

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0843-AIR-E TCEQ ID: RN100225945 CASE NO.: 35926

RESPONDENT NAME: The Dow Chemical Company

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Dow Texas Operations Freeport, 2301 North Brazosport Boulevard, Freeport, Brazoria County</p> <p>TYPE OF OPERATION: Chemical manufacturing</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0923-AIR-E and 2008-1723-AIR-E</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on April 27, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Ms. Rebecca Johnson, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3420; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Ms. Julie Woodard, Regulatory Affairs Leader, The Dow Chemical Company, 2301 North Brazosport Boulevard B-101, Room 241, Freeport, Texas 77541 Ms. Laura Ambrose, Responsible Care Leader, The Dow Chemical Company, 2301 North Brazosport Boulevard B-101, Room 241, Freeport, Texas 77541 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: July 10, 2007, February 21, March 17, April 7, April 17, and May 21, 2008</p> <p>Date of NOV/NOE Relating to this Case: April 30, May 2, May 19, June 2, June 10, July 1, July 10, July 11, and July 18, 2008 (NOE)</p> <p>Background Facts: These were routine investigations.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions during Incident No. 92204. Specifically, during a June 7, 2007 excessive emissions event the following unauthorized emissions were released over a period of 24 hours and 11 minutes from Flare FS1 and the LHC7 Process Area: 30,526 pounds ("lbs") of carbon monoxide, 16,666 lbs of ethylene, 6,823 lbs of toluene, 4,220 lbs of nitrogen oxides, 3,228 lbs of propylene, 1,297 lbs of 1,3 butadiene, 1,211 lbs of benzene, 1,171 lbs of propane, 426 lbs of styrene, 272 lbs of 1-butene, 179 lbs of n-butane, 126 lbs of acetylene, 115 lbs of trans 2-butene, 69 lbs of cis 2-butene, and 41 lbs of isobutane. Since the emissions event was excessive and could have been avoided by installing the control oil regulator and associated piping in the correct location, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to prevent unauthorized emissions during Incident No. 103332. Specifically, during a February 5, 2008</p>	<p>Total Assessed: \$202,325</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$101,162</p> <p>Total Paid to General Revenue: \$101,163</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification: This case involves unauthorized emissions were deemed excessive.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent completed the following corrective actions:</p> <p>a) On April 30, 2008 in accordance with the TCEQ approved Corrective Action Plan ("CAP") submitted on June 26, 2008 for Incident No. 92204: adjusted the control oil regulator to reduce the flow rate, installed a portable flow device to measure and demonstrate the reduced flow rate, relocated the control oil regulator and associated piping to the correct locations, and updated the Management of Change and work process to ensure adequate review of piping prior to start-up;</p> <p>b) On February 6, 2008 in response to Incident No. 103332: revised unit procedures to visually verify the trans-flow valve position in the field following exchanger swaps, trained employees on the revised procedure, permanently sealed the locking device on related exchanger actuators, conducted an audit of other similar valves, reviewed the management system, completed functional tests, and developed a new emergency procedure for response to related alarms;</p> <p>c) On May 22, 2008 in response to Incident No. 103745: installed a new rupture disk holder, conducted an audit of other similar rupture disk holders, updated related checklists to ensure correct installation of future rupture disks and holders, and created a new procedure for the installation of rupture disk holders;</p> <p>d) On July 22, 2008 in response to Incident No. 104544: updated the start-up procedure to note specific valves so they can be identified during testing conducted prior to start-up, trained employees on the installation procedure for the turbo-expander bypass fail-open valve, changed the temperature control selection to remove one of the three thermocouples for the control selection, and evaluated the start-up procedure load increases;</p> <p>e) On March 31, 2008 in accordance with</p>

emissions event 2,799.40 lbs of unauthorized ethylene oxide emissions were released over a period of two hours and 24 minutes from the VS-3 Scrubber. Since the emissions event could have been avoided by installing transflow actuators without locking pins, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 7386; Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3) Failure to prevent unauthorized emissions during Incident No. 103745. Specifically, during a February 14, 2008 emissions event 272.59 lbs of unauthorized chlorobenzene emissions were released over a period of 53 minutes from a rupture disc holder. Since the emissions event could have been avoided by correctly installing the rupture disk, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4) Failure to prevent unauthorized emissions during Incident No. 104544. Specifically, during a March 3, 2008 emissions event the following unauthorized emissions were released over a period of four hours from Elevated Flare F-1 and Ground Flare F1000: 10,503 lbs of volatile organic compounds ("VOCs"), 8,996 lbs of carbon monoxide, and 1,246 lbs of nitrogen oxides. Since the emissions event could have been avoided by correctly installing the turboexpander bypass valve and by the removal of one of the thermocouples for the control selection, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5) Failure to prevent unauthorized emissions during Incident No. 92991. Specifically, during a May 30, 2007 excessive emissions event 15,300 lbs of unauthorized chlorobenzene emissions were intermittently released from Cooling Tower CT-611 on a total of eleven days over a period that lasted 526 hours and 14 minutes. Since the emissions event was excessive and could have been avoided by

the TCEQ approved CAP submitted on August 4, 2008 for Incident No. 92991: immediately isolated and repaired the leaking heat exchanger, subsequently replaced all similar heat exchangers with a stainless steel version more resistant to cracking and leaks, lowered the detection limits for the cooling tower water test methods, increased the cooling tower water sampling frequency, and implemented a written plan for responding to water contamination in the cooling tower;

f) On March 19, 2008 in response to Incident No. 105191: modified the procedure for taking the reactor down to low pressure and trained employees on the modified procedure;

g) On May 2, 2008 in response to Incident No. 105792: upgraded the Epi-1 Process Control System to prevent operating under low pH conditions and trained employees on the upgrade;

h) On March 31, 2008 in response to Incident No. 105644: the flare tip was inspected and the cracked pilot shroud was replaced; and

i) On July 31, 2008 in response to Incident No. 106640: developed and implemented procedures for computer hardware repairs that includes risk assessment and trained employees on the procedures.

Ordering Provisions:

The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A).

installing a heat exchanger that is more resistant to cracks and leaks, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6) Failure to prevent unauthorized emissions during Incident No. 105191. Specifically, during a March 18, 2008 emissions event 538 lbs of unauthorized ethylene emissions were released over a period of one minute from vents on Reactor R-101. Since the emissions event could have been avoided by ensuring that the correct procedure is implemented for taking the reactor down to low pressure, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 834, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7) Failure to prevent unauthorized emissions during Incident No. 105792. Specifically, during an April 2, 2008 emissions event 902.64 lbs of unauthorized dichloropropanol emissions were released over a period of 86 hours and 30 minutes from Clarifier Tanks CL-145, CL-155, CL-165, and FL-135. Since the emissions event could have been avoided through a proper response to the low pH alarm, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 20909, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

8) Failure to prevent unauthorized emissions and maintain a flare flame during Incident No. 105644. Specifically, during a March 31, 2008 emissions event 213 lbs of unauthorized ethylene emissions and 44 lbs of unauthorized VOC emissions were released over a period of ten minutes from Flare B78F1 when there was not a flare flame present. Since the emissions event could have been avoided by replacing the flame shroud around the flare pilot prior to failure, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 8567, Special Condition Nos. 1, 4B, and 10, 40 CODE OF FEDERAL REGULATIONS § 60.18(c)(2) and (c)(3)(ii), 30 TEX. ADMIN. CODE §§ 116.115(c), 101.20(1), and 101.221(a), and TEX.

<p>HEALTH & SAFETY CODE § 382.085(b)].</p> <p>9) Failure to prevent unauthorized emissions during Incident No. 106640. Specifically, during an April 21, 2008 emissions event 648 lbs of unauthorized ethylene emissions were released over a period of seven minutes from Vent C-20. Since the emissions event could have been avoided by conducting complete and correct repairs of the control board, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met [Air Permit No. 22072, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): BL0082R

Attachment A
Docket Number: 2008-0843-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: The Dow Chemical Company

Payable Penalty Amount: Two Hundred Two Thousand Three Hundred Twenty-Five Dollars (\$202,325)

SEP Amount: One Hundred One Thousand One Hundred Sixty-Two Dollars (\$101,162)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program

Location of SEP: Brazoria County

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

1. Project Description

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

The Dow Chemical Company
Agreed Order B Attachment A

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision April 29, 2008

DATES	Assigned	21-Jul-2008	Screening	23-Jul-2008	EPA Due	25-Jan-2009
	PCW	9-Jan-2009				

RESPONDENT/FACILITY INFORMATION	
Respondent	The Dow Chemical Company
Reg. Ent. Ref. No.	RN100225945
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	35926	No. of Violations	7
Docket No.	2008-0843-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rebecca Johnson
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$127,500
ADJUSTMENTS (+/-) TO SUBTOTAL 1		
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		
Compliance History	418.0% Enhancement	Subtotals 2, 3, & 7 \$532,950
Notes	Penalty enhancement due to 61 same or similar NOVs, 28 unrelated NOVs, nine self-reported effluent discharge violations, four agreed orders with a denial of liability, and three agreed orders without a denial of liability. Penalty reduction due to 56 Notices of Intended Audits and 30 Disclosures of Violations submitted.	
Culpability	No 0.0% Enhancement	Subtotal 4 \$0
Notes	The Respondent does not meet the culpability criteria.	
Good Faith Effort to Comply Total Adjustments		Subtotal 5 \$30,375
Economic Benefit	0.0% Enhancement*	Subtotal 6 \$0
Total EB Amounts	\$990	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$35,250	
SUM OF SUBTOTALS 1-7	Final Subtotal	\$630,075
OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment \$0
Reduces or enhances the Final Subtotal by the indicated percentage.		
Notes		
	Final Penalty Amount	\$630,075
STATUTORY LIMIT ADJUSTMENT		Final Assessed Penalty \$172,325
DEFERRAL	0.0% Reduction	Adjustment \$0
Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)		
Notes	No deferral is recommended for Findings Orders.	
PAYABLE PENALTY		\$172,325

Screening Date 23-Jul-2008

Docket No. 2008-0843-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 35926

PCW Revision April 29, 2008

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOV's with same or similar violations as those in the current enforcement action (number of NOV's meeting criteria)	61	305%
	Other written NOV's	37	74%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	3	75%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	56	-56%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	30	-60%

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) 418%

>> 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 61 same or similar NOV's, 28 unrelated NOV's, nine self-reported effluent discharge violations, four agreed orders with a denial of liability, and three agreed orders without a denial of liability. Penalty reduction due to 56 Notices of Intended Audits and 30 Disclosures of Violations submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 418%

Screening Date 23-Jul-2008	Docket No. 2008-0843-AIR-E	PCW
Respondent The Dow Chemical Company		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 35926		<i>PCW Revision April 29, 2008</i>
Reg. Ent. Reference No. RN100225945		
Media [Statute] Air		
Enf. Coordinator Rebecca Johnson		
Violation Number <input type="text" value="1"/>		
Rule Cite(s)	Air Permit No. 46431, Special Condition No. 1, 30 Tex. Admin. Code § 116.115(c), and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to prevent unauthorized emissions during incident No. 103745. Specifically, during a February 14, 2008 emissions event 272.59 lbs of unauthorized chlorobenzene emissions were released over a period of 53 minutes from a rupture disc holder. Since the emissions event could have been avoided by correctly installing the rupture disk, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.	
	Base Penalty	<input type="text" value="\$10,000"/>
>> Environmental, Property and Human Health Matrix		
OR	Harm	
	Release	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"/>
	Percent	<input type="text" value="25%"/>
>> Programmatic Matrix		
	Falsification	Major Moderate Minor
	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>
	Percent	<input type="text" value="0%"/>
Matrix Notes	Human health or the environment have been exposed to an insignificant amount of pollutants that did not exceed protective levels as a result of the violation.	
	Adjustment	<input type="text" value="\$7,500"/>
		<input type="text" value="\$2,500"/>
Violation Events		
	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>	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"/>
	Violation Base Penalty	<input type="text" value="\$2,500"/>
One quarterly event is recommended.		
Good Faith Efforts to Comply		
	10.0% Reduction	<input type="text" value="\$250"/>
	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input checked="" type="text" value="x"/>
N/A	(mark with x)	
Notes	The Respondent completed corrective actions for this violation on May 22, 2008, which was after the May 19, 2008 NOE.	
	Violation Subtotal	<input type="text" value="\$2,250"/>
Economic Benefit (EB) for this violation		
	Estimated EB Amount	<input type="text" value="\$27"/>
Statutory Limit Test		
	Violation Final Penalty Total	<input type="text" value="\$12,700"/>
	This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$10,000"/>

