records.

Date: 11/13/2006 (517036)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

Description: Failure to maintain the liner in the secondary containment.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)

Rqmt Prov: PERMIT P.P. II.C.1.I  
PERMIT P.P. II.C.2.a

Description: Failure to input the date on the daily inspection logs.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)

Rqmt Prov: PERMIT P.P. II.C.1.I  
PERMIT P.P. II.C.2.a

Description: Failure to input the signature of the inspector on the daily inspection logs.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(a)

Rqmt Prov: PERMIT P.P. II.C.1.I  
PERMIT P.P. II.C.2.a

Description: Failure to conduct required daily inspection of the BIF and hazardous waste tanks for malfunctions, deteriorations, operator errors, and discharges.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)

Rqmt Prov: PERMIT P.P. II.C.1.p  
PERMIT P.P. II.C.2.i

Description: Failure to test for all associated alarms and parameters during the automatic waste feed cut-off monthly test as required by the permit.

Date: 01/18/2007 (531872)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20160 SC 15E  
PERMIT 20160 SC 2C  
PERMIT 20160 SC 3  
OP O-01322 SC 17

Description: Failure to have cap and plugs installed on open-ended lines.

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-01322 General Terms and Conditions  
OP O-01322 SC 20

Description: Failure to submit the annual compliance certification for FOP O-01322 in a timely manner.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)(G)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 SC 10A  
OP O-01322 SC IA

Description: Failure to maintain records of daily calibration of continuous monitors and failure to continuously monitor due to failed calibrations.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

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

Description: Failure to report all instances of deviations.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 SC 12G  
OP O-01322 SC 1A

Description: Failure to submit a required semiannual report.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.354(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(b)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of weekly pump and flange check.

Date: 02/26/2007 (534486)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 26F  
PERMIT 20485 Special Condition 2A  
PERMIT 20485 Special Condition 3  
OP O-01327 Special Condition 15

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service at the C4 Plant.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 115, SubChapter B 115.136(a)(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 12  
PERMIT 20485 Special Condition 3  
OP O-01327 Special Condition 1A  
OP O-1327 Special Condition 15

Description: Failure to continuously collect and maintain operational parameters of any control device required to be installed to meet applicable control requirements required by 30 TAC 115.136(a)(2).

Self Report? NO Classification Moderate

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

Description: Failure to report all instances of deviations.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 3  
OP O-01327 Special Condition 15

Description: Failure to make the first attempt at repair within five calendar days.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT 20485 Special Condition 35(B)  
PERMIT 20485 Special Condition 8(B)  
PERMIT 20485 Special Condition 8(C)  
OP O-01327 Special Condition 15

Description: Failure to maintain emission rates below permitted limits.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.144(1)(A)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 20485 Special Condition 3  
 PERMIT 20485 Special Condition 2A  
 OP O-01327 Special Condition 15

**Description:** Failure to maintain records of flare monitors at the South Flare  
**Date:** 06/27/2007 (543284)

**Self Report?** NO **Classification** Moderate

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

**Rqmt Prov:** PERMIT 19823 Special Condition 20  
 OP FOP 2288 General Terms and Conditions  
 OP FOP 2288 Special Condition 16

**Description:** Failure to conduct stack sampling or fuel analysis for SO2 emissions as required by Permit 19823 Special Condition 20. EIC B(1) MOD 2(A)

**Date:** 07/31/2007 (558200)

**Self Report?** NO **Classification** Moderate

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP 01320 Special Condition 13  
 OP 02288 Special Condition 16  
 PERMIT 19823 Special Condition 18E  
 PERMIT 36646 Special Condition 8E  
 PERMIT 5952 Special Condition 21E  
 PERMIT 5972A Special Condition 10  
 PERMIT 5972A Special Condition 17E  
 PERMIT 5972A Special Condition 7

**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed. C10 cannot be picked.

**Self Report?** NO **Classification** Moderate

**Citation:** 30 TAC Chapter 113, SubChapter C 113.120  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP 01320 Special Condition 13  
 PERMIT 5972A Special Condition 5A

**Description:** Failure to monitor, record and maintain the F-4 Firebox temperature above the permitted limit.

**Self Report?** NO **Classification** Moderate

**Citation:** 30 TAC Chapter 113, SubChapter C 113.120  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4),  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)

**Rqmt Prov:** 5C THC Chapter 382, SubChapter D 382.085(b)  
 OP 01320 Special Condition 13  
 PERMIT 5972A Special Condition 4

**Description:** Failure to maintain records of tank pressure.

**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 01320 Special Condition 13  
 PERMIT 5952 Special Condition 12

**Description:** Failure to monitor, record and maintain the F-6 Firebox temperature above the permitted limit

**Self Report?** NO **Classification** Moderate

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

**Description:** Failure to report all instances of deviations.

**Self Report?** NO **Classification** Moderate

**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP 01320 Special Condition 13  
 PERMIT 36646 Special Condition 12

**Description:** Failure to maintain records of monthly monitoring.

Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.144 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to maintain records of the daily flare observations.		
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 02288 Special Condition 16		
Description:	Failure to monitor NOx, CO and O2 at CG1/UEHK9 and CG2/UEHK10.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 16909 Special Condition 15I		
Description:	Failure to maintain records.		
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 02288 Special Condition 16 PERMIT 19823 Special Condition 14A		
Description:	Failure to have the cooling tower water sample port installed as required by permit.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 16909 Special Condition 12A PERMIT 19823 Special Condition 21D		
Description:	Failure to monitor and maintain records of daily zero and span of continuous monitors.		
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 02288 Special Condition 16 PERMIT 19823 Special Condition 10		
Description:	Failure to comply with conditions of a permit.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 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 02288 Special Condition 16 PERMIT 16909 Special Condition 14		
Description:	Failure to monitor.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 19823 Special Condition 10C		
Description:	Failure to operate the flare in a smokeless manner.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to report all instances of deviations.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 1 E		
Description:	Failure to maintain the tank opening in a closed position during normal operations on Tank T087.		
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 02288 Special Condition 16  
 PERMIT 49247 Special Condition 7  
 Description: Failure to maintain emissions rate below the allowable limit.  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(B)  
 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 a semiannual deviation report.  
 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 01320 Special Condition 15  
 Description: Failure to submit an annual permit compliance certification (ACC) report within 30 days of the certification period.  
 Date: 09/27/2007 (570470)  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.500  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.987(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to limit the frequency of visible smoke emissions from Huntsman's Low Pressure Flare Number (No.) 2.  
 Date: 12/17/2007 (597547)  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 Special Condition 10A  
 OP O-01322 Special Condition 1A  
 Description: Failure to maintain records of daily calibration.  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 30 TAC Chapter 115, SubChapter C 115.216(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 Special Condition 1A  
 OP O-01322 Special Condition 6A(vi)  
 OP O-01322 Special Condition 7A(v)  
 Description: Failure to record daily flare observations.  
 Date: 07/09/2008 (682286)  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(3)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT Special Condition 11  
 OP Special Condition 13  
 Description: Failure to comply with the VOC emissions limits as specified in the confidential section of the permit application of Permit 36646.  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP Special Condition 13  
 PERMIT Special Condition 13  
 Description: Failure to comply with tank throughput limits for tank TG-39 as specified in the confidential section of the permit application for Permit 36646.  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT Special Condition 1  
 OP Special Condition 13  
 Description: Failure to comply with VOC emissions limits of the MAERT for tanks TG-38 and TG-39 (group 20), based on throughput exceedances of tank TG-39.  
 Self Report? NO Classification Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT Special Condition 12  
 OP Special Condition 13

Description:	Failure to maintain minimum incinerator firebox temperature at 1737 degrees Fahrenheit in the F6 Unit incinerator.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 13 PERMIT Special Condition 16(E)		
Description:	Failure to cap an open-ended line in VOC service.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 13 PERMIT Special Condition 4		
Description:	Failure to maintain minimum incinerator firebox temperature at 1704 degrees Fahrenheit in the F4 Unit incinerator.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 5		
Description:	Failure to comply with the emissions limits of NOx and CO as specified by SC 5 of Permit 16909.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 9(A)		
Description:	Failure to conduct daily monitoring on CAS connected to tank T-A3-29 on three occasions.		
Self Report?	NO	Classification	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 6		
Description:	Failure to maintain accurate railcar cleaning records.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 30 TAC Chapter 122, SubChapter B 122.145(2)(B) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP General Terms and Conditions		
Description:	Failure to submit a deviation report in a timely manner for deviations documented on August 14, 2008.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 4		
Description:	Failure to maintain CO emissions within the allowable limits as stated in SC 4 of the permit.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 4		
Description:	Failure to maintain NOx emissions within the allowable limits as stated in SC 4 of the permit.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 4		
Description:	Failure to maintain CO emissions in ppmvd within the allowable limits as stated in SC 4 of the permit.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 12 (A)		

Description: Failure to maintain NOx emissions in ppmvd within the allowable limits as stated in SC 12(A) of the permit.

Self Report? NO Classification Moderate

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

Rqmt Prov: OP Special Condition 16  
PERMIT Special Condition 22 (D)

Description: Failure to maintain waste heat boiler CEMS daily calibration records on two occasions.

Self Report? NO Classification Moderate

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

Rqmt Prov: OP Special Condition 16  
PERMIT Special Condition 4

Description: Failure to maintain emission of NOx and CO in ppmvd from CG2, below the permitted limits as per SC 4 of Permit 16909.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT Special Condition 12(b)  
OP Special Condition 16

Description: Failure to conduct daily CEMS calibrations on CG1 CEMS.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT Special Condition 1  
OP Special Condition 16

Description: Failure to comply with the emissions limits of the MAERT of Permit 16909 as applicable to Boiler 11.

Self Report? NO Classification Moderate

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

Rqmt Prov: PERMIT Special Condition 15(l)  
OP Special Condition 16

Description: Failure to maintain Boiler 11 CEMS calibration records.

Self Report? NO Classification Moderate

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

Rqmt Prov: OP General Terms and Conditions

Description: Failure to report deviations for the reporting period of February 19, 2007 through February 19, 2008 as required by FOP-O-01320; and for the reporting period of February 14, 2007 through February 14, 2008 as required by FOP-O-02288.

Date: 08/26/2008 (700526)

Self Report? NO Classification Minor

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

Rqmt Prov: OP General terms and Conditions

Description: Failure to submit the semi-annual deviation report for FOP-O-02287 for the period of July 20, 2007, through January 20, 2008, in a timely manner.

Self Report? NO Classification Minor

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

Rqmt Prov: OP General terms and Conditions

Description: Failure to submit the Annual Compliance Certification report for FOP-O-02287 for the period of January 20, 2007, through January 20, 2008, in a timely manner.

F. Environmental audits.

Notice of Intent Date: 06/28/2004 (347983)  
No DOV Associated

Notice of Intent Date: 07/22/2004 (334174)  
No DOV Associated

Notice of Intent Date: 11/16/2007 (611106)  
No DOV Associated

Notice of Intent Date: 07/19/2008 (700547)  
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





Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision June 12, 2008

<b>DATES</b>	Assigned	11-Aug-2008	Screening	13-Aug-2008	EPA Due	13-Apr-2009
	PCW	22-Sep-2008				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Huntsman Petrochemical Corporation
Reg. Ent. Ref. No.	RN100219252
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

<b>CASE INFORMATION</b>			
Enf./Case ID No.	36623	No. of Violations	7
Docket No.	2008-1586-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Daniel Siringi
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	<b>\$32,600</b>
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	<b>240.0%</b> Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$78,240</b>
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Notes: Penalty enhancement due to: ten (10) NOVs with same or similar violations, four (4) NOVs for unrelated violations, three (3) Agreed Orders containing a denial of liability, and five (5) Agreed Orders without denial of liability. Penalty reduction due to three (3) letters of intended audits.

<b>Culpability</b>	<b>No</b>	<b>0.0%</b> Enhancement	<b>Subtotal 4</b>	<b>\$0</b>
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>\$5,375</b>
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<b>Economic Benefit</b>	<b>0.0%</b> Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts: \$546  
 Approx. Cost of Compliance: \$15,500  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$105,465</b>
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### OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:		<b>Final Penalty Amount</b>	<b>\$105,465</b>
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### STATUTORY LIMIT ADJUSTMENT

<b>DEFERRAL</b>	<b>20.0%</b> Reduction	<b>Adjustment</b>	<b>-\$19,943</b>
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$79,772</b>
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**Screening Date** 13-Aug-2008

**Docket No.** 2008-1586-AIR-E

**PCW**

**Respondent** Huntsman Petrochemical Corporation

Policy Revision 2 (September 2002)

**Case ID No.** 36623

PCW Revision June 12, 2008

**Reg. Ent. Reference No.** RN100219252

**Media [Statute]** Air

**Enf. Coordinator** Daniel Siringi

**Compliance History Worksheet**

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	10	50%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	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	5	125%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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

**Adjustment Percentage (Subtotal 2)** 240%

>> **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: ten (10) NOVs with same or similar violations, four (4) NOVs for unrelated violations, three (3) Agreed Orders containing a denial of liability, and five (5) Agreed Orders without denial of liability. Penalty reduction due to three (3) letters of intended audits.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 240%

<b>Screening Date</b> 13-Aug-2008	<b>Docket No.</b> 2008-1586-AIR-E	<b>PCW</b>												
<b>Respondent</b> Huntsman Petrochemical Corporation		<small>Policy Revision 2 (September 2002)</small>												
<b>Case ID No.</b> 36623		<small>PCW Revision June 12, 2008</small>												
<b>Reg. Ent. Reference No.</b> RN100219252														
<b>Media [Statute]</b> Air														
<b>Enf. Coordinator</b> Daniel Siringi														
<b>Violation Number</b> 1														
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), New Source Review ("NSR") Permit 5972A , Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-01320, SC 13													
<b>Violation Description</b>	Failed to prevent unauthorized emissions (Incident No. 104823). Specifically, 12.55 pounds ("lbs") of volatile organic compounds were released without authorization from the F4 Unit Wastewater Fugitives Emissions Point Number ("EPN") F4WWFUG on March 11, 2008, for eight hours and 42 minutes. The emissions event was caused by a valve left closed during a line-up operation between Tanks TO186 and TO25 creating a pressure buildup in the F4 Unit activating a pressure relief valve. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.													
	<b>Base Penalty</b>	\$10,000												
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>														
OR	<b>Release</b>	<b>Harm</b>												
		Major      Moderate      Minor												
	Actual	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>												
	Potential	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>												
	<b>Percent</b>	25%												
<b>&gt;&gt; Programmatic Matrix</b>														
	Falsification      Major      Moderate      Minor													
	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>Percent</b> 0%												
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.													
	<b>Adjustment</b>	\$7,500												
		\$2,500												
<b>Violation Events</b>														
	<b>Number of Violation Events</b> 1	<b>Number of violation days</b> 1												
<small>mark only one with an x</small>	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="checkbox"/></td></tr> <tr><td>monthly</td><td><input type="checkbox"/></td></tr> <tr><td>quarterly</td><td><input checked="" type="checkbox"/></td></tr> <tr><td>semiannual</td><td><input type="checkbox"/></td></tr> <tr><td>annual</td><td><input type="checkbox"/></td></tr> <tr><td>single event</td><td><input type="checkbox"/></td></tr> </table>	daily	<input type="checkbox"/>	monthly	<input type="checkbox"/>	quarterly	<input checked="" type="checkbox"/>	semiannual	<input type="checkbox"/>	annual	<input type="checkbox"/>	single event	<input type="checkbox"/>	<b>Violation Base Penalty</b> \$2,500
daily	<input type="checkbox"/>													
monthly	<input type="checkbox"/>													
quarterly	<input checked="" type="checkbox"/>													
semiannual	<input type="checkbox"/>													
annual	<input type="checkbox"/>													
single event	<input type="checkbox"/>													
	One quarterly event is recommended for the emissions event which occurred on March 11, 2008.													
<b>Good Faith Efforts to Comply</b>														
	0.0% Reduction	\$0												
	Before NOV      NOV to EDCRP/Settlement Offer													
Extraordinary	<input type="checkbox"/> <input type="checkbox"/>													
Ordinary	<input type="checkbox"/> <input type="checkbox"/>													
N/A	<input checked="" type="checkbox"/> (mark with x)													
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.													
	<b>Violation Subtotal</b>	\$2,500												
<b>Economic Benefit (EB) for this violation</b>														
	<b>Estimated EB Amount</b> \$24	<b>Statutory Limit Test</b>												
		<b>Violation Final Penalty Total</b> \$8,500												
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$8,500												

## Economic Benefit Worksheet

**Respondent:** Huntsman Petrochemical Corporation  
**Case ID No.:** 36623  
**Reg. Ent. Reference No.:** RN100219252  
**Media:** Air  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	11-Mar-2008	21-Feb-2009	0.95	\$24	n/a	\$24
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**

\$500 is the estimated cost to train personnel in proper line-up operations between tanks. Date required is the date of the emissions event; final date is the estimated date corrective actions will be completed.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

Approx. Cost of Compliance	\$500	<b>TOTAL</b>	\$24
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<b>Screening Date</b> 13-Aug-2008	<b>Docket No.</b> 2008-1586-AIR-E	<b>PCW</b>												
<b>Respondent</b> Huntsman Petrochemical Corporation		<i>Policy Revision 2 (September 2002)</i>												
<b>Case ID No.</b> 36623		<i>PCW Revision June 12, 2008</i>												
<b>Reg. Ent. Reference No.</b> RN100219252														
<b>Media [Statute]</b> Air														
<b>Enf. Coordinator</b> Daniel Siringi														
<b>Violation Number</b> 2														
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 5952A, SC 1, and FOP O-01320, General Terms and Conditions ("GTC"), and SC 13													
<b>Violation Description</b>	Failed to prevent unauthorized emissions. Specifically, 142 lbs of ethylene and two lbs of ethylene oxide were released from the F-6 Reabsorber Vent on October 18, 2007, for 21 minutes (Incident No. 98892). The emissions event was caused by a stack temperature transmitter malfunction due to a shorted out thermocouple which sent a false signal to the F-6 Incinerator shutting it down. Thermocouple failure was the result of excessive heat exposure facilitated by thermowell (heat shield) breakdown. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.													
	<b>Base Penalty</b>	\$10,000												
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>														
OR	<b>Harm</b>													
	Major      Moderate      Minor													
	Actual      Potential	Percent <input type="text" value="25%"/>												
<b>&gt;&gt; Programmatic Matrix</b>														
	Falsification      Major      Moderate      Minor													
		Percent <input type="text" value="0%"/>												
<b>Matrix Notes</b>	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.													
	<b>Adjustment</b>	\$7,500												
		\$2,500												
<b>Violation Events</b>														
	Number of Violation Events <input type="text" value="1"/>	<input type="text" value="1"/> Number of violation days												
<i>mark only one with an x</i>	<table style="width:100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">daily</td><td style="width: 20px; text-align: center;"> </td></tr> <tr><td style="padding: 2px;">monthly</td><td style="text-align: center;"> </td></tr> <tr><td style="padding: 2px;">quarterly</td><td style="text-align: center;">x</td></tr> <tr><td style="padding: 2px;">semiannual</td><td style="text-align: center;"> </td></tr> <tr><td style="padding: 2px;">annual</td><td style="text-align: center;"> </td></tr> <tr><td style="padding: 2px;">single event</td><td style="text-align: center;"> </td></tr> </table>	daily		monthly		quarterly	x	semiannual		annual		single event		<b>Violation Base Penalty</b> <input type="text" value="\$2,500"/>
daily														
monthly														
quarterly	x													
semiannual														
annual														
single event														
	One quarterly event is recommended for the emissions event which occurred on October 18, 2007.													
<b>Good Faith Efforts to Comply</b>														
	<b>0.0%</b> Reduction	\$0												
	Before NOV      NOV to EDRP/Settlement Offer													
Extraordinary														
Ordinary														
N/A	x      (mark with x)													
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.													
	<b>Violation Subtotal</b>	\$2,500												
<b>Economic Benefit (EB) for this violation</b>														
	<b>Estimated EB Amount</b> <input type="text" value="\$135"/>	<b>Statutory Limit Test</b>												
		<b>Violation Final Penalty Total</b> <input type="text" value="\$8,500"/>												
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$8,500"/>												

## Economic Benefit Worksheet

**Respondent** Huntsman Petrochemical Corporation  
**Case ID No.** 36623  
**Reg. Ent. Reference No.** RN100219252  
**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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	18-Oct-2007	21-Feb-2009	1.35	\$135	n/a	\$135

**Notes for DELAYED costs**

Estimated cost to insure the thermocouple is adequately protected from excessive heat. Date required is the date of the emissions event; final date is the estimated date corrective actions will be completed.