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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

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	14-Feb-2008	22-May-2008	0.27	\$27	n/a	\$27

Notes for DELAYED costs:

Estimated cost to develop a procedure for rupture disk installation and update related checklists to prevent an emissions event due to the incorrect installation of a rupture disc holder. 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:

Approx. Cost of Compliance

\$2,000

TOTAL

\$27

Screening Date 23-Jul-2008	Docket No. 2008-0843-AIR-E	PCW												
Respondent The Dow Chemical Company		<small>Policy Revision 2 (September 2002)</small>												
Case ID No. 35926		<small>PCW Revision April 29, 2008</small>												
Reg. Ent. Reference No. RN100225945														
Media [Statute] Air														
Enf. Coordinator Rebecca Johnson														
Violation Number <input type="text" value="2"/>														
Rule Cite(s)	Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 Tex. Admin. Code § 116.715(a), and Tex. Health & Safety Code § 382.085(b)													
Violation Description	Failed to prevent unauthorized emissions during Incident No. 104544. Specifically, during a March 3, 2008 emissions event the following unauthorized emissions were released over a period of four hours from Elevated Flare F-1 and Ground Flare F1000: 10,503 lbs of volatile organic compounds ("VOCs"), 8,996 lbs of carbon monoxide, and 1,246 lbs of nitrogen oxides. Since the emissions event could have been avoided by correctly installing the turboexpander bypass valve and by the removal of one of the thermocouples for the control selection, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.													
	Base Penalty	<input type="text" value="\$10,000"/>												
>> Environmental, Property and Human Health Matrix														
	Harm													
	Major Moderate Minor													
OR	Release													
	Actual	<input type="text" value="x"/>												
	Potential	<input type="text"/>												
	Percent	<input type="text" value="50%"/>												
>> Programmatic Matrix														
	Falsification Major Moderate Minor													
	<input type="text"/>	<input type="text"/>												
	Percent	<input type="text" value="0%"/>												
Matrix Notes	Human health or the environment have been exposed to a significant amount of pollutants that did not exceed protective levels as a result of the violation.													
	Adjustment	<input type="text" value="\$5,000"/>												
		<input type="text" value="\$5,000"/>												
Violation Events														
	Number of Violation Events <input type="text" value="1"/>	<input type="text" value="1"/> Number of violation days												
	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text" value="x"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text" value="x"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	Violation Base Penalty <input type="text" value="\$5,000"/>
daily	<input type="text"/>													
monthly	<input type="text" value="x"/>													
quarterly	<input type="text"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text"/>													
<small>mark only one with an x</small>														
	One monthly event is recommended.													
Good Faith Efforts to Comply														
	10.0% Reduction	<input type="text" value="\$500"/>												
	<small>Before NOV NOV to EDPRP/Settlement Offer</small>													
Extraordinary	<input type="text"/>													
Ordinary	<input type="text" value="x"/>													
N/A	<input type="text"/>													
	<small>(mark with x)</small>													
Notes	The Respondent completed corrective actions for this violation on July 22, 2008, which was after the June 2, 2008 NOE.													
	Violation Subtotal	<input type="text" value="\$4,500"/>												
Economic Benefit (EB) for this violation														
	Estimated EB Amount <input type="text" value="\$97"/>	Statutory Limit Test												
		Violation Final Penalty Total <input type="text" value="\$25,400"/>												
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$10,000"/>												

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	3-Mar-2008	22-Jul-2008	0.39	\$97	n/a	\$97

Notes for DELAYED costs

Estimated cost to evaluate start-up procedure load increases and update the temperature control selection to prevent an emissions event due to the incorrect installation of a turboexpander bypass valve and temperature control problems due to averaging of the thermocouple readings. 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

Approx. Cost of Compliance

\$5,000

TOTAL

\$97

Screening Date 23-Jul-2008	Docket No. 2008-0843-AIR-E	PCW			
Respondent The Dow Chemical Company		<small>Policy Revision 2 (September 2002)</small>			
Case ID No. 35926		<small>PCW Revision April 29, 2008</small>			
Reg. Ent. Reference No. RN100225945					
Media [Statute] Air					
Enf. Coordinator Rebecca Johnson					
Violation Number <input type="text" value="3"/>					
Rule Cite(s)	Air Permit No. 46431, Special Condition No. 1, 30 Tex. Admin. Code § 116.115(c), and Tex. Health & Safety Code § 382.085(b)				
Violation Description	Failed to prevent unauthorized emissions during Incident No. 92991. Specifically, during a May 30, 2007 excessive emissions event 15,300 lbs of unauthorized chlorobenzene emissions were intermittently released from Cooling Tower CT-611 on a total of eleven days over a period that lasted 526 hours and 14 minutes. Since the emissions event was excessive and could have been avoided by installing a heat exchanger that is more resistant to cracks and leaks, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.				
	Base Penalty	<input type="text" value="\$10,000"/>			
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			
		Major Moderate Minor			
	Actual	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="100%"/>
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>
Matrix Notes	Human health or the environment in the Houston-Galveston-Brazoria ozone non-attainment area have been exposed to a significant amount of HAPs that were determined to be excessive.				
	Adjustment	<input type="text" value="\$0"/>			
\$10,000					
Violation Events					
	Number of Violation Events	<input type="text" value="11"/>	Number of violation days	<input type="text" value="11"/>	
<small>mark only one with an x</small>		daily <input type="text" value="x"/>			
		monthly <input type="text"/>			
		quarterly <input type="text"/>			
		semiannual <input type="text"/>			
		annual <input type="text"/>			
		single event <input type="text"/>			
	Violation Base Penalty	<input type="text" value="\$110,000"/>			
Eleven daily events are recommended.					
Good Faith Efforts to Comply					
	25.0% Reduction	<input type="text" value="\$27,500"/>			
	<small>Before NOV NOV to EDPRP/Settlement Offer</small>				
Extraordinary	<input type="text"/>	<input type="text"/>			
Ordinary	<input type="text" value="x"/>	<input type="text"/>			
N/A	<input type="text"/>	<small>(mark with x)</small>			
Notes	The Respondent completed corrective actions for this violation on March 31, 2008, which was prior to the June 10, 2008 NOE.				
	Violation Subtotal	<input type="text" value="\$82,500"/>			
Economic Benefit (EB) for this violation		Statutory Limit Test			
	Estimated EB Amount	<input type="text" value="\$838"/>	Violation Final Penalty Total	<input type="text" value="\$542,300"/>	
			This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$110,000"/>	

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20,000	30-May-2007	31-Mar-2008	0.84	\$838	n/a	\$838

Notes for DELAYED costs

Estimated cost to lower the VOC concentration detection limit, increase the cooling tower water sampling frequency, and implement a written plan for responding to water contamination in the cooling tower to prevent an emissions event due to a leak from a faulty heat exchanger. 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

Approx. Cost of Compliance

\$20,000

TOTAL

\$838

Screening Date 23-Jul-2008	Docket No. 2008-0843-AIR-E	PCW												
Respondent The Dow Chemical Company		<small>Policy Revision 2 (September 2002)</small>												
Case ID No. 35926		<small>PCW Revision April 29, 2008</small>												
Reg. Ent. Reference No. RN100225945														
Media [Statute] Air														
Enf. Coordinator Rebecca Johnson														
Violation Number <input type="text" value="4"/>														
Rule Cite(s)	Air Permit No. 834, Special Condition No. 1, 30 Tex. Admin. Code § 116.115(c), and Tex. Health & Safety Code § 382.085(b)													
Violation Description	Failed to prevent unauthorized emissions during Incident No. 105191. Specifically, during a March 18, 2008 emissions event 538 lbs of unauthorized ethylene emissions were released over a period of one minute from vents on Reactor R-101. Since the emissions event could have been avoided by ensuring that the correct procedure is implemented for taking the reactor down to low pressure, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.													
	Base Penalty	<input type="text" value="\$10,000"/>												
>> Environmental, Property and Human Health Matrix														
OR	Release	Harm												
	Major	Moderate												
	Minor													
Actual	<input type="text"/>	<input type="text" value="x"/>												
Potential	<input type="text"/>	<input type="text"/>												
	Percent	<input type="text" value="25%"/>												
>> Programmatic Matrix														
	Falsification	Major												
	Moderate	Minor												
	<input type="text"/>	<input type="text"/>												
	<input type="text"/>	<input type="text"/>												
	Percent	<input type="text" value="0%"/>												
Matrix Notes	Human health or the environment have to exposed to an insignificant amount of pollutants that did not exceed protective levels as a result of the violation.													
	Adjustment	<input type="text" value="\$7,500"/>												
		<input type="text" value="\$2,500"/>												
Violation Events														
	Number of Violation Events <input type="text" value="1"/>	<input type="text" value="1"/> Number of violation days												
<small>mark only one with an x</small>	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text" 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 type="text" value="x"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	Violation Base Penalty <input type="text" value="\$2,500"/>
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"/>													
	One quarterly event is recommended.													
Good Faith Efforts to Comply	25.0% Reduction	<input type="text" value="\$625"/>												
	<small>Before NOV NOV to EDPRP/Settlement Offer</small>													
Extraordinary	<input type="text"/>	<input type="text"/>												
Ordinary	<input type="text" value="x"/>	<input type="text"/>												
N/A	<input type="text"/>	<small>(mark with x)</small>												
Notes	The Respondent completed corrective actions for this violation on March 19, 2008, which was prior to the June 1, 2008 NOE.													
	Violation Subtotal	<input type="text" value="\$1,875"/>												
Economic Benefit (EB) for this violation														
Estimated EB Amount	<input type="text" value="\$0"/>	Statutory Limit Test												
		Violation Final Penalty Total <input type="text" value="\$12,325"/>												
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$10,000"/>												

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	18-Mar-2008	19-Mar-2008	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to revise and train employees on the procedure for taking the reactor down to low pressure. 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

Approx. Cost of Compliance

\$250

TOTAL

\$0

Screening Date 23-Jul-2008	Docket No. 2008-0843-AIR-E	PCW
Respondent The Dow Chemical Company		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 35926		<small>PCW Revision April 29, 2008</small>
Reg. Ent. Reference No. RN100225945		
Media [Statute] Air		
Enf. Coordinator Rebecca Johnson		
Violation Number <input type="text" value="5"/>		
Rule Cite(s)	Air Permit No. 20909, Special Condition No. 1, 30 Tex. Admin. Code § 116.115(c), and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to prevent unauthorized emissions during Incident No. 105792. Specifically, during an April 2, 2008 emissions event 902.64 lbs of unauthorized dichloropropanol emissions were released over a period of 86 hours and 30 minutes from Clarifier Tanks CL-145, CL-155, CL-165, and FL-135. Since the emissions event could have been avoided through a proper response to the low pH alarm, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.	
	Base Penalty	<input type="text" value="\$10,000"/>
>> Environmental, Property and Human Health Matrix		
OR	Release	Harm
		Major Moderate Minor
	Actual	<input type="text"/> <input type="text"/> <input checked="" type="text" value="x"/>
	Potential	<input type="text"/> <input type="text"/> <input type="text"/>
	Percent	<input type="text" value="25%"/>
>> Programmatic Matrix		
	Falsification	Major Moderate Minor
	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>
	Percent	<input type="text" value="0%"/>
Matrix Notes	Human health or the environment have been exposed to an insignificant amount of pollutants that did not exceed protective levels as a result of the violation.	
	Adjustment	<input type="text" value="\$7,500"/>
		<input type="text" value="\$2,500"/>
Violation Events		
	Number of Violation Events	<input type="text" value="1"/>
		<input type="text" value="4"/> Number of violation days
<small>mark only one with an x</small>	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"/>
	Violation Base Penalty	<input type="text" value="\$2,500"/>
One quarterly event is recommended.		
Good Faith Efforts to Comply		
	<input type="text" value="25.0%"/> Reduction	<input type="text" value="\$625"/>
	Before NOV NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="text" value="x"/>	<input type="text"/>
N/A	<input type="text"/>	<input type="text"/>
	(mark with x)	
Notes	The Respondent completed corrective actions for this violation on May 2, 2008, which was prior to the July 11, 2008 NOE.	
	Violation Subtotal	<input type="text" value="\$1,875"/>
Economic Benefit (EB) for this violation		
Statutory Limit Test		
Estimated EB Amount	<input type="text" value="\$14"/>	Violation Final Penalty Total <input type="text" value="\$12,325"/>
	This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$12,325"/>	

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$3,500	2-Apr-2008	2-May-2008	0.08	\$14	n/a	\$14

Notes for DELAYED costs

Estimated cost to to upgrade the process control system to prevent operating under low pH conditions and train employees on the updrade to prevent an emissions event due to a low pH alarm for the wastewater stream that was not responded to. 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

Approx. Cost of Compliance

\$3,500

TOTAL

\$14

Screening Date 23-Jul-2008	Docket No. 2008-0843-AIR-E	PCW													
Respondent The Dow Chemical Company		<i>Policy Revision 2 (September 2002)</i>													
Case ID No. 35926		<i>PCW Revision April 29, 2008</i>													
Reg. Ent. Reference No. RN100225945															
Media [Statute] Air															
Enf. Coordinator Rebecca Johnson															
Violation Number <input type="text" value="6"/>															
Rule Cite(s)	Air Permit No. 8567, Special Condition Nos. 1, 4B, and 10, 40 Code of Federal Regulations § 60.18(c)(2) and (c)(3)(ii), 30 Tex. Admin. Code §§ 116.115(c), 101.20(1), and 101.221(a), and Tex. Health & Safety Code § 382.085(b)														
Violation Description	Failed to prevent unauthorized emissions and maintain a flare flame during Incident No. 105644. Specifically, during a March 31, 2008 emissions event 213 lbs of unauthorized ethylene emissions and 44 lbs of unauthorized VOC emissions were released over a period of ten minutes from Flare B78F1 when there was not a flare flame present. Since the emissions event could have been avoided by replacing the flame shroud around the flare pilot prior to failure, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.														
	Base Penalty	<input type="text" value="\$10,000"/>													
>> Environmental, Property and Human Health Matrix															
OR	Release	Harm													
		Major Moderate Minor													
	Actual	<input type="text"/>	<input type="text" value="x"/>												
	Potential	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>											
>> Programmatic Matrix															
	Falsification	Major Moderate Minor													
	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>											
Matrix Notes	<input type="text" value="Human health or the environment have been exposed to an insignificant amount of pollutants that did not exceed protective levels as a result of the violation."/>														
	Adjustment	<input type="text" value="\$7,500"/>													
		<input type="text" value="\$2,500"/>													
Violation Events															
	Number of Violation Events <input type="text" value="1"/>	<input type="text" value="1"/>	Number of violation days												
		<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 style="text-align: center;">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	x	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	
daily	<input type="text"/>														
monthly	<input type="text"/>														
quarterly	x														
semiannual	<input type="text"/>														
annual	<input type="text"/>														
single event	<input type="text"/>														
<i>mark only one with an x</i>			Violation Base Penalty <input type="text" value="\$2,500"/>												
	<input type="text" value="One quarterly event is recommended."/>														
Good Faith Efforts to Comply		25.0% Reduction	<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)													
Notes	<input type="text" value="The Respondent completed corrective actions for this violation on March 31, 2008, which was prior to the July 10, 2008 NOE."/>														
	Violation Subtotal	<input type="text" value="\$1,875"/>													
Economic Benefit (EB) for this violation		Statutory Limit Test													
	Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total	<input type="text" value="\$12,325"/>												
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$10,000"/>												

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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

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)	\$3,500	31-Mar-2008	31-Mar-2008	0.00	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost to inspect the flare tip and replace the cracked pilot shroud to prevent an emissions event due to flare flame loss. 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

Approx. Cost of Compliance \$3,500

TOTAL \$0

Screening Date 23-Jul-2008	Docket No. 2008-0843-AIR-E	PCW
Respondent The Dow Chemical Company		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 35926		<i>PCW Revision April 29, 2008</i>
Reg. Ent. Reference No. RN100225945		
Media [Statute] Air		
Enf. Coordinator Rebecca Johnson		
Violation Number <input type="text" value="7"/>		
Rule Cite(s)	Air Permit No. 22072, Special Condition No. 1, 30 Tex. Admin. Code § 116.115(c), and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to prevent unauthorized emissions during Incident No. 106640. Specifically, during an April 21, 2008 emissions event 648 lbs of unauthorized ethylene emissions were released over a period of seven minutes from Vent C-20. Since the emissions event could have been avoided by conducting complete and correct repairs of the control board, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.	
	Base Penalty	<input type="text" value="\$10,000"/>
>> Environmental, Property and Human Health Matrix		
OR	Harm	
	Release	Major Moderate Minor
	Actual	<input type="text"/> <input type="text"/> <input checked="" type="checkbox"/>
	Potential	<input type="text"/> <input type="text"/> <input type="text"/>
	Percent	<input type="text" value="25%"/>
>> Programmatic Matrix		
	Falsification	Major Moderate Minor
	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>
	Percent	<input type="text" value="0%"/>
Matrix Notes	Human health or the environment have been exposed to an insignificant amount of pollutants that did not exceed protective levels as a result of the violation.	
	Adjustment	<input type="text" value="\$7,500"/>
		<input type="text" value="\$2,500"/>
Violation Events		
	<input type="text" value="1"/>	<input type="text" value="1"/> Number of violation days
<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"/>
	Violation Base Penalty	<input type="text" value="\$2,500"/>
	<input type="text" value="One quarterly event is recommended."/>	
Good Faith Efforts to Comply	<input type="text" value="10.0%"/> Reduction	<input type="text" value="\$250"/>
	Before NOV NOV to EDPRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input checked="" type="checkbox"/>
N/A	<input type="text"/>	(mark with x)
Notes	The Respondent completed corrective actions for this violation on July 31, 2008, which was after the July 18, 2008 NOE.	
	Violation Subtotal	<input type="text" value="\$2,250"/>
Economic Benefit (EB) for this violation		
Estimated EB Amount	<input type="text" value="\$14"/>	Statutory Limit Test
	Violation Final Penalty Total	<input type="text" value="\$12,700"/>
	This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$10,000"/>	

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

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)	\$1,000	21-Apr-2008	31-Jul-2008	0.28	\$14	n/a	\$14

Notes for DELAYED costs

Estimated cost to develop and implement a procedure for computer hardware repairs that includes risk assessment to prevent an emissions event due to incomplete control board repairs. 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

Approx. Cost of Compliance

\$1,000

TOTAL

\$14



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision April 29, 2008

DATES	Assigned	21-Jul-2008	Screening	23-Jul-2008	EPA Due	25-Jan-2009
	PCW	31-Jul-2008				

RESPONDENT/FACILITY INFORMATION			
Respondent	The Dow Chemical Company		
Reg. Ent. Ref. No.	RN100225945		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	35926	No. of Violations	2
Docket No.	2008-0843-AIR-E	Order Type	Findings
Media Program(s)	Air	Enf. Coordinator	Rebecca Johnson
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement Subtotals 2, 3, & 7

Notes: Penalty enhancement due to 61 same or similar NOV's, 28 unrelated NOV's, nine self-reported effluent discharge violations, four agreed orders with a denial of liability, and three agreed orders without a denial of liability. Penalty reduction due to 56 Notices of Intended Audits and 30 Disclosures of Violations submitted.

Culpability Enhancement Subtotal 4

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Reduction Subtotal 5

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	<input type="text"/>	(mark with x)

Notes: The Respondent completed corrective actions on April 30, 2008 and February 6, 2008.

Total EB Amounts Enhancement* Subtotal 6
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty

DEFERRAL Reduction Adjustment

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

Notes:

PAYABLE PENALTY

Screening Date 23-Jul-2008

Docket No. 2008-0843-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 35926

PCW Revision April 29, 2008

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

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)	61	305%
	Other written NOVs	37	74%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	3	75%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	56	-56%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	30	-60%
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) 418%

>> 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 61 same or similar NOVs, 28 unrelated NOVs, nine self-reported effluent discharge violations, four agreed orders with a denial of liability, and three agreed orders without a denial of liability. Penalty reduction due to 56 Notices of Intended Audits and 30 Disclosures of Violations submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 418%

Screening Date 23-Jul-2008	Docket No. 2008-0843-AIR-E	PCW		
Respondent The Dow Chemical Company		<i>Policy Revision 2 (September 2002)</i>		
Case ID No. 35926		<i>PCW Revision April 29, 2008</i>		
Reg. Ent. Reference No. RN100225945				
Media [Statute] Air				
Enf. Coordinator Rebecca Johnson				
Violation Number <input type="text" value="1"/>				
Rule Cite(s)	Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 Tex. Admin. Code § 116.715(a), and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions during Incident No. 92204. Specifically, during a June 7, 2007 excessive emissions event the following unauthorized emissions were released over a period of 24 hours and 11 minutes from Flare FS1 and the LHC7 Process Area: 30,526 pounds ("lbs") of carbon monoxide, 16,666 lbs of ethylene, 6,823 lbs of toluene, 4,220 lbs of nitrogen oxides, 3,228 lbs of propylene, 1,297 lbs of 1,3 butadiene, 1,211 lbs of benzene, 1,171 lbs of propane, 426 lbs of styrene, 272 lbs of 1-butene, 179 lbs of n-butane, 126 lbs of acetylene, 115 lbs of trans 2-butene, 69 lbs of cis 2-butene, and 41 lbs of isobutane. Since the emissions event was excessive and could have been avoided by installing the control oil regulator and associated piping in the correct location, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.			
	Base Penalty	<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		Major Moderate Minor		
	Actual	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="100%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
Matrix Notes	Human health or the environment in the Houston-Galveston-Brazoria ozone non-attainment area have been exposed to a significant amount of Hazardous Air Pollutants ("HAPs") and Highly Reactive Volatile Organic Compounds that was determined to be excessive.			
	Adjustment	<input type="text" value="\$0"/>		
		Base Penalty	<input type="text" value="\$10,000"/>	
Violation Events				
	Number of Violation Events	<input type="text" value="2"/>	Number of violation days	
		<input type="text" value="2"/>		
<i>mark only one with an x</i>	daily	<input type="text" value="x"/>	Violation Base Penalty	
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
		Violation Base Penalty	<input type="text" value="\$20,000"/>	
Two daily events are recommended.				
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount	<input type="text" value="\$9"/>	Violation Final Penalty Total	<input type="text" value="\$98,600"/>	
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$20,000"/>	

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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
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)	\$200	7-Jun-2007	30-Apr-2008	0.90	\$9	n/a	\$9

Notes for DELAYED costs
 Estimated cost to adjust the control oil regulator, install a portable flow device, relocate the control oil regulator, and update the Management of Change work process to prevent an emissions event due to the improper location of a pressure regulator valve that was not detected before start-up. Date required is the date of the emissions event. Final date is date corrective actions were completed.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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 TOTAL

\$200	\$9
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Screening Date 23-Jul-2008

Docket No. 2008-0843-AIR-E

PCW

Respondent The Dow Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 35926

PCW Revision April 29, 2008

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

Violation Number

Rule Cite(s) Air Permit No. 7386, Special Condition No. 1, 30 Tex. Admin. Code § 116.115(c), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failure to prevent unauthorized emissions during Incident No. 103332. Specifically, during the February 5, 2008 emissions event 2,799.40 lbs of unauthorized ethylene oxide emissions were released from the VS-3 Scrubber over a period of two hours and 24 minutes. Since the emissions event could have been avoided by installing transflow actuators without locking pins, the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text" value="50%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0%"/>

Human health or the environment have been exposed to over one ton of HAPs as a result of the violation.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x	daily	<input type="text"/>
	monthly	<input checked="" type="checkbox"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
single event	<input type="text"/>	

Violation Base Penalty

One monthly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 35926
Reg. Ent. Reference No. RN100225945
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
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	5-Feb-2008	6-Feb-2008	0.00	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost to modify equipment, revise related procedures, and train employees to prevent an emissions event caused by the installation of locking pins on the inlet and outlet transflow actuators resulting in a pressure increase and burst rupture discs during an exchanger swap. Date required is the date of the emissions event. Final date is the date corrective actions were completed.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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** \$0