### Avoided Costs

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

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

**Notes for AVOIDED costs**

Approx. Cost of Compliance

\$2,000

TOTAL

\$135

<b>Screening Date</b> 13-Aug-2008	<b>Docket No.</b> 2008-1586-AIR-E	<b>PCW</b>
<b>Respondent</b> Huntsman Petrochemical Corporation		<small>Policy Revision 2 (September 2002)</small>
<b>Case ID No.</b> 36623		<small>PCW Revision June 12, 2008</small>
<b>Reg. Ent. Reference No.</b> RN100219252		
<b>Media [Statute]</b> Air		
<b>Enf. Coordinator</b> Daniel Siringi		
<b>Violation Number</b> <input type="text" value="3"/>		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 36646, SC 18, and FOP O-01320, SC 13	
<b>Violation Description</b>	Failed to conduct volatile organic compound monitoring on the wastewater conveyance EPN RSEGLYWWFUG from February 19, 2007 through February 19, 2008.	
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>		
<b>OR</b>	<b>Harm</b>	
	Release    Major    Moderate    Minor	
	Actual	<input type="text"/>
	Potential	<input type="text" value="x"/>
	<b>Percent</b>	<input type="text" value="25%"/>
<b>&gt;&gt; Programmatic Matrix</b>		
	Falsification    Major    Moderate    Minor	
	<input type="text"/>	<input type="text"/>
	<b>Percent</b>	<input type="text" value="0%"/>
<b>Matrix Notes</b>	Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.	
	<b>Adjustment</b>	<input type="text" value="\$7,500"/>
		<input type="text" value="\$2,500"/>
<b>Violation Events</b>		
	<b>Number of Violation Events</b> <input type="text" value="4"/>	<input type="text" value="365"/> <b>Number of violation days</b>
<small>mark only one with an x</small>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text" value="x"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>
	<b>Violation Base Penalty</b>	<input type="text" value="\$10,000"/>
	Four quarterly events are recommended for failing to conduct monitoring on the wastewater conveyance for volatile organic compounds from February 19, 2007 through February 19, 2008.	
<b>Good Faith Efforts to Comply</b>		
	<b>10.0% Reduction</b>	<input type="text" value="\$1,000"/>
	Before NOV    NOV to EDRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text" value="x"/>
N/A	<small>(mark with x)</small>	
<b>Notes</b>	The NOE was issued on July 9, 2008 and the Respondent completed corrective actions on July 25, 2008.	
	<b>Violation Subtotal</b>	<input type="text" value="\$9,000"/>
<b>Economic Benefit (EB) for this violation</b>		
	<b>Estimated EB Amount</b> <input type="text" value="\$179"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$33,000"/>
	<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$33,000"/>	

### Economic Benefit Worksheet

**Respondent** Huntsman Petrochemical Corporation  
**Case ID No.** 36623  
**Reg. Ent. Reference No.** RN100219252  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,500	19-Feb-2007	25-Jul-2008	1.43	\$179	n/a	\$179

Notes for DELAYED costs

Estimated cost to begin monitoring the wastewater conveyance. Date required is the date the violation occurred; final date is the date the corrective actions were 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	\$2,500	<b>TOTAL</b>	\$179
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<b>Screening Date</b> 13-Aug-2008	<b>Docket No.</b> 2008-1586-AIR-E	<b>PCW</b>		
<b>Respondent</b> Huntsman Petrochemical Corporation		<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b> 36623		<i>PCW Revision June 12, 2008</i>		
<b>Reg. Ent. Reference No.</b> RN100219252				
<b>Media [Statute]</b> Air				
<b>Enf. Coordinator</b> Daniel Siringi				
<b>Violation Number</b> 4				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 19823, SC 9(A), and FOP O-02288, SC 16			
<b>Violation Description</b>	Failed to conduct monitoring of the Carbon Absorption System ("CAS") connected to Tank T-A3-46 from February 19, 2007 through February 19, 2008.			
	<b>Base Penalty</b>	\$10,000		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
<b>OR</b>	<b>Harm</b>			
	Release	Major	Moderate	Minor
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Potential	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>Percent</b>	25%	
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<b>Percent</b>	0%	
<b>Matrix Notes</b>	Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
	<b>Adjustment</b>	\$7,500		
		<b>Subtotal</b>	\$2,500	
<b>Violation Events</b>				
	<b>Number of Violation Events</b>	4	<b>Number of violation days</b>	
		365		
<i>mark only one with an x</i>	daily	<input type="checkbox"/>	<b>Violation Base Penalty</b>	
	monthly	<input type="checkbox"/>		
	quarterly	<input checked="" type="checkbox"/>		
	semiannual	<input type="checkbox"/>		
	annual	<input type="checkbox"/>		
	single event	<input type="checkbox"/>		
	Four quarterly events are recommended for failing to monitor the CAS from February 19, 2007 to February 19, 2008.			
<b>Good Faith Efforts to Comply</b>				
	<b>25.0% Reduction</b>	<b>\$2,500</b>		
	Before NOV	NOV to EDRP/Settlement Offer		
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>		
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
N/A	<input type="checkbox"/>	(mark with x)		
<b>Notes</b>	The NOE was issued on July 9, 2008 and the Respondent completed corrective actions on May 7, 2008.			
	<b>Violation Subtotal</b>	\$7,500		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>		
	<b>Estimated EB Amount</b>	\$152	<b>Violation Final Penalty Total</b>	
			\$31,500	
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$31,500	

## Economic Benefit Worksheet

**Respondent:** Huntsman Petrochemical Corporation  
**Case ID No.:** 36623  
**Reg. Ent. Reference No.:** RN100219252  
**Media:** Air  
**Violation No.:** 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$2,500	19-Feb-2007	7-May-2008	1.21	\$152	n/a	\$152

Notes for DELAYED costs

Estimated cost to begin monitoring the CAS connected to Tank T-A3-46. Date required is the date of the investigation; final date is the date corrective actions were completed.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,500

TOTAL

\$152

<b>Screening Date</b> 13-Aug-2008		<b>Docket No.</b> 2008-1586-AIR-E		<b>PCW</b>
<b>Respondent</b> Huntsman Petrochemical Corporation		<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b> 36623		<i>PCW Revision June 12, 2008</i>		
<b>Reg. Ent. Reference No.</b> RN100219252				
<b>Media [Statute]</b> Air				
<b>Enf. Coordinator</b> Daniel Siringi				
<b>Violation Number</b>		<input type="text" value="5"/>		
<b>Rule Cite(s)</b>		30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 5952A, SC 1, and FOP O-01320, SC 13		
<b>Violation Description</b>		Failed to prevent unauthorized emissions (Incident No. 105823). Specifically, seven lbs of ethylene oxide and 7,856 lbs of ethylene were released from reactor number 2 on April 3, 2008, for ten minutes. The event was caused by an improperly aligned rupture disk that failed when the reactor was started. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.		
<b>Base Penalty</b>				<input type="text" value="\$10,000"/>
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
<b>Percent</b>				<input type="text" value="50%"/>
<b>&gt;&gt; Programmatic Matrix</b>				
<b>Falsification</b>		Major	Moderate	Minor
<input type="text"/>		<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Percent</b>				<input type="text" value="0%"/>
<b>Matrix Notes</b>		Human health or environmental receptors has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.		
<b>Adjustment</b>				<input type="text" value="\$5,000"/>
<input type="text" value="\$5,000"/>				
<b>Violation Events</b>				
<b>Number of Violation Events</b>		<input type="text" value="1"/>	<b>Number of violation days</b>	
		<input type="text" value="1"/>		
<i>mark only one with an x</i>	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$5,000"/>	
	monthly	<input checked="" type="checkbox"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
One monthly event is recommended for the emissions event which occurred on April 3, 2008.				
<b>Good Faith Efforts to Comply</b>		<input type="text" value="25.0%"/>	<b>Reduction</b>	
		Before NOV	NOV to EDRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>		
Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>		
N/A	<input type="text"/>	(mark with x)		
<b>Notes</b>		The NOE for Incident No. 105823 was issued on August 4, 2008 and the Respondent completed corrective actions on June 12, 2008.		
<b>Violation Subtotal</b>				<input type="text" value="\$3,750"/>
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b>		<input type="text" value="\$15"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$15,750"/>	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>				<input type="text" value="\$10,000"/>

### Economic Benefit Worksheet

**Respondent:** Huntsman Petrochemical Corporation  
**Case ID No.:** 36623  
**Reg. Ent. Reference No.:** RN100219252  
**Media:** Air  
**Violation No.:** 5

Percent Interest	Years of Depreciation
5.0	15

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

**Delayed Costs**

Equipment	\$5,000	3-Apr-2008	4-Apr-2008	0.00	\$0	\$1	\$1
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	3-Apr-2008	12-Jun-2008	0.19	\$14	n/a	\$14
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 cost to replace the rupture disk, disk housing, and to train personnel to properly install a rupture disk. Date required is the date of the emissions event; final date is the date corrective actions were completed.

**Avoided Costs**

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

Disposal				0.00	\$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:**

<b>Approx. Cost of Compliance</b>	\$6,500	<b>TOTAL</b>	\$15
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<b>Screening Date</b> 13-Aug-2008	<b>Docket No.</b> 2008-1586-AIR-E	<b>PCW</b>		
<b>Respondent</b> Huntsman Petrochemical Corporation		<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b> 36623		<i>PCW Revision June 12, 2008</i>		
<b>Reg. Ent. Reference No.</b> RN100219252				
<b>Media [Statute]</b> Air				
<b>Enf. Coordinator</b> Daniel Siringi				
<b>Violation Number</b> <input type="text" value="6"/>				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 19823, SC 1, and FOP O-02288, SC 16			
<b>Violation Description</b>	Failed to prevent unauthorized emissions (Incident No. 104871). Specifically, 573.69 lbs of unauthorized volatile organic compounds were emitted from the South Flare (EPN UER037) from January 6, 2008 through January 10, 2008, for 99 hours. Improper guarding of field wiring associated with the manual unit trip switch in central control resulted in the shutdown of the cracked gas compressor causing the unauthorized emissions. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.			
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	x
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="25%"/>	
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="0%"/>	
<b>Matrix Notes</b>	Human health or environmental receptors have been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.			
	<b>Adjustment</b>	<input type="text" value="\$7,500"/>		
			<input type="text" value="\$2,500"/>	
<b>Violation Events</b>				
	<b>Number of Violation Events</b> <input type="text" value="1"/>	<input type="text" value="5"/>	<b>Number of violation days</b>	
<i>mark only one with an x</i>	daily	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$2,500"/>	
	monthly	<input type="text"/>		
	quarterly	x		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
	One quarterly event is recommended for the emissions event which occurred from January 6, 2008 through January 10, 2008.			
<b>Good Faith Efforts to Comply</b>				
	<input type="text" value="25.0%"/>	<b>Reduction</b>	<input type="text" value="\$625"/>	
	Before NOV	NOV to EDPRP/Settlement Offer		
Extraordinary	<input type="text"/>	<input type="text"/>		
Ordinary	x	<input type="text"/>		
N/A	<input type="text"/>	(mark with x)		
<b>Notes</b>	The NOE for Incident No. 104871 was issued on August 4, 2008 and the Respondent completed corrective actions on March 1, 2008.			
	<b>Violation Subtotal</b>	<input type="text" value="\$1,875"/>		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>	<input type="text" value="\$11"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$7,875"/>	
		<b>This violation Final Assessed Penalty (adjusted for limits)</b>	<input type="text" value="\$7,875"/>	

## Economic Benefit Worksheet

**Respondent** Huntsman Petrochemical Corporation  
**Case ID No.** 36623  
**Reg. Ent. Reference No.** RN100219252  
**Media** Air  
**Violation No.** 6

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	\$1,000	6-Jan-2008	1-Mar-2008	0.15	\$1	\$10	\$11
Buildings	0.00			0.00	\$0	\$0	\$0
Other (as needed)	0.00			0.00	\$0	\$0	\$0
Engineering/construction	0.00			0.00	\$0	\$0	\$0
Land	0.00			0.00	\$0	n/a	\$0
Record Keeping System	0.00			0.00	\$0	n/a	\$0
Training/Sampling	0.00			0.00	\$0	n/a	\$0
Remediation/Disposal	0.00			0.00	\$0	n/a	\$0
Permit Costs	0.00			0.00	\$0	n/a	\$0
Other (as needed)	0.00			0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost of guarding field wiring. Date required is the date of the emissions event; 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 Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$1,000	<b>TOTAL</b>	\$11
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<b>Screening Date</b> 13-Aug-2008	<b>Docket No.</b> 2008-1586-AIR-E	<b>PCW</b>		
<b>Respondent</b> Huntsman Petrochemical Corporation		<small>Policy Revision 2 (September 2002)</small>		
<b>Case ID No.</b> 36623		<small>PCW Revision June 12, 2008</small>		
<b>Reg. Ent. Reference No.</b> RN100219252				
<b>Media [Statute]</b> Air				
<b>Enf. Coordinator</b> Daniel Siringi				
<b>Violation Number</b> 7				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP O-02288, GTC			
<b>Violation Description</b>	Failed to notify the TCEQ Regional Office within 24 hours of a reportable emissions event (Incident No. 104871). Specifically, the Respondent submitted the initial scheduled shutdown notification on December 21, 2007 and did not realize that the estimated emissions had been exceeded until the final calculations for the shutdown were conducted on March 11, 2008. Therefore the emissions released from January 6, 2008 through January 10, 2008, should have been reported by January 11, 2008.			
	<b>Base Penalty</b>	\$10,000		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	0%	
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	x
		<b>Percent</b>	1%	
<b>Matrix Notes</b>	At least 70% of the rule requirement was met.			
	<b>Adjustment</b>	\$9,900		
			\$100	
<b>Violation Events</b>				
	<input type="text" value="1"/>	<input type="text" value="60"/>	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	x		
		<b>Violation Base Penalty</b>	\$100	
	One single event is recommended.			
<b>Good Faith Efforts to Comply</b>				
	<input type="text" value="0.0%"/>	Reduction	\$0	
	Before NOV	NOV to EDRP/Settlement Offer		
	Extraordinary	<input type="text"/>		
	Ordinary	<input type="text"/>		
	N/A	x (mark with x)		
<b>Notes</b>	The Respondent does not meet good faith criteria for this violation.			
	<b>Violation Subtotal</b>	\$100		
<b>Economic Benefit (EB) for this violation</b>				
	<b>Estimated EB Amount</b>	\$31	<b>Violation Final Penalty Total</b>	
			\$340	
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$340	

## Economic Benefit Worksheet

**Respondent:** Huntsman Petrochemical Corporation  
**Case ID No.:** 36623  
**Reg. Ent. Reference No.:** RN100219252  
**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
<i>No commas or \$</i>							

### Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	11-Jan-2008	8-Apr-2009	1.24	\$31	n/a	\$31
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 cost to train personnel to properly report emissions events. Date required is the date the report was due; final date is the estimated date corrective actions will be completed.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$31

# Compliance History

Customer/Respondent/Owner-Operator:	CN600632848	Huntsman Petrochemical Corporation	Classification: AVERAGE	Rating: 6.83
Regulated Entity:	RN100219252	HUNTSMAN PORT NECHES	Classification: AVERAGE	Site Rating: 40.52
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0052V	
	AIR OPERATING PERMITS	PERMIT	1320	
	AIR OPERATING PERMITS	PERMIT	2286	
	AIR OPERATING PERMITS	PERMIT	2287	
	AIR OPERATING PERMITS	PERMIT	2288	
	AIR OPERATING PERMITS	PERMIT	1322	
	AIR OPERATING PERMITS	PERMIT	1327	
	AIR OPERATING PERMITS	PERMIT	3056	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008076846	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30029	
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	35486	
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	40711	
	AIR NEW SOURCE PERMITS	AFS NUM	4824500006	
	AIR NEW SOURCE PERMITS	PERMIT	29516	
	AIR NEW SOURCE PERMITS	REGISTRATION	71975	
	AIR NEW SOURCE PERMITS	REGISTRATION	71986	
	AIR NEW SOURCE PERMITS	PERMIT	51889	
	AIR NEW SOURCE PERMITS	PERMIT	51736	
	AIR NEW SOURCE PERMITS	PERMIT	52715	
	AIR NEW SOURCE PERMITS	PERMIT	54551	
	AIR NEW SOURCE PERMITS	PERMIT	54550	
	AIR NEW SOURCE PERMITS	PERMIT	53515	
	AIR NEW SOURCE PERMITS	PERMIT	54565	
	AIR NEW SOURCE PERMITS	PERMIT	44055	
	AIR NEW SOURCE PERMITS	PERMIT	44034	
	AIR NEW SOURCE PERMITS	PERMIT	44434	
	AIR NEW SOURCE PERMITS	PERMIT	44454	
	AIR NEW SOURCE PERMITS	PERMIT	44561	
	AIR NEW SOURCE PERMITS	PERMIT	44694	
	AIR NEW SOURCE PERMITS	PERMIT	44812	
	AIR NEW SOURCE PERMITS	PERMIT	45090	
	AIR NEW SOURCE PERMITS	PERMIT	45094	
	AIR NEW SOURCE PERMITS	PERMIT	45277	
	AIR NEW SOURCE PERMITS	PERMIT	45278	
	AIR NEW SOURCE PERMITS	PERMIT	45644	
	AIR NEW SOURCE PERMITS	PERMIT	45569	
	AIR NEW SOURCE PERMITS	PERMIT	46059	
	AIR NEW SOURCE PERMITS	PERMIT	46088	
	AIR NEW SOURCE PERMITS	PERMIT	42324	
	AIR NEW SOURCE PERMITS	PERMIT	46489	
	AIR NEW SOURCE PERMITS	PERMIT	46604	
	AIR NEW SOURCE PERMITS	PERMIT	46791	
	AIR NEW SOURCE PERMITS	PERMIT	47011	
	AIR NEW SOURCE PERMITS	PERMIT	47065	
	AIR NEW SOURCE PERMITS	PERMIT	47066	
	AIR NEW SOURCE PERMITS	PERMIT	47555	
	AIR NEW SOURCE PERMITS	PERMIT	47513	
	AIR NEW SOURCE PERMITS	PERMIT	47577	
	AIR NEW SOURCE PERMITS	PERMIT	47887	
	AIR NEW SOURCE PERMITS	PERMIT	48178	
	AIR NEW SOURCE PERMITS	PERMIT	48176	
	AIR NEW SOURCE PERMITS	PERMIT	47939	
	AIR NEW SOURCE PERMITS	PERMIT	49247	
	AIR NEW SOURCE PERMITS	PERMIT	49429	
	AIR NEW SOURCE PERMITS	PERMIT	49295	
	AIR NEW SOURCE PERMITS	PERMIT	49493	
	AIR NEW SOURCE PERMITS	PERMIT	49615	
	AIR NEW SOURCE PERMITS	PERMIT	50109	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0052V	
	AIR NEW SOURCE PERMITS	PERMIT	647B	
	AIR NEW SOURCE PERMITS	PERMIT	4508A	
	AIR NEW SOURCE PERMITS	PERMIT	5807A	
	AIR NEW SOURCE PERMITS	PERMIT	5952A	
	AIR NEW SOURCE PERMITS	PERMIT	5972A	
	AIR NEW SOURCE PERMITS	PERMIT	7761	
	AIR NEW SOURCE PERMITS	PERMIT	11824	
	AIR NEW SOURCE PERMITS	PERMIT	12276	
	AIR NEW SOURCE PERMITS	PERMIT	12800	
	AIR NEW SOURCE PERMITS	PERMIT	12599	
	AIR NEW SOURCE PERMITS	PERMIT	12951	
	AIR NEW SOURCE PERMITS	PERMIT	13091	

AIR NEW SOURCE PERMITS	PERMIT	13377
AIR NEW SOURCE PERMITS	PERMIT	16909
AIR NEW SOURCE PERMITS	PERMIT	19823
AIR NEW SOURCE PERMITS	PERMIT	20134
AIR NEW SOURCE PERMITS	PERMIT	20160
AIR NEW SOURCE PERMITS	PERMIT	20485
AIR NEW SOURCE PERMITS	PERMIT	23141
AIR NEW SOURCE PERMITS	PERMIT	23568
AIR NEW SOURCE PERMITS	PERMIT	31443
AIR NEW SOURCE PERMITS	PERMIT	32823
AIR NEW SOURCE PERMITS	PERMIT	33285
AIR NEW SOURCE PERMITS	PERMIT	36646
AIR NEW SOURCE PERMITS	PERMIT	36453
AIR NEW SOURCE PERMITS	PERMIT	36831
AIR NEW SOURCE PERMITS	PERMIT	39725
AIR NEW SOURCE PERMITS	PERMIT	40103
AIR NEW SOURCE PERMITS	PERMIT	40527
AIR NEW SOURCE PERMITS	PERMIT	40804
AIR NEW SOURCE PERMITS	PERMIT	41444
AIR NEW SOURCE PERMITS	PERMIT	41301
AIR NEW SOURCE PERMITS	PERMIT	41757
AIR NEW SOURCE PERMITS	PERMIT	42103
AIR NEW SOURCE PERMITS	PERMIT	42153
AIR NEW SOURCE PERMITS	PERMIT	42526
AIR NEW SOURCE PERMITS	PERMIT	42154
AIR NEW SOURCE PERMITS	PERMIT	55077
AIR NEW SOURCE PERMITS	PERMIT	53808
AIR NEW SOURCE PERMITS	REGISTRATION	75754
AIR NEW SOURCE PERMITS	REGISTRATION	75597
AIR NEW SOURCE PERMITS	REGISTRATION	76018
AIR NEW SOURCE PERMITS	REGISTRATION	75748
AIR NEW SOURCE PERMITS	REGISTRATION	76383
AIR NEW SOURCE PERMITS	PERMIT	83816
AIR NEW SOURCE PERMITS	PERMIT	54935
AIR NEW SOURCE PERMITS	REGISTRATION	55753
AIR NEW SOURCE PERMITS	REGISTRATION	70023
AIR NEW SOURCE PERMITS	REGISTRATION	70024
AIR NEW SOURCE PERMITS	REGISTRATION	56738
AIR NEW SOURCE PERMITS	REGISTRATION	56737
AIR NEW SOURCE PERMITS	PERMIT	56390
AIR NEW SOURCE PERMITS	REGISTRATION	56243
AIR NEW SOURCE PERMITS	REGISTRATION	70571
AIR NEW SOURCE PERMITS	REGISTRATION	70781
AIR NEW SOURCE PERMITS	REGISTRATION	70858
AIR NEW SOURCE PERMITS	REGISTRATION	71038
AIR NEW SOURCE PERMITS	REGISTRATION	71506
AIR NEW SOURCE PERMITS	REGISTRATION	71126
AIR NEW SOURCE PERMITS	REGISTRATION	71130
AIR NEW SOURCE PERMITS	REGISTRATION	70726
AIR NEW SOURCE PERMITS	PERMIT	53551
AIR NEW SOURCE PERMITS	PERMIT	54057
AIR NEW SOURCE PERMITS	PERMIT	52313
AIR NEW SOURCE PERMITS	PERMIT	52318
AIR NEW SOURCE PERMITS	PERMIT	56077
AIR NEW SOURCE PERMITS	PERMIT	56073
AIR NEW SOURCE PERMITS	REGISTRATION	72336
AIR NEW SOURCE PERMITS	PERMIT	70011
AIR NEW SOURCE PERMITS	PERMIT	52583
AIR NEW SOURCE PERMITS	PERMIT	54219
AIR NEW SOURCE PERMITS	PERMIT	53979
AIR NEW SOURCE PERMITS	REGISTRATION	72310
AIR NEW SOURCE PERMITS	PERMIT	52531
AIR NEW SOURCE PERMITS	PERMIT	54231
AIR NEW SOURCE PERMITS	PERMIT	54570
AIR NEW SOURCE PERMITS	PERMIT	54234
AIR NEW SOURCE PERMITS	PERMIT	53005
AIR NEW SOURCE PERMITS	REGISTRATION	72329
AIR NEW SOURCE PERMITS	REGISTRATION	71751
AIR NEW SOURCE PERMITS	REGISTRATION	73102
AIR NEW SOURCE PERMITS	REGISTRATION	72802
AIR NEW SOURCE PERMITS	PERMIT	52077
AIR NEW SOURCE PERMITS	PERMIT	54881
AIR NEW SOURCE PERMITS	PERMIT	50360
AIR NEW SOURCE PERMITS	REGISTRATION	73927
AIR NEW SOURCE PERMITS	REGISTRATION	73665
AIR NEW SOURCE PERMITS	REGISTRATION	73663
AIR NEW SOURCE PERMITS	PERMIT	72907
AIR NEW SOURCE PERMITS	REGISTRATION	73601
AIR NEW SOURCE PERMITS	REGISTRATION	73956