Compliance History

Customer/Respondent/Owner-Operator:	CN600356976	The Dow Chemical Company	Classification: AVERAGE	Rating: 2.60
Regulated Entity:	RN100225945	DOW TEXAS OPERATIONS FREEPORT	Classification: AVERAGE	Site Rating: 2.76
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0082R	
	AIR OPERATING PERMITS	PERMIT	1388	
	AIR OPERATING PERMITS	PERMIT	2202	
	AIR OPERATING PERMITS	PERMIT	2203	
	AIR OPERATING PERMITS	PERMIT	2204	
	AIR OPERATING PERMITS	PERMIT	2205	
	AIR OPERATING PERMITS	PERMIT	2206	
	AIR OPERATING PERMITS	PERMIT	2207	
	AIR OPERATING PERMITS	PERMIT	2208	
	AIR OPERATING PERMITS	PERMIT	2209	
	AIR OPERATING PERMITS	PERMIT	2210	
	AIR OPERATING PERMITS	PERMIT	2211	
	AIR OPERATING PERMITS	PERMIT	2212	
	AIR OPERATING PERMITS	PERMIT	2213	
	AIR OPERATING PERMITS	PERMIT	2214	
	AIR OPERATING PERMITS	PERMIT	2215	
	AIR OPERATING PERMITS	PERMIT	2216	
	AIR OPERATING PERMITS	PERMIT	2217	
	AIR OPERATING PERMITS	PERMIT	2218	
	AIR OPERATING PERMITS	PERMIT	2219	
	AIR OPERATING PERMITS	PERMIT	2220	
	AIR OPERATING PERMITS	PERMIT	2221	
	AIR OPERATING PERMITS	PERMIT	2311	
	AIR OPERATING PERMITS	PERMIT	2313	
	AIR OPERATING PERMITS	PERMIT	2697	
	AIR OPERATING PERMITS	PERMIT	3005	
	AIR OPERATING PERMITS	PERMIT	N041	
	AIR OPERATING PERMITS	PERMIT	3005	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200535	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027	
	WASTEWATER	PERMIT	WQ0000007000	
	WASTEWATER	PERMIT	TPDES0006483	
	WASTEWATER	PERMIT	TX0006483	
	WASTEWATER	PERMIT	TPDES0006484	
	WASTEWATER	PERMIT	TX0059447000	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW059	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW071	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW076	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW081	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008092793	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30106	
	INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50161	
	INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50161	
	AIR NEW SOURCE PERMITS	PERMIT	941	
	AIR NEW SOURCE PERMITS	PERMIT	2417	
	AIR NEW SOURCE PERMITS	PERMIT	3941	
	AIR NEW SOURCE PERMITS	PERMIT	3947	
	AIR NEW SOURCE PERMITS	PERMIT	10770	
	AIR NEW SOURCE PERMITS	PERMIT	11275	
	AIR NEW SOURCE PERMITS	PERMIT	11832	
	AIR NEW SOURCE PERMITS	PERMIT	12173	
	AIR NEW SOURCE PERMITS	PERMIT	12755	
	AIR NEW SOURCE PERMITS	PERMIT	15718	
	AIR NEW SOURCE PERMITS	PERMIT	15988	
	AIR NEW SOURCE PERMITS	PERMIT	18211	

AIR NEW SOURCE PERMITS	PERMIT	18320
AIR NEW SOURCE PERMITS	PERMIT	19041
AIR NEW SOURCE PERMITS	PERMIT	2602
AIR NEW SOURCE PERMITS	PERMIT	20195
AIR NEW SOURCE PERMITS	PERMIT	20228
AIR NEW SOURCE PERMITS	PERMIT	20285
AIR NEW SOURCE PERMITS	PERMIT	20432
AIR NEW SOURCE PERMITS	PERMIT	20525
AIR NEW SOURCE PERMITS	PERMIT	20607
AIR NEW SOURCE PERMITS	PERMIT	20687
AIR NEW SOURCE PERMITS	PERMIT	20774
AIR NEW SOURCE PERMITS	PERMIT	20775
AIR NEW SOURCE PERMITS	PERMIT	20776
AIR NEW SOURCE PERMITS	PERMIT	20777
AIR NEW SOURCE PERMITS	PERMIT	20909
AIR NEW SOURCE PERMITS	PERMIT	21676
AIR NEW SOURCE PERMITS	PERMIT	22077
AIR NEW SOURCE PERMITS	PERMIT	22063
AIR NEW SOURCE PERMITS	PERMIT	22070
AIR NEW SOURCE PERMITS	PERMIT	22071
AIR NEW SOURCE PERMITS	PERMIT	22072
AIR NEW SOURCE PERMITS	PERMIT	22078
AIR NEW SOURCE PERMITS	PERMIT	22085
AIR NEW SOURCE PERMITS	PERMIT	22743
AIR NEW SOURCE PERMITS	PERMIT	22759
AIR NEW SOURCE PERMITS	PERMIT	22853
AIR NEW SOURCE PERMITS	PERMIT	22809
AIR NEW SOURCE PERMITS	PERMIT	22810
AIR NEW SOURCE PERMITS	PERMIT	22851
AIR NEW SOURCE PERMITS	PERMIT	22862
AIR NEW SOURCE PERMITS	PERMIT	22945
AIR NEW SOURCE PERMITS	PERMIT	23075
AIR NEW SOURCE PERMITS	PERMIT	23076
AIR NEW SOURCE PERMITS	PERMIT	23519
AIR NEW SOURCE PERMITS	PERMIT	23387
AIR NEW SOURCE PERMITS	PERMIT	23388
AIR NEW SOURCE PERMITS	PERMIT	23389
AIR NEW SOURCE PERMITS	PERMIT	24053
AIR NEW SOURCE PERMITS	PERMIT	24101
AIR NEW SOURCE PERMITS	PERMIT	24030
AIR NEW SOURCE PERMITS	PERMIT	26692
AIR NEW SOURCE PERMITS	PERMIT	25702
AIR NEW SOURCE PERMITS	PERMIT	26035
AIR NEW SOURCE PERMITS	PERMIT	25124
AIR NEW SOURCE PERMITS	PERMIT	25536
AIR NEW SOURCE PERMITS	PERMIT	28363
AIR NEW SOURCE PERMITS	PERMIT	28220
AIR NEW SOURCE PERMITS	PERMIT	30018
AIR NEW SOURCE PERMITS	PERMIT	29782
AIR NEW SOURCE PERMITS	PERMIT	30622
AIR NEW SOURCE PERMITS	PERMIT	30503
AIR NEW SOURCE PERMITS	PERMIT	30846
AIR NEW SOURCE PERMITS	PERMIT	31753
AIR NEW SOURCE PERMITS	PERMIT	31992
AIR NEW SOURCE PERMITS	PERMIT	32546
AIR NEW SOURCE PERMITS	PERMIT	33212
AIR NEW SOURCE PERMITS	PERMIT	33328
AIR NEW SOURCE PERMITS	PERMIT	33609
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AIR NEW SOURCE PERMITS	AFS NUM	4803900041
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50161

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541

Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 04, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 04, 2003 to August 04, 2008

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

Name: Rebecca Johnson Phone: (713) 422-8931

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: 11/11/2004

ADMINORDER 2003-0947-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: 46429 PERMIT

Description: Failure to demonstrate a VOC DRE of at least 99.99% as required by Permit No. 46429, SC 8.

Classification: Moderate

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

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

Rqmt Prov: 46429 MAERT PERMIT

Description: Failure to demonstrate compliance with VOC #/hr emission limits as required by Permit 46429 MAERT.

Classification: Moderate

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

Rqmt Prov: 46429 SC14 PERMIT

Description: Failure to provide a compliance test for NOx as specified in 40CFR60, Appendix A, Method 7E, § 2 as referenced to Method 6C, § 2.1 and 2.2.

3. Failure to provide a compliance test for NOx as specified in 40CFR60, Appendix A, Method 7E, § 2 as referenced to Method 6C, § 2.1 and 2.2.

Effective Date: 08/07/2005

ADMINORDER 2004-0572-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: TCEQ Air Permit #X-7386, SC#1 PERMIT

Description: Failed to prevent the premature failure of Primary Reactor R-1 rupture disk which resulted in the release of unauthorized emissions.

Classification: Minor

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

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

Rqmt Prov: NSR Permit 3301, Special Condition #9 PERMIT
Description: Failed to maintain logs whenever a chlorine leak is discovered in the unit.

Classification: Moderate

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

Rqmt Prov: NSR Permit 4022, Special Condition #7 PERMIT
Description: Failed to maintain a minimum of at least 8 weight percent caustic concentration in the series-operated D-206A/T-206A Scrubbers.

Classification: Moderate

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

Rqmt Prov: NSR Permit 3301, Special Condition #1 PERMIT
Description: Failed to adhere to the permitted limit in tons per year (EPN No. B47F1) for CO during CY 2002.

Classification: Moderate

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

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

Rqmt Prov: NSR Permit 4021, Special Condition #9 PERMIT
Description: Failed to operate the tail gas back-up-scrubber (EPN No. B22SV31) exclusively within the conditions of the permit.

Effective Date: 04/14/2006

ADMINORDER 2005-0716-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flex Air Permit No. 20432, SC III-1 PERMIT
Description: Failed to prevent unauthorized emissions of 2,372.99 pounds (lbs) of volatile organic compounds (VOCs), 2,753.36 lbs of carbon monoxide (CO), and 100% opacity.

Classification: Minor

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

Description: Failed to submit an initial report within 24 hours after the discovery of an emissions event.

Classification: Moderate

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

Rqmt Prov: Permit 834, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions of 1,174 pounds lbs of VOCs.

Classification: Moderate

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

Rqmt Prov: NSR Permit No. 5340, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions of 443.94 pounds lbs of VOCs.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #20996, SC #1 PERMIT
Description: Failed to prevent unauthorized emissions of 66.64 lbs of 1,2-butylene oxide, 3,905.8 lbs of VOCs, 482.98 lbs of ethylene oxide, and 22.54 lbs of propylene oxide.

Classification: Moderate

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

Rqmt Prov: NSR Permit 48813, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions of 1,893 lbs VOCs.

Effective Date: 07/13/2007

ADMINORDER 2006-2006-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flex Air Permit 20432, SC Ch III-1 PERMIT
Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 7836, SC 1 PERMIT
Description: Failed to prevent unauthorized emissions.

Effective Date: 08/31/2007

ADMINORDER 2006-2225-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit No. 19519, MAERT PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on July 16, 2004 at 2:00 p.m., but was not reported until July 17, 2005 at 10:00 p.m.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit X-7386, SC 1 PERMIT
Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 19041, SC1 PERMIT
Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to include the applicable permit number in the Authorization section of the final emissions event report.

Effective Date: 04/03/2008

ADMINORDER 2007-0573-AIR-E

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02313, SC 1.A. OP
Permit No. 37884, SC 6.A. PERMIT

Description: Failed to maintain a minimum net heating value of 200 BTU/scf on Polypropylene Flare F-600.

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-02313, SC 8.A. OP
Permit No. 37884, SC 1 PERMIT

Description: Failed to meet the maximum allowable emission rate of 0.65 lb/hour for NOx on Polypropylene Flare F-600.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
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: O-02313, SC 8.A. OP
Permit No. 37884, SC 8.E. PERMIT

Description: Failed to seal an open-ended line with a second valve, blind flange, cap, or plug.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 48813, SC 1 PERMIT
Description: Failed to prevent unauthorized emissions.

Effective Date: 06/19/2008

ADMINORDER 2007-1756-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 834, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,184 pounds of the highly reactive volatile organic compound ("HRVOC") ethylene were released through a 3-way diverter valve on the KO-132 knockout pot in the Polyethylene 4 Unit during an emissions event (Incident No. 96595) that occurred on August 27, 2007 and lasted one hour and 15 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 18569, SC1 PERMIT

Description: Failed to comply with the emissions limit of 0.15 pounds per hour ("lbs/hr") of carbon monoxide ("CO") and 400 parts per million volume ("ppmv") at 3.0% oxygen for the F-826 Heater, emissions point number ("EPN") B23S826.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 117, SubChapter B 117.310(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit 20432 and PST-TX-994, S.C. I-1 PERMIT
Description: Failed to prevent unauthorized emissions.

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	08/04/2003	(36623)
2	08/07/2003	(61967)
3	08/08/2003	(159603)

4	08/14/2003	(150122)
5	08/15/2003	(140682)
6	08/19/2003	(150391)
7	08/21/2003	(151151)
8	08/22/2003	(150711)
9	08/25/2003	(151529)
10	08/26/2003	(296012)
11	08/29/2003	(152748)
12	08/29/2003	(151240)
13	08/30/2003	(152221)
14	08/30/2003	(149187)
15	09/04/2003	(247717)
16	09/17/2003	(248098)
17	10/01/2003	(250440)
18	10/01/2003	(296014)
19	10/01/2003	(250457)
20	10/23/2003	(296016)
21	10/31/2003	(253956)
22	11/12/2003	(254614)
23	11/24/2003	(296017)
24	11/26/2003	(250021)
25	11/30/2003	(126059)
26	11/30/2003	(249732)
27	12/15/2003	(254080)
28	12/24/2003	(296018)
29	01/09/2004	(254701)
30	01/09/2004	(253974)
31	01/09/2004	(254710)
32	01/21/2004	(296019)
33	02/03/2004	(257672)
34	02/05/2004	(258950)
35	02/05/2004	(260440)
36	02/06/2004	(251940)
37	02/11/2004	(260442)
38	02/11/2004	(260085)
39	02/11/2004	(260441)
40	02/23/2004	(260927)
41	02/26/2004	(296001)
42	03/10/2004	(261603)
43	03/10/2004	(264415)
44	03/15/2004	(262011)
45	03/15/2004	(261999)
46	03/15/2004	(261987)
47	03/22/2004	(263436)
48	03/22/2004	(296004)
49	03/29/2004	(264628)
50	03/30/2004	(264622)
51	04/12/2004	(264619)
52	04/13/2004	(265611)
53	04/19/2004	(296006)
54	04/23/2004	(265028)
55	04/23/2004	(258324)
56	04/29/2004	(255279)
57	04/30/2004	(255002)
58	04/30/2004	(254073)
59	05/12/2004	(257994)
60	05/14/2004	(248280)
61	05/14/2004	(263118)
62	05/17/2004	(253533)
63	05/24/2004	(31438)
64	05/26/2004	(352355)
65	05/26/2004	(258253)
66	06/01/2004	(254581)
67	06/02/2004	(272991)
68	06/03/2004	(258305)
69	06/16/2004	(247738)
70	06/28/2004	(352356)

71	06/30/2004	(266880)
72	06/30/2004	(267508)
73	06/30/2004	(267938)
74	07/06/2004	(258308)
75	07/07/2004	(258307)
76	07/20/2004	(278387)
77	07/26/2004	(352357)
78	07/28/2004	(276490)
79	07/28/2004	(282417)
80	07/28/2004	(282469)
81	08/16/2004	(281509)
82	08/17/2004	(284165)
83	08/17/2004	(273076)
84	08/17/2004	(284292)
85	08/18/2004	(277856)
86	08/24/2004	(352358)
87	08/27/2004	(267540)
88	08/27/2004	(266751)
89	08/27/2004	(279078)
90	08/29/2004	(265955)
91	08/31/2004	(272564)
92	08/31/2004	(273678)
93	08/31/2004	(273416)
94	08/31/2004	(273127)
95	08/31/2004	(273881)
96	08/31/2004	(272729)
97	08/31/2004	(272789)
98	08/31/2004	(272814)
99	08/31/2004	(274129)
100	09/01/2004	(267453)
101	09/01/2004	(277902)
102	09/07/2004	(291280)
103	09/07/2004	(333240)
104	09/23/2004	(352359)
105	10/22/2004	(352360)
106	10/31/2004	(276897)
107	10/31/2004	(276789)
108	10/31/2004	(289698)
109	11/01/2004	(285137)
110	11/01/2004	(284370)
111	11/01/2004	(285135)
112	11/01/2004	(286768)
113	11/04/2004	(338243)
114	11/05/2004	(334318)
115	11/05/2004	(334295)
116	11/22/2004	(335797)
117	11/24/2004	(352361)
118	12/06/2004	(284914)
119	12/10/2004	(114224)
120	12/13/2004	(339850)
121	12/13/2004	(336762)
122	12/13/2004	(334315)
123	12/16/2004	(285097)
124	12/16/2004	(286819)
125	12/16/2004	(114225)
126	12/16/2004	(289573)
127	12/17/2004	(286731)
128	12/17/2004	(339587)
129	12/17/2004	(338429)
130	12/20/2004	(339119)
131	12/20/2004	(339116)
132	12/21/2004	(334606)
133	12/22/2004	(289575)
134	12/22/2004	(289567)
135	12/23/2004	(381958)
136	12/28/2004	(251988)
137	12/28/2004	(256034)

138	12/31/2004	(338842)
139	01/05/2005	(285365)
140	01/06/2005	(339121)
141	01/07/2005	(338837)
142	01/07/2005	(339147)
143	01/07/2005	(339138)
144	01/07/2005	(339177)
145	01/09/2005	(339130)
146	01/14/2005	(338682)
147	01/17/2005	(249734)
148	01/21/2005	(337408)
149	01/21/2005	(381959)
150	01/27/2005	(347186)
151	01/31/2005	(347857)
152	01/31/2005	(347762)
153	01/31/2005	(347883)
154	02/01/2005	(347843)
155	02/21/2005	(337409)
156	02/21/2005	(344830)
157	02/21/2005	(337411)
158	02/21/2005	(345433)
159	02/21/2005	(345507)
160	02/21/2005	(344930)
161	02/23/2005	(346354)
162	02/23/2005	(346345)
163	02/24/2005	(339179)
164	02/25/2005	(345303)
165	02/28/2005	(381956)
166	03/02/2005	(372448)
167	03/07/2005	(372291)
168	03/07/2005	(372281)
169	03/10/2005	(346208)
170	03/18/2005	(346350)
171	03/18/2005	(346346)
172	03/21/2005	(346710)
173	03/22/2005	(346347)
174	03/23/2005	(347781)
175	03/28/2005	(381957)
176	04/01/2005	(345046)
177	04/08/2005	(347573)
178	04/21/2005	(575527)
179	05/04/2005	(347119)
180	05/04/2005	(338714)
181	05/06/2005	(376209)
182	05/10/2005	(346362)
183	05/17/2005	(376212)
184	05/17/2005	(376280)
185	05/17/2005	(376237)
186	05/20/2005	(392573)
187	05/23/2005	(262475)
188	05/23/2005	(345033)
189	05/23/2005	(376200)
190	05/24/2005	(380324)
191	05/26/2005	(575530)
192	05/27/2005	(379484)
193	05/27/2005	(374664)
194	05/31/2005	(346355)
195	06/02/2005	(376058)
196	06/02/2005	(376059)
197	06/14/2005	(375259)
198	06/14/2005	(350783)
199	06/15/2005	(380845)
200	06/17/2005	(376522)
201	06/22/2005	(350704)
202	06/24/2005	(396413)
203	06/24/2005	(575533)
204	06/24/2005	(396517)

205	06/28/2005	(376054)
206	06/29/2005	(347598)
207	07/01/2005	(378760)
208	07/08/2005	(376056)
209	07/11/2005	(393361)
210	07/12/2005	(393369)
211	07/13/2005	(397022)
212	07/21/2005	(393364)
213	07/21/2005	(575536)
214	07/22/2005	(397876)
215	07/22/2005	(397878)
216	07/22/2005	(397880)
217	07/22/2005	(397881)
218	07/28/2005	(380321)
219	08/04/2005	(398933)
220	08/05/2005	(398937)
221	08/05/2005	(396199)
222	08/05/2005	(393374)
223	08/08/2005	(396518)
224	08/11/2005	(377164)
225	08/12/2005	(285295)
226	08/15/2005	(398936)
227	08/15/2005	(393373)
228	08/19/2005	(404732)
229	08/19/2005	(393378)
230	08/22/2005	(396197)
231	08/22/2005	(575539)
232	08/24/2005	(403273)
233	08/25/2005	(404533)
234	08/25/2005	(397853)
235	08/29/2005	(398935)
236	08/30/2005	(398938)
237	09/01/2005	(403238)
238	09/12/2005	(406575)
239	09/14/2005	(431669)
240	09/22/2005	(575541)
241	09/28/2005	(406914)
242	09/28/2005	(402693)
243	09/30/2005	(402695)
244	10/05/2005	(374026)
245	10/21/2005	(575543)
246	10/26/2005	(432895)
247	10/26/2005	(432986)
248	10/26/2005	(432935)
249	10/26/2005	(431242)
250	10/26/2005	(432043)
251	10/26/2005	(432097)
252	11/15/2005	(435315)
253	11/25/2005	(575545)
254	11/30/2005	(373986)
255	11/30/2005	(435278)
256	12/23/2005	(575547)
257	12/30/2005	(433116)
258	01/10/2006	(436188)
259	01/17/2006	(376062)
260	01/17/2006	(593182)
261	01/23/2006	(575550)
262	01/24/2006	(575549)
263	01/27/2006	(436181)
264	02/03/2006	(436165)
265	02/07/2006	(436297)
266	02/09/2006	(435249)
267	02/26/2006	(575523)
268	02/27/2006	(436730)
269	02/27/2006	(453320)
270	03/02/2006	(431805)
271	03/17/2006	(340573)

272	03/23/2006	(436917)
273	03/23/2006	(433180)
274	03/24/2006	(374721)
275	03/24/2006	(575525)
276	03/28/2006	(436841)
277	03/31/2006	(436922)
278	03/31/2006	(454296)
279	04/11/2006	(454294)
280	04/17/2006	(459765)
281	04/17/2006	(454234)
282	04/17/2006	(436288)
283	04/17/2006	(433179)
284	04/19/2006	(459137)
285	04/19/2006	(575528)
286	04/26/2006	(433177)
287	05/09/2006	(459139)
288	05/11/2006	(459075)
289	05/11/2006	(459108)
290	05/11/2006	(289568)
291	05/17/2006	(462138)
292	05/17/2006	(461234)
293	05/17/2006	(463636)
294	05/17/2006	(465607)
295	05/24/2006	(466817)
296	05/25/2006	(462747)
297	05/25/2006	(462749)
298	05/25/2006	(462949)
299	05/26/2006	(575531)
300	05/31/2006	(457316)
301	06/15/2006	(481001)
302	06/22/2006	(458889)
303	06/26/2006	(575534)
304	07/14/2006	(457318)
305	07/14/2006	(486688)
306	07/14/2006	(484040)
307	07/14/2006	(480854)
308	07/14/2006	(480399)
309	07/14/2006	(480559)
310	07/14/2006	(485731)
311	07/17/2006	(462746)
312	07/17/2006	(462748)
313	07/17/2006	(482291)
314	07/18/2006	(481382)
315	07/21/2006	(482501)
316	07/21/2006	(457258)
317	07/21/2006	(575537)
318	08/07/2006	(466313)
319	08/07/2006	(438858)
320	08/08/2006	(479807)
321	08/11/2006	(457284)
322	08/11/2006	(247956)
323	08/14/2006	(483129)
324	08/14/2006	(483077)
325	08/14/2006	(483124)
326	08/15/2006	(489783)
327	08/15/2006	(490271)
328	08/15/2006	(462106)
329	08/18/2006	(465699)
330	08/18/2006	(483113)
331	08/18/2006	(480155)
332	08/18/2006	(338817)
333	08/18/2006	(338822)
334	08/22/2006	(490091)
335	08/22/2006	(484727)
336	08/23/2006	(509637)
337	08/23/2006	(457315)
338	08/23/2006	(457302)

339	08/23/2006	(484737)
340	08/24/2006	(575540)
341	08/25/2006	(509011)
342	08/25/2006	(484732)
343	08/28/2006	(484741)
344	08/28/2006	(497117)
345	08/28/2006	(490104)
346	08/31/2006	(457309)
347	09/01/2006	(487866)
348	09/01/2006	(489802)
349	09/01/2006	(509414)
350	09/01/2006	(509787)
351	09/01/2006	(509679)
352	09/01/2006	(508889)
353	09/01/2006	(497542)
354	09/01/2006	(487340)
355	09/01/2006	(489195)
356	09/07/2006	(510182)
357	09/07/2006	(510901)
358	09/08/2006	(489713)
359	09/08/2006	(489814)
360	09/08/2006	(490187)
361	09/08/2006	(490183)
362	09/08/2006	(510155)
363	09/18/2006	(509863)
364	09/18/2006	(575542)
365	09/29/2006	(513116)
366	10/11/2006	(512347)
367	10/12/2006	(515784)
368	10/12/2006	(515660)
369	10/25/2006	(509774)
370	10/25/2006	(516468)
371	10/30/2006	(512117)
372	10/30/2006	(509665)
373	11/03/2006	(575544)
374	11/07/2006	(516999)
375	11/07/2006	(516589)
376	11/08/2006	(515899)
377	11/10/2006	(517068)
378	11/15/2006	(518266)
379	11/21/2006	(519005)
380	11/21/2006	(575546)
381	11/28/2006	(340237)
382	11/30/2006	(532072)
383	11/30/2006	(519472)
384	12/04/2006	(518693)
385	12/04/2006	(518648)
386	12/04/2006	(518746)
387	12/04/2006	(518847)
388	12/05/2006	(518987)
389	12/05/2006	(519433)
390	12/05/2006	(518994)
391	12/07/2006	(532408)
392	12/12/2006	(532985)
393	12/13/2006	(512466)
394	12/15/2006	(512613)
395	12/18/2006	(512614)
396	12/20/2006	(512546)
397	12/20/2006	(518862)
398	12/22/2006	(575548)
399	01/03/2007	(533504)
400	01/08/2007	(533024)
401	01/08/2007	(535581)
402	01/16/2007	(535585)
403	01/17/2007	(537051)
404	01/18/2007	(512465)
405	01/19/2007	(532798)