AIR NEW SOURCE PERMITS	PERMIT	74236
AIR NEW SOURCE PERMITS	REGISTRATION	74362
AIR NEW SOURCE PERMITS	REGISTRATION	74296
AIR NEW SOURCE PERMITS	REGISTRATION	74096
AIR NEW SOURCE PERMITS	REGISTRATION	74838
AIR NEW SOURCE PERMITS	REGISTRATION	75203
AIR NEW SOURCE PERMITS	REGISTRATION	75183
AIR NEW SOURCE PERMITS	REGISTRATION	75202
AIR NEW SOURCE PERMITS	REGISTRATION	74849
AIR NEW SOURCE PERMITS	REGISTRATION	74851
AIR NEW SOURCE PERMITS	REGISTRATION	75064
AIR NEW SOURCE PERMITS	REGISTRATION	76932
AIR NEW SOURCE PERMITS	REGISTRATION	76510
AIR NEW SOURCE PERMITS	REGISTRATION	76627
AIR NEW SOURCE PERMITS	REGISTRATION	76732
AIR NEW SOURCE PERMITS	REGISTRATION	77129
AIR NEW SOURCE PERMITS	REGISTRATION	77217
AIR NEW SOURCE PERMITS	REGISTRATION	77327
AIR NEW SOURCE PERMITS	REGISTRATION	78199
AIR NEW SOURCE PERMITS	REGISTRATION	79036
AIR NEW SOURCE PERMITS	REGISTRATION	79296
AIR NEW SOURCE PERMITS	REGISTRATION	78974
AIR NEW SOURCE PERMITS	REGISTRATION	79198
AIR NEW SOURCE PERMITS	REGISTRATION	79800
AIR NEW SOURCE PERMITS	REGISTRATION	79529
AIR NEW SOURCE PERMITS	REGISTRATION	80149
AIR NEW SOURCE PERMITS	REGISTRATION	80390
AIR NEW SOURCE PERMITS	REGISTRATION	80171
AIR NEW SOURCE PERMITS	REGISTRATION	80169
AIR NEW SOURCE PERMITS	REGISTRATION	80328
AIR NEW SOURCE PERMITS	REGISTRATION	79939
AIR NEW SOURCE PERMITS	REGISTRATION	80702
AIR NEW SOURCE PERMITS	REGISTRATION	81531
AIR NEW SOURCE PERMITS	REGISTRATION	81415
AIR NEW SOURCE PERMITS	REGISTRATION	83113
AIR NEW SOURCE PERMITS	REGISTRATION	84374
AIR NEW SOURCE PERMITS	REGISTRATION	84617
AIR NEW SOURCE PERMITS	REGISTRATION	82543
AIR NEW SOURCE PERMITS	PERMIT	82488
AIR NEW SOURCE PERMITS	REGISTRATION	84694
AIR NEW SOURCE PERMITS	REGISTRATION	82922
AIR NEW SOURCE PERMITS	REGISTRATION	84519
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50055
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30029
STORMWATER	PERMIT	TXR15EV47

Location: 6001 HIGHWAY 366, PORT NECHES, TX, 77651 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 12, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 12, 2003 to August 12, 2008

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

Name: Aaron T. Houston Phone: (409) 899-8784

**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: 06/13/2004 ADMINORDER 2003-0650-AIR-E  
Classification: Moderate  
Citation: 5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to prevent the emission of an air contaminant that will contribute to air pollution.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 Special Conditions No. 5 PERMIT  
Description: Failure to maintain an emission rate below an allowable emission limit at the Butadiene Unit.

Effective Date: 08/20/2006 ADMINORDER 2006-0107-AIR-E

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

Rqmt Prov: Permit 5952A SC 1 PA  
Description: Failure to maintain an emission rate below the allowable emissions limit.

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

Description: Failure to properly notify the Beaumont Region Office of a reportable emissions event for Incident 69694.

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

Rqmt Prov: 19823, SPECIAL CONDITION 1 PERMIT  
Description: Failure to prevent ethylene emissions during Incident 69694.

Effective Date: 09/21/2006 ADMINORDER 2006-0399-AIR-E

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

Rqmt Prov: No. 16909 PERMIT  
Description: Failure to prevent unauthorized emissions.

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

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

Rqmt Prov: 20485 PERMIT  
O-01327 OP

Description: Failure to meet the minimum net heating value requirement during the compliance test conducted on June 8, 2005, which should be greater than 11.2MJ/scm. Results of the compliance test show a minimum net heating value of 10.23MJ/scm.

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

Rqmt Prov: Permit 5952A, SC 1 PERMIT  
Description: Failure to prevent unauthorized emissions.

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

Description: Failure to report an emissions event within 24 hours after discovery.

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

Rqmt Prov: No. 16909/ Special Condition 1 PERMIT  
Description: Failure to prevent unauthorized emissions.

Effective Date: 12/02/2006 ADMINORDER 2005-0926-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: 20485 PERMIT  
Description: Failure to maintain VOC limit less than 2.0 ppmw in C4 Cooling Tower.

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

Rqmt Prov: 20485 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B, 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 647B/MAERT PERMIT

Description: Failure to prevent unauthorized ammonia emissions from the E7 Cooling Tower. A8c2Aii

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 113, SubChapter C 113.730

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct HON sampling and analysis following an approved method.

Classification: Moderate

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

Rqmt Prov: 20160 PERMIT

Description: Failure to repair leaking exchanger in the PO/MTBE cooling water system during unit shutdown.

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 1:00 p.m. on September 16, 2003 at the MTBE Drying Column Overhead Line.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 20160/General Condition 8 PERMIT

Description: Failed to prevent unauthorized emissions of 479.5 lbs of Dimethyl Ether, 8631.6 lbs of Isobutylene and 479.5 lbs of Methyl Formate from the MTBE Drying Column Overhead Line on September 16, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 1322/SC17 OP

20160/GC 8 PERMIT

Description: Failed to prevent unauthorized emissions of 15 lbs of Ethylene Glycol, 699 lbs of Tert Butanol and 854 lbs of Tert Butyl Hydroperoxide from the Tertiary Butyl Alcohol (TBHP) Feed Header on January 11, 2004.

Classification: Moderate

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

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

Rqmt Prov: 20160, GC8 PERMIT

O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions of 745 lbs of Tert Butanol from Tank 007, the TBA Day Tank (EPN POTK007) on February 23, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 1322/SC 17 OP

5972A/SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 67 lbs of ethylene oxide from the F-P-137 Ethylene Oxide Rundown on August 25, 2003.

Classification: Moderate

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

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

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of VOCs of 303 lbs on December 10, 2003, 98 lbs December 13, 2003, 432 lbs January 1, 2004, 394 lbs January 15, 2004, 547 lbs February 17, 2004, and 167 lbs on February 28, 2004 from the F-F-6 Regenerator Vent.

Classification: Moderate

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

Rqmt Prov: 5952/ SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 595 lbs of Ethylene and 44 lbs of Ethylene Glycol from the Regenerator Flash Drum Vent on November 22, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event on August 23, 2003 at the F-4 Regenerator (EPN F4FF135).

Classification: Moderate

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

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

Rqmt Prov: 19823, SC1 PERMIT  
20160, GC8 PERMIT

5972A, SC1 PERMIT  
O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions on August 23, 2003 of 1) 5304 lbs of VOC from the PO/MTBE Unit, and 2073 lbs of CO and 251 lbs of NOx from the F5 Unit of the PO/MTBE Plant to the PO/MTBE Flare (EPN POFLARE), and 2) 221 lbs of Ethylene from the Regen/Reabsorb Vent at the F4 Regenerator (EPN F4FF135).

Classification: Moderate

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

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

Description: Failed to submit a final record to the TCEQ within two weeks after the end of a reportable emissions event on September 6, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

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

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

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 106 lbs of Ethylene from the F-6 Regenerator Vent (EPN F6FF6104) on September 6, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 8:15 p.m. on October 5, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

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

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

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 146 lbs VOCs (Ethylene and Ethylene Glycol) from the F-6 Regenerator Vent (EPN F6FF6104) on October 5, 2003.

Classification: Moderate

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

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 12:15 p.m. on October 25, 2003 at the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the Olefins and Oxides (O&O) Plant.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 1322/ SC 15 OP  
5897A/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 2514 lbs of Ammonia from the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the O&O Plant on October 25, 2003.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: 20485, SC1 PERMIT  
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions on January 15, 2004 of 12 lbs of VOCs and 18 lbs of 1,3-Butadiene from the North Unit of the C4/MTBE/Butadiene Units, and 3 lbs of NOx and 19 lbs of CO from the Butadiene Unit of the C4 Plant to the North/South Flare (EPN UWNR1, UW6R1).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
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: 1327/ SC15 OP  
20485/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 163.46 lbs of VOCs on August 20, 2003 and 302.658 lbs of VOCs on February 20, 2004 from the tank hatch of Tank 77.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: 20485, SC1 PERMIT

O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions to the North/South Flare (EPN UWN6R1/UWS6R1) of 2) 48 lbs of VOC and 17 lbs of 1,3 Butadiene from the MTBE Unit on July 22, 2003, and 3) 173 lbs of VOC, 79 lbs of 1,3 Butadiene, 131 lbs of CO and 13 lbs of NOx from the C4 Plant on February 7, 2004.