406	01/19/2007	(532792)
407	01/19/2007	(535582)
408	01/19/2007	(535584)
409	01/19/2007	(535587)
410	01/25/2007	(535586)
411	02/14/2007	(537570)
412	02/15/2007	(532539)
413	02/16/2007	(532501)
414	02/16/2007	(538485)
415	02/20/2007	(537571)
416	02/26/2007	(575524)
417	02/27/2007	(518917)
418	02/28/2007	(540981)
419	03/22/2007	(542323)
420	03/22/2007	(538381)
421	03/22/2007	(536044)
422	03/23/2007	(553947)
423	03/23/2007	(554153)
424	03/23/2007	(538331)
425	03/23/2007	(542214)
426	03/23/2007	(543884)
427	03/23/2007	(554156)
428	03/26/2007	(554162)
429	03/26/2007	(575526)
430	03/30/2007	(489600)
431	03/30/2007	(489438)
432	04/02/2007	(532635)
433	04/09/2007	(554548)
434	04/09/2007	(554546)
435	04/12/2007	(543310)
436	04/18/2007	(514268)
437	04/19/2007	(535999)
438	04/19/2007	(531924)
439	04/19/2007	(575529)
440	04/19/2007	(531943)
441	04/24/2007	(555828)
442	04/27/2007	(532788)
443	04/30/2007	(515463)
444	05/07/2007	(514793)
445	05/07/2007	(511310)
446	05/08/2007	(511682)
447	05/08/2007	(511545)
448	05/08/2007	(557566)
449	05/08/2007	(511841)
450	05/08/2007	(557567)
451	05/08/2007	(533412)
452	05/09/2007	(555628)
453	05/10/2007	(558512)
454	05/10/2007	(558404)
455	05/11/2007	(462109)
456	05/14/2007	(516561)
457	05/14/2007	(398934)
458	05/14/2007	(516545)
459	05/14/2007	(516563)
460	05/14/2007	(559653)
461	05/14/2007	(559614)
462	05/16/2007	(680309)
463	05/17/2007	(513875)
464	05/18/2007	(554549)
465	05/21/2007	(538079)
466	05/23/2007	(560258)
467	05/24/2007	(575532)
468	05/25/2007	(561809)
469	05/25/2007	(560311)
470	05/25/2007	(560284)
471	05/25/2007	(561826)
472	05/25/2007	(561833)

473	05/25/2007	(560273)
474	05/31/2007	(561133)
475	05/31/2007	(541434)
476	05/31/2007	(561026)
477	06/01/2007	(562217)
478	06/01/2007	(562270)
479	06/08/2007	(515992)
480	06/11/2007	(555138)
481	06/18/2007	(639497)
482	06/21/2007	(575535)
483	06/22/2007	(563821)
484	06/22/2007	(563870)
485	06/25/2007	(556660)
486	06/26/2007	(557013)
487	06/26/2007	(556265)
488	07/03/2007	(565234)
489	07/09/2007	(564733)
490	07/11/2007	(532793)
491	07/16/2007	(561727)
492	07/16/2007	(563110)
493	07/18/2007	(575538)
494	07/31/2007	(564288)
495	08/06/2007	(568658)
496	08/06/2007	(568639)
497	08/06/2007	(564280)
498	08/09/2007	(564283)
499	08/09/2007	(563748)
500	08/09/2007	(570823)
501	08/10/2007	(563126)
502	08/13/2007	(571129)
503	08/13/2007	(571130)
504	08/14/2007	(568679)
505	08/14/2007	(568640)
506	08/15/2007	(571282)
507	08/15/2007	(570829)
508	08/16/2007	(543314)
509	08/16/2007	(563635)
510	08/21/2007	(601683)
511	08/28/2007	(572069)
512	08/30/2007	(568613)
513	08/31/2007	(543556)
514	08/31/2007	(568778)
515	08/31/2007	(512665)
516	09/05/2007	(571679)
517	09/06/2007	(573171)
518	09/07/2007	(573940)
519	09/07/2007	(571291)
520	09/13/2007	(639567)
521	09/20/2007	(601684)
522	09/28/2007	(564703)
523	09/28/2007	(565429)
524	09/28/2007	(564652)
525	10/01/2007	(639530)
526	10/01/2007	(639548)
527	10/01/2007	(639562)
528	10/03/2007	(573174)
529	10/03/2007	(543554)
530	10/03/2007	(574254)
531	10/04/2007	(594925)
532	10/10/2007	(567008)
533	10/10/2007	(566738)
534	10/11/2007	(567653)
535	10/12/2007	(571215)
536	10/15/2007	(597177)
537	10/15/2007	(567828)
538	10/17/2007	(601685)
539	10/18/2007	(569785)

540	10/18/2007	(569776)
541	10/18/2007	(569781)
542	10/18/2007	(569770)
543	10/18/2007	(569841)
544	10/19/2007	(594927)
545	10/23/2007	(566959)
546	10/25/2007	(594929)
547	10/25/2007	(597157)
548	10/25/2007	(594923)
549	10/26/2007	(573825)
550	10/26/2007	(597159)
551	10/26/2007	(570354)
552	10/26/2007	(574064)
553	11/02/2007	(574293)
554	11/05/2007	(595620)
555	11/05/2007	(595623)
556	11/07/2007	(573328)
557	11/08/2007	(639492)
558	11/08/2007	(639514)
559	11/08/2007	(639482)
560	11/09/2007	(596374)
561	11/15/2007	(597987)
562	11/19/2007	(619609)
563	11/21/2007	(569810)
564	11/26/2007	(570031)
565	11/26/2007	(570030)
566	11/26/2007	(567381)
567	11/26/2007	(568480)
568	11/27/2007	(570515)
569	11/27/2007	(608728)
570	11/27/2007	(570526)
571	11/27/2007	(599343)
572	11/28/2007	(568431)
573	11/30/2007	(596467)
574	12/04/2007	(596985)
575	12/07/2007	(597234)
576	12/07/2007	(573480)
577	12/12/2007	(602163)
578	12/13/2007	(573122)
579	12/18/2007	(619610)
580	12/19/2007	(612289)
581	12/19/2007	(599266)
582	12/20/2007	(598138)
583	12/21/2007	(567605)
584	01/03/2008	(613134)
585	01/09/2008	(597713)
586	01/09/2008	(597720)
587	01/09/2008	(597717)
588	01/10/2008	(595628)
589	01/10/2008	(595622)
590	01/17/2008	(595617)
591	01/17/2008	(619611)
592	01/24/2008	(614965)
593	01/28/2008	(610685)
594	01/29/2008	(615960)
595	01/30/2008	(613449)
596	01/30/2008	(613921)
597	01/31/2008	(613922)
598	02/06/2008	(616428)
599	02/06/2008	(616278)
600	02/11/2008	(616069)
601	02/11/2008	(616044)
602	02/11/2008	(616074)
603	02/11/2008	(616066)
604	02/11/2008	(616039)
605	02/11/2008	(615351)
606	02/11/2008	(617102)

607	02/13/2008	(610665)
608	02/13/2008	(566562)
609	02/15/2008	(617796)
610	02/21/2008	(672136)
611	02/27/2008	(613204)
612	02/27/2008	(613391)
613	03/03/2008	(617333)
614	03/05/2008	(637300)
615	03/06/2008	(595630)
616	03/10/2008	(619156)
617	03/10/2008	(617583)
618	03/13/2008	(672137)
619	03/13/2008	(614400)
620	03/18/2008	(615813)
621	03/18/2008	(615931)
622	03/28/2008	(617344)
623	04/03/2008	(618253)
624	04/04/2008	(638867)
625	04/04/2008	(638869)
626	04/15/2008	(510759)
627	04/16/2008	(617688)
628	04/16/2008	(672138)
629	04/21/2008	(646462)
630	04/23/2008	(653894)
631	04/30/2008	(636279)
632	05/02/2008	(640190)
633	05/02/2008	(571287)
634	05/06/2008	(637948)
635	05/15/2008	(640191)
636	05/16/2008	(638424)
637	05/16/2008	(640170)
638	05/17/2008	(657073)
639	05/21/2008	(640193)
640	05/23/2008	(639898)
641	06/02/2008	(638228)
642	06/05/2008	(682036)
643	06/10/2008	(573942)
644	06/10/2008	(646379)
645	06/13/2008	(682091)
646	06/25/2008	(681430)
647	06/30/2008	(669890)
648	07/01/2008	(683482)
649	07/02/2008	(618777)
650	07/03/2008	(684038)
651	07/03/2008	(683481)
652	07/07/2008	(618795)
653	07/07/2008	(641624)
654	07/07/2008	(681433)
655	07/07/2008	(654362)
656	07/09/2008	(684176)
657	07/11/2008	(684580)
658	07/18/2008	(686024)
659	07/18/2008	(685963)
660	07/21/2008	(687078)
661	07/23/2008	(687195)
662	07/30/2008	(686426)

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

Date: 08/07/2003 (61967)

Self Report? NO

Classification: Moderate

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

Description: Failure to prevent the release of 1,202 lbs of unauthorized ethylene emissions.

Date: 08/29/2003 (151240)

Self Report? NO

Classification: Moderate

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

Description: Failure to prevent unauthorized emissions during an emissions event.

Date: 08/30/2003 (152221)

Self Report? NO

Classification: Moderate

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

Description: Failure to control VOC emissions during an emissions event.

Date: 08/31/2003 (296014)

Self Report? YES

Classification: Moderate

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

TWC Chapter 26 26.121(a)

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

Date: 09/30/2003 (296016)

Self Report? YES

Classification: Moderate

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

TWC Chapter 26 26.121(a)

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

Date: 11/30/2003 (249732)

Self Report? NO

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(b)(1)

Description: Dow failed to report an emissions event (Investigation No. 435278) after final emissions from a scheduled maintenance event exceeded emissions reported on the Initial Notification.

Date: 11/30/2003 (249734)

Self Report? NO

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(b)(1)

Description: Dow failed to notify the TCEQ when the maintenance event became an emissions event.

Date: 12/02/2003 (250021)

Self Report? NO

Classification: Moderate

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

Rqmt Prov: PERMIT 7531

Description: Failure to follow Reference Method 18 when testing for methylene chloride emissions from F-732 thermal oxidizer.

Date: 01/12/2004 (253974)

Self Report? NO

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: PA Flexible Permit #20432, SC #4 and # 1-17

Description: Failure to meet the minimum heating value of 300 Btu/scf for a steam-assisted flare (FS-801) in accordance with 40 CFR 60.18 when waste streams containing significant quantities of hydrogen are sent to the flare.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(7)

Description: Dow exceeded the NOx emission cap established in the Maximum Allowable Emission Rate (MAER) table under Flexible Permit # 20432 for the three emission points (EPNs B68FU1, B70FU1 and B70F801).

Date: 02/06/2004 (251940)

Self Report? NO

Classification: Moderate

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

Rqmt Prov: PERMIT TCEQ AIR PERMIT #21596, SC #1

Description: Avoidable emissions event with emissions of benzene.

Date: 03/29/2004 (264622)
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
Description: Failure to provide a ground storage capacity which is equal to 50% of the maximum daily demand.

Date: 03/31/2004 (296006)
Self Report? YES **Classification:** Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 04/29/2004 (255279)
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit #8567 S.C.#1
Description: Exceeded VOC permit limit during an emissions event.

Date: 04/30/2004 (254073)
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 106, SubChapter D 106.124(5)(A)
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Exceeded VOC PBR limit during an emissions event.

Date: 06/01/2004 (254581)
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Avoidable emissions event.

Date: 06/03/2004 (258305)
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
Rqmt Prov: PERMIT 1472
 OP O-02220
Description: Failure to maintain minimum BTU requirement in gas stream to Flare A26VELR02.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472
 OP O-02220
Description: Failure to maintain the minimum operating temperature in Waste Gas Boiler EPN A26S500.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472
 OP O-02220
Description: Exceedance of permitted fill/drain rates for Tank D-275, Tank D-550 and Tank D-20M.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472
 OP O-02220
Description: Exceedance of MAERs for Tank R-1B and Tank D-15C.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472
OP O-02220
Description: Failure to use submerged fill loading for railcar equipment A26VELR02 and drum loading equipment A26VELR04.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 1472
OP O-02220

Description: Failure to equip open-ended valve with a plug.