Classification: Minor

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

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Minor

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

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Moderate

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

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

Rqmt Prov: 5807A SC 1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 5952A SC1 PERMIT  
Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 5952A SC1 PERMIT  
Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

Rqmt Prov: 29516 General Conditions PERMIT  
Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 56390 SC1 PERMIT  
Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC 1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Rqmt Prov: 20485 SC1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 20485 Special Condition 1 PERMIT  
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

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

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G

Classification: Moderate

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

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

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

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

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

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

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

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

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

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

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

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

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

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

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

Description: Failure to comply with a reporting requirement.

Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.201(b)(4)

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

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

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(4)

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

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

Description: Failure to comply with a reporting requirement.

Classification: Moderate

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

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

Rqmt Prov: 20485, Special Condition 1 PERMIT

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 Special Condition 1 PERMIT  
O-02288 Special Condition 16 OP

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(c)  
  
30 TAC Chapter 101, SubChapter F 101.211(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit a timely reports of an emissions events on October 20 and 25, 2004, and March 16,2005.

Classification: Major

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

Rqmt Prov: Permit 5807A SC 1 PERMIT

Description: Failure to prevent unauthorized emissions that occurred at the anhydrous ammonia loading area of the E4 Unit; E4 Unit covered by Permit 5807A. Incident 48357.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP O-01327, SC 15 OP  
Permit 20486, SC 1 PERMIT

Description: Failure to comply with the MAERT limits of permit 20485; failure to comply with the conditions of FOP O-01327.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP O-01327, SC 15 OP  
Permit 20485, SC 1 PERMIT

Description: Failure to comply with the emissions limits as specified in Special Condition 1, which references the Maximum Allowable Emissions Rate Table, of TCEQ Permit 20485, and Special Condition 15 of Federal Operating Permit O-01327.

Classification: Minor

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

Description: Failure to properly report emissions events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit an initial notification of an emissions event with 24 hours.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Huntsman failed to properly identify the correct Emission Point Common Name in 57946 final notification.

Classification: Moderate

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

Rqmt Prov: 19823/ SC 1 PERMIT

Description: Failure to comply with the Maximum Allowable Emissions Rate Table (MAERT) of TCEQ Permit 19823.

Effective Date: 05/25/2007

ADMINORDER 2006-0902-AIR-E

Classification: Moderate

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

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

Rqmt Prov: Permit 19823 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit for the Demethanizer Tower Pressure Relief Vent, PRV 2355.

Effective Date: 10/25/2007

ADMINORDER 2007-0360-AIR-E

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: 19823 Special Condition 1 PERMIT  
O-02288 Special Condition 16 OP

Description: failed to prevent unauthorized emissions. Specifically, on November 28, 2006, over a period of 5 hours, the South Flare emitted 340.38 pounds ("lbs") of Volatile Organic Compound ("VOC") and 374.86 lbs of carbon monoxide ("CO"). Permit No. 19823 authorizes 32.87 lbs of VOC per hour and 53.59 lbs of CO per hour.

Effective Date: 01/28/2008

ADMINORDER 2007-0989-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20134 Special Condition 20 E PERMIT  
5807A Special Condition 10 PERMIT

5807A Special Condition 2 E PERMIT  
647B Special Condition 11 E PERMIT  
O-02286 Special Condition 10 OP  
O-02287 Special Condition 10 OP

Description: Failed to seal open-ended lines in volatile organic compounds service with a cap, blind flange, plug, or a second valve.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Terms And Conditions OP

Description: Failed to submit two semi-annual deviation reports and one annual compliance certification within 30 days after each reporting period.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(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 A 60.18(f)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20134 Special Condition 12 B PERMIT

647B Special Condition 3 PERMIT  
O-02286 Special Condition 10 OP  
O-02287 Special Condition 10 OP

Description: Failed to monitor the E7 Flare to ensure a pilot flame is present at all times.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02287 Special Condition 10 OP

Description: Failed to notify the executive director within 10 days after the installation of the E7 Flare drum seal (F-E7-72).

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: O-02287 Special Condition 10 OP  
Permit 647B, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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: 20134 Special Condition 23E PERMIT  
O-02286 Special Condition 10 OP

Description: Failed to submit a final sampling report within 30 days after sampling is completed.

Effective Date: 04/14/2008 ADMINORDER 2007-0581-MLM-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(c)  
30 TAC Chapter 106, SubChapter A 106.4(c)

30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 335, SubChapter A 335.4  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135(b)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP 2288 Special Condition 17 OP  
FOP 2288 Special Condition 1D OP

Special Condition 16 OP

Description: Failure to maintain emissions below the allowable reportable quantity for benzene in regards to Permit by Rule Number 106.532. MOD 2(D) EIC A(8)

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: 5952A Special Condition 1 PERMIT  
O-01320 Special Condition 13 OP

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

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	08/27/2003	(139288)
2	08/29/2003	(119121)
3	10/03/2003	(249924)
4	12/12/2003	(256877)
5	03/30/2004	(262961)
6	03/30/2004	(263046)
7	04/01/2004	(262946)
8	04/01/2004	(262873)
9	04/01/2004	(262956)
10	04/01/2004	(263014)
11	04/01/2004	(263010)
12	04/01/2004	(263588)
13	04/01/2004	(263043)
14	04/01/2004	(262968)
15	04/01/2004	(262879)
16	04/01/2004	(263022)
17	04/01/2004	(263607)
18	04/02/2004	(264437)
19	04/02/2004	(264455)
20	04/02/2004	(263644)
21	04/08/2004	(264474)
22	04/08/2004	(263600)
23	04/08/2004	(263004)
24	04/21/2004	(264467)
25	04/21/2004	(264098)

26	04/21/2004	(264471)
27	04/21/2004	(264092)
28	06/23/2004	(273321)
29	07/16/2004	(270119)
30	08/26/2004	(273402)
31	08/31/2004	(263533)
32	08/31/2004	(285082)
33	09/08/2004	(288721)
34	10/18/2004	(333854)
35	01/11/2005	(343813)
36	01/28/2005	(343967)
37	02/16/2005	(344499)
38	02/16/2005	(344565)
39	02/16/2005	(351061)
40	02/23/2005	(346660)
41	03/08/2005	(346632)
42	03/08/2005	(347207)
43	03/10/2005	(341723)
44	03/31/2005	(373656)
45	04/04/2005	(349319)
46	04/04/2005	(349315)
47	04/05/2005	(349320)
48	04/05/2005	(349133)
49	04/05/2005	(374774)
50	04/15/2005	(375442)
51	04/15/2005	(375452)
52	04/15/2005	(375457)
53	04/21/2005	(373550)
54	04/26/2005	(374614)
55	05/12/2005	(378265)
56	05/12/2005	(378267)
57	05/12/2005	(377634)
58	05/12/2005	(377613)
59	05/12/2005	(377543)
60	05/12/2005	(378487)
61	05/12/2005	(378225)
62	05/18/2005	(377798)
63	05/20/2005	(376583)
64	05/20/2005	(377225)
65	06/14/2005	(379665)
66	06/15/2005	(379607)
67	06/15/2005	(394963)
68	06/17/2005	(380357)
69	07/05/2005	(395675)
70	07/05/2005	(395572)
71	07/06/2005	(397867)
72	07/15/2005	(392774)
73	07/15/2005	(392639)
74	08/02/2005	(401638)
75	08/25/2005	(403293)
76	08/29/2005	(399102)
77	08/31/2005	(381075)
78	09/09/2005	(404606)
79	11/03/2005	(419194)
80	11/16/2005	(434314)
81	12/05/2005	(398736)
82	12/05/2005	(431206)
83	12/06/2005	(437343)
84	12/06/2005	(437334)
85	12/06/2005	(437338)
86	12/16/2005	(437133)
87	01/27/2006	(437989)
88	01/27/2006	(450224)
89	01/27/2006	(451827)
90	01/30/2006	(438965)
91	02/22/2006	(456022)
92	02/22/2006	(456036)
93	02/22/2006	(455947)
94	02/22/2006	(455838)
95	02/22/2006	(456099)
96	02/27/2006	(454550)
97	02/28/2006	(457553)
98	02/28/2006	(457561)
99	02/28/2006	(457516)
100	03/30/2006	(456815)
101	03/30/2006	(458616)
102	03/30/2006	(453754)
103	03/30/2006	(458485)
104	03/30/2006	(458020)

105	03/31/2006	(458673)
106	04/07/2006	(455375)
107	04/07/2006	(454572)
108	04/07/2006	(458321)
109	04/07/2006	(459162)
110	04/26/2006	(461473)
111	05/01/2006	(463769)
112	05/04/2006	(464589)
113	05/26/2006	(465414)
114	06/22/2006	(465864)
115	07/31/2006	(487611)
116	08/17/2006	(481936)
117	08/23/2006	(485023)
118	08/31/2006	(449989)
119	08/31/2006	(486891)
120	08/31/2006	(454082)
121	08/31/2006	(487767)
122	09/11/2006	(488579)
123	09/19/2006	(513278)
124	09/20/2006	(511947)
125	09/20/2006	(511204)
126	09/25/2006	(509094)
127	09/25/2006	(497536)
128	09/25/2006	(488474)
129	10/10/2006	(513527)
130	10/25/2006	(515506)
131	10/25/2006	(515822)
132	10/25/2006	(515478)
133	10/30/2006	(511240)
134	11/08/2006	(515666)
135	11/13/2006	(517041)
136	11/13/2006	(517036)
137	11/15/2006	(517191)
138	11/15/2006	(514399)
139	11/16/2006	(515790)
140	11/27/2006	(515436)
141	11/28/2006	(517675)
142	11/28/2006	(516609)
143	11/30/2006	(516090)
144	12/04/2006	(533060)
145	12/12/2006	(533440)
146	12/15/2006	(531666)
147	12/28/2006	(488675)
148	12/29/2006	(456006)
149	01/17/2007	(531872)
150	02/08/2007	(535487)
151	02/20/2007	(535145)
152	02/21/2007	(537271)
153	02/23/2007	(540396)
154	02/23/2007	(534486)
155	02/23/2007	(537684)
156	02/26/2007	(540551)
157	03/19/2007	(539598)
158	03/20/2007	(539695)
159	03/20/2007	(539462)
160	04/09/2007	(541905)
161	04/20/2007	(541289)
162	04/21/2007	(533084)
163	04/26/2007	(537371)
164	04/27/2007	(543604)
165	04/30/2007	(543451)
166	05/16/2007	(555268)
167	05/31/2007	(543792)
168	06/14/2007	(558239)
169	06/14/2007	(557996)
170	06/14/2007	(557699)
171	06/14/2007	(561265)
172	06/26/2007	(543284)
173	07/12/2007	(515129)
174	07/30/2007	(558200)
175	09/21/2007	(570656)
176	09/21/2007	(570457)
177	09/27/2007	(570470)
178	11/12/2007	(600643)
179	11/27/2007	(597280)
180	11/27/2007	(597203)
181	11/27/2007	(598101)
182	11/28/2007	(597647)
183	11/28/2007	(600001)

184 12/03/2007 (597429)  
 185 12/04/2007 (560147)  
 186 12/10/2007 (611227)  
 187 12/14/2007 (597547)  
 188 01/13/2008 (613058)  
 189 02/08/2008 (617709)  
 190 02/29/2008 (614736)  
 191 02/29/2008 (614644)  
 192 03/13/2008 (613437)  
 193 04/02/2008 (638186)  
 194 04/10/2008 (617468)  
 195 04/25/2008 (617083)  
 196 05/05/2008 (656845)  
 197 05/08/2008 (639688)  
 198 05/08/2008 (617644)  
 199 05/16/2008 (654879)  
 200 06/11/2008 (560362)  
 201 06/12/2008 (655044)  
 202 06/20/2008 (671039)  
 203 07/09/2008 (682286)  
 204 08/02/2008 (684777)  
 205 08/04/2008 (685268)  
 206 08/04/2008 (684258)

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

Date 10/03/2003 (249924)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to provide the basis used for determining the quantity of air contaminants  
 emitted during an emissions event.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to maintain an emission rate below an allowable emission limit.  
 Date 06/23/2004 (273321)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 113, SubChapter C 113.110  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 20485, SC 2D  
 PERMIT 20485, SC 3  
 Description: Failure to properly operate the South Flare on May 3, 2004.  
 Date 01/12/2005 (343813)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Part 63, Subpart H 63.167  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP Permit O-02286, SC 1D  
 Description: Failure to maintain all VOC lines equipped with a capped end, blind flange, or double blocked valve at  
 the T-E3-147 Tank and the Pump Out Line 56.  
 Date 04/01/2005 (373656)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to prevent visible emissions.  
 Date 08/23/2006 (485023)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 5807A  
 OP O-02287  
 Description: Failure to maintain the daily production limit for the E4 Unit as reported in the Deviation Report for  
 FOP O-02287 covering January 20, 2004 to July 20, 2004.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)(F)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287  
 Description: Failure to continuously collect and maintain pilot monitoring data, as required by 30 TAC 122.144(1) and 40 CFR 60.7(f), and reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.110  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287  
 Description: Failure to analyze quarterly cooling water samples using Method 624 as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19823  
 PERMIT 5807A  
 OP O-02287  
 OP O-02288  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Units: O-02287 - 5 components (Component Numbers 03968, 05771, 06097, 07502 and 07824) in E4FUG; O-02288 - 1 component (Component Number 0228) in A3FUG.

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

Rqmt Prov: PERMIT 647B  
 OP O-02287  
 Description: Failure to maintain the hourly production limit for Morpholine as reported in the Deviation Report for FOP O-02287 covering July 21, 2004 to January 19, 2005.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)  
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02287  
 Description: Failure to submit a notification within ten days following installation of the replacement facility as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 647B  
 OP O-02287  
 Description: Failure to operate the E7 flare with a flame present at all times as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

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

Rqmt Prov: PERMIT 29516  
 OP O-02288  
 Description: Failure to maintain the minimum scrubber flow rate of 4,800 gallons per hour and the maximum Ethylene Oxide (EO) vapor flow to the scrubber of 1562.4 lbs/hr. as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.703(c)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(d)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02288  
 Description: Failure to conduct and maintain records of monthly inspections of by-pass seals applicable to 40 CFR Part 60, Subparts NNN/RRR/FF as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02288  
Description: Failure to maintain the tank opening in a closed position during normal operations on Tanks T087 and T088, as reported in the Deviation Reports for FOP O-02288 covering February 14, 2005 to August 14, 2005 and August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02288  
Description: Failure to submit a Form PI-7 within 10 days following the addition of fugitive components as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 29516  
OP O-02288  
Description: Failure to maintain records of the scrubber water flow rate and temperature, and vapor flow rate in lbs/hr at the inlet of the scrubber for Unit RSEF085 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 19823  
OP O-02288  
Description: Failure to maintain records of the Waste Heat Boiler CEMS daily calibrations for Unit A3HA35 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.685(l)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(8)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02288  
Description: Failure to submit one 40 CFR Part 61, Subpart FF quarterly report for Unit PROA3WW and one 40 CFR Part 60, Subparts NNN/RRR semiannual report for applicable facilities within 30 days after the end of the applicable reporting period of December 31, 2005 as reported in the Deviation Report for FOP O-02288.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 16909  
PERMIT 19823  
OP O-02288  
Description: Failure to submit the semiannual reports within 30 days after the end of the applicable reporting period of December 31, 2005 for Units UEHK11, CG1/CG2, and A3HA35, as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Date 11/13/2006 (517041)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(2)  
Rqmt Prov: PERMIT P.P. II.C.1.J  
PERMIT P.P. II.C.2.a  
Description: Failure to maintain safety and emergency equipment inspection records.

Date 11/13/2006 (517036)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)  
 Description: Failure to maintain the liner in the secondary containment.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)

Rqmt Prov: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)  
 PERMIT P.P. II.C.1.i  
 PERMIT P.P. II.C.2.a  
 Description: Failure to input the date on the daily inspection logs.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)

Rqmt Prov: PERMIT P.P. II.C.1.i  
 PERMIT P.P. II.C.2.a  
 Description: Failure to input the signature of the inspector on the daily inspection logs.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(a)

Rqmt Prov: PERMIT P.P. II.C.1.i  
 PERMIT P.P. II.C.2.a  
 Description: Failure to conduct required daily inspection of the BIF and hazardous waste tanks for malfunctions, deteriorations, operator errors, and discharges.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)

Rqmt Prov: PERMIT P.P. II.C.1.p  
 PERMIT P.P. II.C.2.i  
 Description: Failure to test for all associated alarms and parameters during the automatic waste feed cut-off monthly test as required by the permit.  
 Date 01/18/2007 (531872)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20160 SC 15E  
 PERMIT 20160 SC 2C  
 PERMIT 20160 SC 3  
 OP O-01322 SC 17  
 Description: Failure to have cap and plugs installed on open-ended lines.  
 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-01322 General Terms and Conditions  
 OP O-01322 SC 20  
 Description: Failure to submit the annual compliance certification for FOP O-01322 in a timely manner.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)(G)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 SC 10A  
 OP O-01322 SC IA  
 Description: Failure to maintain records of daily calibration of continuous monitors and failure to continuously monitor due to failed calibrations.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.110  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(1)

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)  
 OP O-01322 SC 12G  
 OP O-01322 SC 1A  
 Description: Failure to submit a required semiannual report.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.354(3)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(b)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: Failure to maintain records of weekly pump and flange check.  
 Date 02/26/2007 (534486)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 20485 Special Condition 26F  
 PERMIT 20485 Special Condition 2A  
 PERMIT 20485 Special Condition 3  
 OP O-01327 Special Condition 15  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service at the C4 Plant.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.120  
 30 TAC Chapter 115, SubChapter B 115.136(a)(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 20485 Special Condition 12  
 PERMIT 20485 Special Condition 3  
 OP O-01327 Special Condition 1A  
 OP O-1327 Special Condition 15  
 Description: Failure to continuously collect and maintain operational parameters of any control device required to be installed to meet applicable control requirements required by 30 TAC 115.136(a)(2).  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: Failure to report all instances of deviations.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.130  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 20485 Special Condition 3  
 OP O-01327 Special Condition 15  
 Description: Failure to make the first attempt at repair within five calendar days.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 20485 Special Condition 35(B)  
 PERMIT 20485 Special Condition 8(B)  
 Description: PERMIT 20485 Special Condition 8(C)  
 OP O-01327 Special Condition 15  
 Failure to maintain emission rates below permitted limits.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)(A)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 20485 Special Condition 3  
PERMIT 20485 Special Condition 2A  
OP O-01327 Special Condition 15

Description: Failure to maintain records of flare monitors at the South Flare  
Date 06/27/2007 (543284)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 19823 Special Condition 20  
OP FOP 2288 General Terms and Conditions  
OP FOP 2288 Special Condition 16

Description: Failure to conduct stack sampling or fuel analysis for SO2 emissions as required by Permit 19823  
Special Condition 20. EIC B(1) MOD 2(A)

Date 07/31/2007 (558200)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP 01320 Special Condition 13  
OP 02288 Special Condition 16  
PERMIT 19823 Special Condition 18E  
PERMIT 36646 Special Condition 8E  
PERMIT 5952 Special Condition 21E  
PERMIT 5972A Special Condition 10  
PERMIT 5972A Special Condition 17E  
PERMIT 5972A Special Condition 7

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed. C10 cannot be  
picked.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP 01320 Special Condition 13  
PERMIT 5972A Special Condition 5A

Description: Failure to monitor, record and maintain the F-4 Firebox temperature above the permitted limit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP 01320 Special Condition 13  
PERMIT 5972A Special Condition 4

Description: Failure to maintain records of tank pressure.

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 01320 Special Condition 13  
PERMIT 5952 Special Condition 12

Description: Failure to monitor, record and maintain the F-6 Firebox temperature above the permitted limit

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:	OP 01320 Special Condition 13 PERMIT 36646 Special Condition 12		
Description:	Failure to maintain records of monthly monitoring.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.144 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to maintain records of the daily flare observations.		
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 02288 Special Condition 16		
Description:	Failure to monitor NOx, CO and O2 at CG1/UEHK9 and CG2/UEHK10.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 16909 Special Condition 151		
Description:	Failure to maintain records.		
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 02288 Special Condition 16 PERMIT 19823 Special Condition 14A		
Description:	Failure to have the cooling tower water sample port installed as required by permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.144(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 16909 Special Condition 12A PERMIT 19823 Special Condition 21D		
Description:	Failure to monitor and maintain records of daily zero and span of continuous monitors.		
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 02288 Special Condition 16 PERMIT 19823 Special Condition 10		
Description:	Failure to comply with conditions of a permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		
Rqmt Prov:	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) OP 02288 Special Condition 16 PERMIT 16909 Special Condition 14		
Description:	Failure to monitor.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP 02288 Special Condition 16 PERMIT 19823 Special Condition 10C		
Description:	Failure to operate the flare in a smokeless manner.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to report all instances of deviations.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)		

5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP 02288 Special Condition 1 E  
Description: Failure to maintain the tank opening in a closed position during normal operations on Tank T087.

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 02288 Special Condition 16  
PERMIT 49247 Special Condition 7  
Description: Failure to maintain emissions rate below the allowable limit.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(B)  
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 a semiannual deviation report.

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 01320 Special Condition 15  
Description: Failure to submit an annual permit compliance certification (ACC) report within 30 days of the certification period.

Date 09/27/2007 (570470)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.500  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.987(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Failure to limit the frequency of visible smoke emissions from Huntsman's Low Pressure Flare Number (No.) 2.

Date 12/17/2007 (597547)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 Special Condition 10A  
OP O-01322 Special Condition 1A  
Description: Failure to maintain records of daily calibration.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 115, SubChapter C 115.216(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01322 Special Condition 1A  
OP O-01322 Special Condition 6A(vi)  
OP O-01322 Special Condition 7A(v)  
Description: Failure to record daily flare observations.

Date 07/09/2008 (682286)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(3)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT Special Condition 11  
OP Special Condition 13  
Description: Failure to comply with the VOC emissions limits as specified in the confidential section of the permit application of Permit 36646.

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

Rqmt Prov: OP Special Condition 13  
PERMIT Special Condition 13  
Description: Failure to comply with tank throughput limits for tank TG-39 as specified in the confidential section of the permit application for Permit 36646.