Date: 06/30/2004 (352357)

Self Report? YES Classification: Moderate

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

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

Date: 07/12/2004 (258308)

Self Report? NO Classification: Minor

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 VV 60.482-6(a)(1)

Rqmt Prov: PERMIT 18561
OP O-02221

Description: Failure to cap open-ended lines.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 18561
OP O-02221

Description: Failure to maintain partial pressure records.

Date: 07/12/2004 (258307)

Self Report? NO Classification: Minor

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

Description: Failure to report a deviation in the semiannual deviation report.

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)

Rqmt Prov: PERMIT 19519, Special Condition 5(E)
PERMIT 48813, Special Condition 5(E)
PERMIT 834, Special Condition 9(E)
PERMIT 8567, Special Condition 8(E)
OP O-02215

Description: Failure to seal open-ended lines.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 8567
OP O-02215

Description: Failure to monitor valves for fugitive emissions.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 8567
OP O-02215

Description: Failure to monitor pump seals for fugitive emissions.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 19519
 OP O-02215
 Description: Cooling tower emissions exceeded MAER for VOCs.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.144(1)(E)

Description: Failure to maintain records of daily flare observations.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-02215
 Description: Late submittal of PBR registration.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)

Rqmt Prov: PERMIT 834
 OP O-02215
 Description: Failure to maintain minimum BTU requirement in feed stream to flare.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 19519, Special Condition 5(I)
 PERMIT 48813, Special Condition 5(I)
 PERMIT 6803, Special Condition 8(I)
 PERMIT 8567, Special Condition 8(H)
 OP O-02215
 Description: Failure to re-monitor fugitive components within 15 days.

Date: 08/27/2004 (267540)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Air Permit #21596, SC #1
 Description: Exceeded VOC permit limit during an avoidable emissions event.

Date: 08/27/2004 (266751)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Air Permit #21596, SC #1
 Description: Dow exceeded VOC permit limit during an avoidable emissions event.

Date: 08/29/2004 (265955)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Exceeded HCL permit limit.

Date: 11/05/2004 (338243)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT U 63.506(d)

Rqmt Prov: PA NSR Permit #3320, General Provision #5
 OP Special Term & Condition #6A
 Description: Failure to maintain continuous data records of thermal oxidizer (EPN B20TOX) firebox temperature on 8/27/2003, 3/3/2004 and 7/6/2004.

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

Rqmt Prov: OP Special Term and Condition #5
 Description: Failure to maintain working pressure data of Acrylonitrile Storage Tank D-121A on

8/27/2003, 3/3/2004 and 7/6/2004.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP Special Term and Condition #1A
Description: Failure to monitor with an instrument after repair a leaking component found via AVO inspection on 11/14/2003 and 1/3/2004.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.356(2)(F)(iii)
30 TAC Chapter 115, SubChapter D 115.356(2)(F)(iv)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)(3)
Rqmt Prov: PA NSR Permit #3320, General Provision #7K
OP Special Term and Condition #1A
Description: Failure to keep records of the date of first repair attempt and date of leak repair for two leaking valves.

Date: 11/22/2004 (335797)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP O-02210, SC No. 10
PA Permit No. 7531, SC No. 1
Description: Unauthorized emissions which could have been avoided by good design, operation or maintenance practices.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
Rqmt Prov: OP O-02210, SC No. 10
PA Permit No. 7531, SC No. 3E.
Description: Failure to cap or plug open-ended lines per the Permit No. 7531, SC No. 3E

Date: 12/16/2004 (289573)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to report an emissions event within 24 hours following incident 35402

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failed to report an emissions event within 24 hours during Incident 35402

Date: 12/22/2004 (289567)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 5340
Description: Incident 40337 was an avoidable emissions event.

Date: 12/28/2004 (334606)
Self Report? NO Classification: Minor
Citation: 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)
Rqmt Prov: PERMIT 2472, SC 9E
PERMIT 2773, SC12E
OP O-02206, SC 1A and SC 12
Description: Failure to plug open ended valves.

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) PERMIT 770, SC 1 OP O-02206, SC 12		
Description:	THROX unit exceeded CO MAER.	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 6 OP O-02206, SC 12		
Description:	Exceeded vinyl chloride average feedrate limit.	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 18 OP O-02206, SC 12		
Description:	Exceeded firebox temperatures for THROX & TOX	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 17 OP O-02206, SC 12		
Description:	Flowmeters on vent stream to TOX not operational.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PERMIT 770, SC 1 OP O-02206, SC 12		
Description:	Flare A32CSF1 exceeded hourly VOC MAER	Classification:	Moderate
Self Report?	NO		
Citation:	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 63.168(d)(4)		
Rqmt Prov:	PERMIT 2472, SC 9F PERMIT 2773, SC 12F OP O-02206, SC 1A and SC 12		
Description:	Failure to monitor valves and pressure sensing devices	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iii)		
Rqmt Prov:	OP O-02206, SC 1A		
Description:	Failure to monitor connectors		
Date:	12/28/2004 (256034)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 941		
Description:	Incident 7827 was an avoidable emissions event.		
Date:	12/31/2004 (338842)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H) 30 TAC Chapter 101, SubChapter F 101.201(c)		
Description:	Dow failed to report accurately. Avoidable emissions event during Incident 43280.		
Self Report?	NO	Classification:	Major
Citation:	30 TAC Chapter 116, SubChapter B 116.115(a) 30 TAC Chapter 116, SubChapter B 116.115(b) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Air Permit No. 48479 SC 1 and 4		
Description:	Incident #43280 was avoidable.		

Date: 12/31/2004 (381959)

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

Date: 01/14/2005 (338682)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-02214, Spec Terms/Cond. 1.D.
PERMIT Standard Permit #49187
Description: Dow exceeded the hourly emission limit for CO on unit B246PGT62 as authorized by Standard Permit (SP) 49187, at the following times:
a) 8/13/03, 16:00 to 17:00, release of 290.38 lbs/hr, an exceedence of 213%
b) 7/1/04, 19:00 to 20:00, release of 129 lbs/hr, an exceedence of 39%

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-02214, Spec. Terms/Conds. #1.D.
PERMIT Standard Permit #49187
Description: Dow exceeded the hourly emission limit for NOx on unit B246PGT62 as authorized by the Standard Permit (SP) 49187 limit of 38.3 lbs/hr, at eight (8) documented times.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-02214, Spec. Terms/Conds. #1.A.
PERMIT NSR Permit #9044, Gen. Conditions #8
Description: Dow exceeded the hourly emission limit for NOx on unit B246PGT63 as authorized by the NSR Permit 9044 limit of 585 lbs/hr, on 1/6/04, from 11:00 to 12:00, with a release of 590.89 lbs/hr, an exceedence of 1%.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: OP FOP O-2214, Spec. Terms/Conds. #1.A.
PERMIT NSR Permit #9046, Gen. Condition #8
Description: Dow exceeded the hourly emission limit for NOx on unit B246PGT66 as authorized by the NSR Permit 9046 limit of 826.99 lbs/hr, documented as eighteen (18) occurrences.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(d)
Description: Dow failed to accurately report periods of excess emissions for NOx in two semi-annual NOx RACT reports, dated January 14, 2004, and June 14, 2004.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)
Rqmt Prov: OP FOP O-02214, Spec. Terms/Cond. #1.A.
Description: Dow failed to make a timely submission of a semi-annual NOx RACT report. The deadline for the report submittal was 12/15/03, and the report was not submitted until 1/14/04.

Date: 03/23/2005 (347781)

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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
Rqmt Prov: PERMIT NSR Permit No. 37884, SC 8E
Description: Failed to seal open-ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
Description: Failed to perform quarterly fugitive monitoring.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
 Description: Failed to attempt to repair leaks.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 Description: Failed to attempt to repair leaks.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP Title V Permit No. O-02313, SC 14
 Description: Failed to meet risk management plan requirements.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 Rqmt Prov: PERMIT NSR Permit No. 37884, SC 6A
 Description: Failed to maintain a minimum Btu for a flare.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT NSR Permit No. 37884, SC 1
 Description: Failed to meet maximum allowable emission rates.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 Description: Failed to create a final record of an emissions event.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT NSR Permit No. 37884, SC 1
 Description: Failed to meet maximum allowable emission rates.

Date: 03/31/2005 (575527)

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

Date: 05/04/2005 (338714)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #9
 Description: Dow failed to record the outlet gas temperature, at least weekly, of scrubber B5010SV110, for the weeks beginning 8/21/03, 10/5/03, 11/9/03, 11/30/03, 12/7/03, 12/14/03, 12/21/03, and 12/28/03.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #9
 Description: Dow failed to comply with the requirement to operate the scrubber B5010SV110 under the maximum stack gas temperature of 95 degrees F.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #10
 PERMIT NSR Permit #20607, Special Condition #7
 Description: Dow failed to comply with the permit condition by filling a tank truck without employing the vapor balancing method from the truck to the tank.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #10
 PERMIT NSR Permit #20774, Special Cond. #15.E.
 Description: Dow failed to maintain caps and/or plugs on nine open-ended lines in the B5016 Contract Manufacturing Plant.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 Rqmt Prov: OP FOP O-02205, Special Condition #10

PERMIT NSR Permit #20774, Spec. Cond. #9

Description: Dow failed to maintain the water flow rate minimum on Scrubber T-543 during periods of vent gas flow.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.05181(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-02205, Gen. Terms and Conditions

Description: Dow failed to register the production processes of various Maxistab products under either a PBR or NSR permit.

Date: 05/24/2005 (380324)

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP O-02217, Special Condition #1

Description: Dow failed to keep monthly visual inspection records for three cold solvent degreasers.

Self Report? NO Classification: Minor

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

Description: Dow failed to report eighteen deviations in the First Semi-Annual Report, reporting period October 16, 2003, through April 15, 2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O-02217, Special Condition #15
PERMIT NSR Permit #21596, General Condition #8

Description: Dow failed to minimize emissions on 12/24/03 by allowing absorbent pads contaminated with styrene used during a pump replacement to be discarded into a secondary containment area, which then collected rain water.

Date: 06/17/2005 (376522)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Description: Failure to equip open-ended lines with a cap or plug.

Self Report? NO Classification: Minor

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

Description: Failure to create records of five non-reportable emissions events within the required time frame.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: PA NSR Permit 20432, SC I-8

Description: Failure to complete pressure testing of tank trucks for loading operations.

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

Description: Failure to monitor five pump seals monthly from March 2004 through July 2004.

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(a)(1)

Description: Failure to monitor three agitators monthly from March 2004 through July 2004.

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(c)

Description: Failure to inspect continuous parameter monitoring data from EPNs OC3U3B901, OC3U3B902, OC3U3B903 daily from January 16, 2004 through January 29, 2004.
Failure to inspect continuous parameter monitoring data from EPNs OC3U3B901, OC3U3B902, OC3U3B903 daily from January 16, 2004 through January 29, 2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(4)

Description: Failure to monitor an accessible valve in August 2004.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP Title V Permit O-02207, SC 13
Description: Failure to perform monthly inspection of a solvent cleaning station in October 2004.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT NSR Permit 3434, SC 1

Description: Failure to meet the emission specifications for HCl, Cl2, SO2, and CO from EPNs
OCD3SB901, OCD3SB902, and OCD3SB903.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)

Description: Failure to submit a Title V permit revision application to include EPN B39RX210 in the permit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: PERMIT NSR Permit 20432, SC 2E

Description: Failure to equip open-ended lines with a cap or plug.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT NSR Permit 21512, SC 9E

Description: Failure to equip open-ended lines with a cap or plug.
Failure to equip open-ended lines with a cap or plug.

Date: 06/29/2005 (378760)

Self Report? NO Classification: Moderate

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

Description: Failure to maintain compliance with the permitted effluent limits.

Date: 07/08/2005 (376056)

Self Report? NO Classification: Moderate

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

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

Rqmt Prov: PERMIT TCEQ Air Permit No. 19041, SC No. 1

Description: Dow had an avoidable emissions event during Incident 51417.

Date: 07/22/2005 (397876)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.62

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(a)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(b)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(c)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(c)(1)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(c)(2)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(d)

Description: Complete hazardous waste determination is required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: NOR update required.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)

40 CFR Chapter 268, SubChapter I, PT 268, SubPT E 268.50(b)

Description: CSA, LDR, one year storage limit exceeded.

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: Tank containment should be free of cracks.

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: Tank, inspection information should be documented.