Self Report? NO Classification: Moderate

Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 1 OP Special Condition 13		
Description:	Failure to comply with VOC emissions limits of the MAERT for tanks TG-38 and TG-39 (group 20), based on throughput exceedances of tank TG-39.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 12 OP Special Condition 13		
Description:	Failure to maintain minimum incinerator firebox temperature at 1737 degrees Fahrenheit in the F6 Unit incinerator.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 13 PERMIT Special Condition 16(E)		
Description:	Failure to cap an open-ended line in VOC service.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 13 PERMIT Special Condition 4		
Description:	Failure to maintain minimum incinerator firebox temperature at 1704 degrees Fahrenheit in the F4 Unit incinerator.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) OP Special Condition 16 PERMIT Special Condition 5		
Description:	Failure to comply with the emissions limits of NOx and CO as specified by SC 5 of Permit 16909.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 9(A)		
Description:	Failure to conduct daily monitoring on CAS connected to tank T-A3-29 on three occasions.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 6		
Description:	Failure to maintain accurate railcar cleaning records.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 30 TAC Chapter 122, SubChapter B 122.145(2)(B) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP General Terms and Conditions		
Description:	Failure to submit a deviation report in a timely manner for deviations documented on August 14, 2008.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16 PERMIT Special Condition 4		
Description:	Failure to maintain CO emissions within the allowable limits as stated in SC 4 of the permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP Special Condition 16		

Description: PERMIT Special Condition 4  
 Failure to maintain NOx emissions within the allowable limits as stated in SC 4 of the permit.

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

Rqmt Prov: OP Special Condition 16  
 PERMIT Special Condition 4

Description: Failure to maintain CO emissions in ppmvd within the allowable limits as stated in SC 4 of the permit.

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

Rqmt Prov: PERMIT Special Condition 12 (A)  
 OP Special Condition 16

Description: Failure to maintain NOx emissions in ppmvd within the allowable limits as stated in SC 12(A) of the permit.

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

Rqmt Prov: OP Special Condition 16

Description: PERMIT Special Condition 22 (D)  
 Failure to maintain waste heat boiler CEMS daily calibration records on two occasions.

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

Rqmt Prov: OP Special Condition 16  
 PERMIT Special Condition 4

Description: Failure to maintain emission of NOx and CO in ppmvd from CG2, below the permitted limits as per SC 4 of Permit 16909.

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

Rqmt Prov: PERMIT Special Condition 12(b)  
 OP Special Condition 16

Description: Failure to conduct daily CEMS calibrations on CG1 CEMS.

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

Rqmt Prov: PERMIT Special Condition 1  
 OP Special Condition 16

Description: Failure to comply with the emissions limits of the MAERT of Permit 16909 as applicable to Boiler 11.

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

Rqmt Prov: PERMIT Special Condition 15(l)  
 OP Special Condition 16

Description: Failure to maintain Boiler 11 CEMS calibration records.

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

Rqmt Prov: OP General Terms and Conditions

Description: Failure to report deviations for the reporting period of February 19, 2007 through February 19, 2008 as required by FOP-O-01320; and for the reporting period of February 14, 2007 through February 14, 2008 as required by FOP-O-02288.

F. Environmental audits.

Notice of Intent Date: 06/28/2004 (347983)  
 No DOV Associated  
 Notice of Intent Date: 07/22/2004 (334174)  
 No DOV Associated  
 Notice of Intent Date: 11/16/2007 (611106)  
 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  
HUNTSMAN PETROCHEMICAL  
CORPORATION  
RN100219252

§  
§  
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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2008-1586-AIR-E

### I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a synthetic organic chemical plant at 6001 Highway 366 in Port Neches, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in the TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about June 17 and 25, July 14, August 9, and September 14, 2008.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of One Hundred Seventeen Thousand Seven Hundred Fifteen Dollars (\$117,715) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Forty-Seven Thousand Eighty-Six Dollars (\$47,086) of the administrative penalty and Twenty-Three Thousand Five Hundred Forty-Three Dollars (\$23,543) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Forty-Seven Thousand Eighty-

- Six Dollars (\$47,086) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
  8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
  9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant by:
    - a. Began monitoring the wastewater conveyance on July 25, 2008;
    - b. Began to monitoring the Carbon Absorption System ("CAS") on May 7, 2008;
    - c. Installed field wiring guards to prevent accidental shutdown of cracked gas compressor on March 1, 2008 (Incident No. 104871);
    - d. Repaired the rupture disk and disk housing on April 4, 2008 and trained personnel in proper installation of the rupture disk on June 12, 2008 (Incident No. 105823); and
    - e. Submitted the emissions event report on March 11, 2008 to the Beaumont Regional Office which was due on January 11, 2008.
  10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
  11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
  12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

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

1. Failed to prevent unauthorized emissions (Incident No. 104823), in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review ("NSR") Permit 5972A, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-01320, SC 13, as documented during an investigation conducted on May 2, 2008. Specifically, 12.55 pounds ("lbs") of volatile organic compounds were released without authorization from the F4 Unit Wastewater Fugitives Emissions Point Number ("EPN") F4WWFUG on March 11, 2008, for eight hours and 42 minutes. The emissions event was caused by a valve left closed during a line-up operation between Tanks TO186 and TO25 creating a pressure buildup in the F4 Unit activating a pressure relief valve. Since this emissions event was

avoidable by better maintenance practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

2. Failed to prevent unauthorized emissions (Incident No. 98892), in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 5952A, SC 1, and FOP O-01320, General Terms and Conditions (“GTC”), and SC 13, as documented during an investigation conducted on April 30, 2008. Specifically, 142 lbs of ethylene and two lbs of ethylene oxide were released from the F-6 Reabsorber Vent on October 18, 2007, for 21 minutes. The emissions event was caused by a stack temperature transmitter malfunction due to a shorted out thermocouple which sent a false signal to the F-6 Incinerator shutting it down. Thermocouple failure was the result of excessive heat exposure facilitated by thermowell (heat shield) breakdown. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
3. Failed to conduct volatile organic compound monitoring on the wastewater conveyance EPN RSEGLYWWFUG from February 19, 2007 through February 19, 2008, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 36646, SC 18, and FOP O-01320, SC 13, as documented during an investigation conducted on April 17 through May 12, 2008.
4. Failed to conduct monitoring of the CAS connected to Tank T-A3-46 from February 19, 2007 through February 19, 2008, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 19823, SC 9(A), and FOP O-02288, SC 16, as documented during an investigation conducted on April 17 through May 12, 2008.
5. Failed to prevent unauthorized emissions (Incident No. 105823), in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 5952A, SC 1, and FOP O-01320, SC 13, as documented during an investigation conducted on July 2, 2008. Specifically, seven lbs of ethylene oxide and 7,856 lbs of ethylene were released from reactor number 2 on April 3, 2008, for ten minutes. The event was caused by an improperly aligned rupture disk that failed when the reactor was started. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
6. Failed to prevent unauthorized emissions (Incident No. 104871), in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 19823, SC 1, and FOP O-02288, SC 16, as documented during an investigation conducted from July 1 through 3, 2008. Specifically, 573.69 lbs of unauthorized volatile organic compounds were emitted from the South Flare (EPN UER037) from January 6, 2008 through January 10, 2008, for 99 hours. Improper guarding of field wiring associated with the manual unit trip switch in central control resulted in the shutdown of the cracked gas compressor causing the unauthorized emissions. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
7. Failed notify the TCEQ Regional Office within 24 hours of a reportable emissions event (Incident No. 104871), in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP O-02288, GTC, as documented during an investigation conducted on July 1 through 3, 2008. Specifically, the Respondent submitted the initial scheduled shutdown notification on December 21, 2007, and did not realize that the estimated emissions had been exceeded until the final calculations for the shutdown were

conducted on March 11, 2008. Therefore the emissions released from January 6, 2008, through January 10, 2008, should have been reported on January 11, 2008.

8. Failed to prevent unauthorized emissions (Incident No. 99672), in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c), and 122.143(4), FOP O-01320, GTC and SC 13, NSR Permit 5952A, SC 1 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on August 26, 2008. Specifically, 352 lbs and 132 lbs of ethylene were released from the F-6 Reabsorber vent and F-6 Regenerator vent, respectively, on November 5, 2007 for one hour and 58 minutes, when waste gas flow was too high to the incinerator while the F-6 Reclaim Compressor was down and two of the incinerator's burners were off-line, causing pressure to exceed the shutdown setting and atmospheric vents to open. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(2) and (3).
9. Failed to prevent unauthorized emissions (Incident No. 101672), in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c), and 122.143(4), FOP O-01320, GTC and SC 13, NSR Permit 5952A, SC 1 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on August 26, 2008. Specifically, 277.56 lbs of ethylene were released from the F-6 Reabsorber Vent (EPN F6FF6104) on December 23, 2007 through December 24, 2007 for two hours and 56 minutes, when improper manual control of combustion air flow caused an incinerator shutdown and three failed attempts to relight the incinerator burners. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(2) and (3).

### III. DENIALS

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Huntsman Petrochemical Corporation, Docket No. 2008-1586-AIR-E" to:  
  
Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Forty-Seven Thousand Eighty-Six Dollars (\$47,086) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provision of the SEP agreement.

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

- a. Within 30 days after the effective date of this Agreed Order:
  - i. Submit documentation that training of personnel has been provided to ensure future line-up errors that caused the March 11, 2008, emissions event (Incident No. 104823) are prevented;
  - ii. Implement measures designed to ensure future thermocouple failure is averted (Incident No. 98892);
  - iii. Train personnel to ensure emissions events are properly reported (Incident No. 104871); and
  - iv. Design and implement measures to prevent the recurrence of emissions events due to the same or similar causes as the November 5, 2007 and December 23, 2007 through December 24, 2007 emissions events (Incident Nos. 99672 and 101672).
- 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 Nos. 3.a.i, 3.a.ii, 3.a.iii and 3.iv. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Air Section, Manager  
Beaumont Regional Office  
Texas Commission on Environmental Quality  
3170 Eastex Freeway  
Beaumont Texas, 77703

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

John Srolien  
For the Executive Director

3/24/2009  
Date

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

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

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

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

Jordan Morgan  
Signature

12-18-08  
Date

Jordan Morgan  
Name (Printed or typed)  
Authorized Representative of  
Huntsman Petrochemical Corporation

\_\_\_\_\_  
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.



**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** Huntsman Petrochemical Corporation

**Payable Penalty Amount:** Ninety-Four Thousand One Hundred Seventy-Two Dollars (\$94,172)

**SEP Amount:** Forty-Seven Thousand Eighty-Six Dollars (\$47,086)

**Type of SEP:** Pre-approved

**Third-Party Recipient:** Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles

**Location of SEP:** Jefferson County

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

**1. Project Description**

A. Project

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

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

Huntsman Petrochemical Corporation  
Agreed Order – Attachment A

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

**2. Performance Schedule**

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

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

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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

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

**5. Publicity**

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

**6. Clean Texas Program**

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

**7. Other SEPs by TCEQ or Other Agencies**

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