Date: 08/08/2005 (396518)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Dow Incident 55412 was avoidable. The incident was not excessive.

Date: 08/15/2005 (393373)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit 20775, SP No. 1
Description: Dow had an avoidable emissions event during Incident 55560.

Date: 08/15/2005 (398936)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 19519 GC No. 8
Description: Dow had an avoidable emissions event during Incident 59062. Not an excessive event.

Date: 08/22/2005 (404732)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 4021, SC 1
OP O-02202, SC 10
Description: Exceedance of MAER for chlorine for T-307; Permit 4021, SC1

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 4021, SC 7
OP O-02202, SC 10
Description: Exceedance of the concentration limit for chlorine; Permit 4021, SC 7

Date: 08/26/2005 (403273)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472, SC 5
OP O-02220, SC 7
Description: Exceedance of permitted tank fill rate stipulated in Permit 1472, SC 5.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT 1472, SC 1
OP O-02220, SC 7
Description: Exceedance of the MAER for ammonia for Tank D-330; Permit 1472, SC 1

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
Description: Deviations omitted from 3 semiannual deviation reports

Self Report? NO Classification: Minor
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)
Rqmt Prov: PERMIT 1472, SC 8
OP O-02220, SC 1A & SC 7
Description: Operation of Flare A26VEF1 without a flame present; Permit 1472, SC 8

Date: 08/31/2005 (403238)

Self Report? NO Classification: Minor
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 VV 60.482-6(a)(1)
 Rqmt Prov: OP FOP O-02221, Special Condition #12
 PERMIT NSR Permit #18561, Special Condition 6E
 Description: Dow failed to maintain caps and/or plugs on two open-ended lines in the B1300 Poly Glycol Methyldiethanolamines (MDEA) and Aminoethylethanolamines (AEEA) Plants for components.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.354(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

Rqmt Prov: OP FOP O-02221, Special Condition 12
 PERMIT NSR Permit #18561, Special Condition 6F
 PERMIT NSR Permit 18561, Spec. Conds. 6E and 6K
 Description: Dow failed to fugitive emission monitor fifty-nine (59) components, 16 valves and 43 connectors.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O-02221, Special Condition 12
 PERMIT NSR Permit 18561, Special Condition 17
 Description: Dow failed to maintain the minimum scrubber water flow rate for the SC-2 Kettle Scrubber (EPN B13SV3).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP FOP O-02221, Special Condition 12
 PERMIT NSR Permit 18561, Special Condition 17
 Description: Dow failed to maintain the minimum scrubber water flow rate for the SC-2 Scrubber (EPN B13SV2).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1438(f)

Description: Dow failed to maintain a daily average scrubber water flow for the SC-2 Kettle Scrubber (EPN B13SV3).

Date: 09/30/2005 (575543)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2005 (575545)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 01/17/2006 (593182)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 03/02/2006 (431805)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT U 63.506(d)
 Description: Failure to store required data from November 1, 2004 to November 3, 2004.

Self Report? NO Classification: Major
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: PERMIT # 3320, General Provision 7 E
 Description: Failure to maintain a plug on an open ended line.

Date: 03/27/2006 (374721)

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter F 101.221(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Air Permit 22072 - SC 4		
Description:	During Dow Inc. No. 80470 Dow sent emissions to an unlit flare.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Air Permit 22072 - SC 1		
Description:	During Dow Inc No. 92568 Dow did not determine the status of the salt dome prior to drilling.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter F 101.221(a) 30 TAC Chapter 116, SubChapter G 116.715(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Flexible Air Permit 20432 SC III-1 & -21		
Description:	During Dow Incident 92771 the flame of the flare was not present.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Flexible Air Permit 20432 SC III-1		
Description:	During Dow Incident 94567 (Inv 374721) a valve was inadvertently opened.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Flexible Air Permit 20432 SC III-1		
Description:	Incident 51360 at Dow was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Flexible Air Permit 20432 SC III-1		
Description:	Dow had an avoidable emissions event during Incident 94909.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Permit 48813 - SC 1		
Description:	During Incidents 84700, 84701, and 93405 Dow had avoidable emissions events		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 48813 Special Condition 1		
Description:	During Recordable Incident 95308, Dow had an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 48813 SC 1		
Description:	Dow had an avoidable emissions event during recordable Incident 90045.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 48813 Special Condition 1		
Description:	Dow had an avoidable emissions event during recordable Incident 101031.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Incident 83616 at Dow was avoidable.		

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 88672 was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 89747 was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 93432 was an avoidable incident.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 93975 was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 95602 was an avoidable emissions event.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 834 Special Condition 1		
Description:	Dow Incident 97687 was an avoidable emissions event.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Description:	Failure to equip each open-ended valve or line with a cap, blind flange, plug, or second valve. Two valves at Furnace F-7 with monitoring tag Nos 193757 and 197365 were observed with open-ended lines during the on-site investigation.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c)		
Description:	Failure to equip each open-ended valve or line with a cap, blind flange, plug, or second valve. An open ended line in HRVOC service at the R102/S102 bay wall area was observed during the on-site investigation.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c)		
Description:	Failure to equip each open-ended valve or line with a cap, blind flange, plug, or second valve. An open ended line in HRVOC service at the R102/S102 bay wall area was observed during the on-site investigation.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 115, SubChapter D 115.354 30 TAC Chapter 115, SubChapter H 115.781(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(a)		
Description:	Failure to demonstrate that each applicable HRVOC valve in the process unit was monitored in accordance with the requirements described in 30 TAC § 115.354, as directed by 30 TAC § 115.781(b). Failure to demonstrate that each applicable HRVOC valve in the process unit was monitored in accordance with the requirement		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.354		

Description: 30 TAC Chapter 115, SubChapter H 115.781(b)
Failure to demonstrate that at least ten unmarked valves in HRVOC service were complying with the monitoring requirements described in the applicable sections of 30 TAC " 115.354 and 115.781(b). Ten unmarked valves in HRVOC service were subsequently numbered in the field with monitoring program identification numbers

Date: 04/18/2006 (433179)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Air Permit 2008, SC1

Description: Failure to notify and report in a timely manner following a reportable emissions event (Incident No. 64153).

Date: 04/20/2006 (459137)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.206(e)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT Permit 46306, Special Condition 7(C)

Description: Exceeded permitted limits of ammonia (NH3). Violation of Permit # 46306 Special Condition 7(C), 30 TAC 117.206 (e)(2), 30 TAC 116.115 (c), and 5 THC Chapter 382.085(b).

Date: 04/26/2006 (433177)

Self Report? NO **Classification:** Moderate

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

Rqmt Prov: PERMIT TCEQ Air Permit No. 2008, SC 1

Description: Failure to provide a backup dempster resulting in unauthorized emissions. (Incident No. 64154)

Self Report? NO **Classification:** Minor

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

Description: Dow did not report in a timely manner during Incident 64154.

Date: 06/22/2006 (458889)

Self Report? NO **Classification:** Moderate

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

Rqmt Prov: PERMIT NSR 20432, SC III-5
OP Title V O-02213, SC 16

Description: Dow failed to meet the NOx emissions hourly standard of 0.1 lb/MMBtu 87 times, and the CO emissions hourly standard of 0.034 lb/MMBtu 276 times from Pyrolysis Furnace Nos. 1 through 7 (OC6L8H1~7) as required by NSR Permit.

20432, Special Condition (SC) III-5.

Self Report? NO **Classification:** Moderate

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

Rqmt Prov: PERMIT NSR 20432, SC III-6
OP Title V O-02213, SC 16

Description: Dow failed to meet the NOx emissions hourly standard of 0.06 lb/MMBtu 301 times, and the CO emissions hourly standard of 0.015 lb/MMBtu 47 times from Pyrolysis Furnace Nos. 8 and 10 (OC6L8H8&10) as required by NSR Permit 20432, SC III-6.

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:	PERMIT NSR 20432, SC 1E OP Title V O-02213, SC 1A and 16		
Description:	Dow failed to equip open-ended lines with a valve or plug on 23 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 THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR 20432, SC III-1 OP Title V O-02213, SC 16		
Description:	Dow failed to meet the permit allowables 4 times for NOx and 2 times for CO from Gas Turbine GT-30 (B72L7GT30).		
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 A 382.085(b)		
Rqmt Prov:	PERMIT NSR 20432, SC 4 OP Title V O-02213, SC 16		
Description:	Dow failed to meet the specified requirement of 300 BTU/SCF for the Flare B60L7F1 on November 15, 2004.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 1A		
Description:	that Dow failed to record daily review of the operating parameters for 8 days as required by 40 CFR 61.354(a)(2).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 15		
Description:	Dow failed to collect flare pilot monitoring data for the Flares FS-1 and FX-1000 (OC6L8F1, and OC6L8F1000) on four occasions, and failed for the Flare B71S2F1 on three occasions.		
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 60.702(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 1A		
Description:	Dow failed to route off gas from the processes subject to 40 CFR 60 Subpart RRR to its primary control device Furnaces OC6L8S1 thru OC6L8S10. The off gas was routed to the Flares OC6L8F1000 and OC6L8F1 on nineteen occasions.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 10C		
Description:	Dow failed to follow precisely the written startup, shutdown, and malfunction plan on three occurrences.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V O-02213, SC 10C		
Description:	Dow failed to update the written startup, shutdown, and malfunction plan as required.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR 20432, SC III-3B OP Title V O-02213, SC 1A and 16		
Description:	Dow failed to monitor nine valves on six monthly monitoring activities during the period of April 19, 2004 through September 15, 2004.		
Self Report?	NO	Classification:	Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP Title V O-02213, SC 3B(iii)
 Description: Dow failed to keep records of visible emissions observations for ten furnaces, one thermal oxidizer and one decoke vent during the 3rd quarter of 2004.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow failed to maintain the compartment totally enclosed and have all openings sealed for the Water Separator OC6L8D27 as one leaking connector was noted between October 14, 2004 and October 19, 2004.
 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)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT NSR 20432, SC 1E
 OP Title V O-02213, SC 1A and 16
 Description: Dow failed to equip open-ended lines with a valve or plug on four 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)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT NSR 20432, SC 1F
 OP Title V O-02213, SC 1A and 16
 Description: Dow failed to monitor 97 valves and 8 flanges on two quarterly monitoring activities during the period of April 19, 2004 through October 18, 2004.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(A)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow failed to perform annual fugitive monitoring of components of the benzene waste management units on an annual basis.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow failed to inspect daily the operating parameters for benzene waste operations for 20 days to ensure proper operations.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow failed to perform one weekly visual inspection of pumps as required.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP Title V O-02213, SC 1A
 Description: Dow failed to perform 13 weekly visual inspections of pumps as required.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: OP Title V O-02213, SC 1A

Description: Dow f Failed to perform nine weekly visual inspections of flanges as required.
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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT NSR 21596, SC 11E
OP Title V O-02213, SC 1A and 16
Description: Dow failed to equip open-ended lines with a valve or plug on 10 occasions.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: ORDER Title V O-02213, SC 1A
Description: Dow failed to perform monthly visual car-seal inspections on Benzene Waste Management Units' closed vent system in September and October of 2004.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02213, SC 1A
Description: Dow failed to perform eight daily visual flare observations as required.

Date: 07/14/2006 (457318)

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 A 382.085(b)

Rqmt Prov: PERMIT NSR 654, SC 4
OP Title V O-02203, SC 14
Description: Dow failed to install a pressure gauge or its equivalent between the rupture disk and the pressure safety valve on T-4 Tower.

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

Rqmt Prov: PERMIT NSR 654, SC 10E
OP Title V O-02203, SC 1A and 14
Description: Dow failed to equip open-ended lines with plugs/caps on two occasions.

Date: 07/18/2006 (462748)

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

Rqmt Prov: PERMIT Special Condition 7(c)
Description: Failure to meet permitted ammonia emission standard.

Date: 07/18/2006 (462746)

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

Description: Ammonia limit excedence. Violation of permit #46306 SC 7, 30 TAC 116.115(c), and 5C THC Chapter 382.085(b).

Date: 07/21/2006 (457258)

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 THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 18561, SC 6E
OP O-02221, STC 12

Description: OP O-02221, STC 1A
 Failure to cap or plug the Twelve (12) open-ended lines in VOC service in Specialty Chemicals 2 Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 122, SubChapter C 122.222(k)(3)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to register the PBRs 106.261 and 106.262 within 10 days of increase in VOC emissions of 0.79 lbs/hr and 0.85 tons per year as a result of production of new line of products and failed to submit off-permit notification concurrently.

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 18561, SC 17
 OP O-02221, STC 12

Description: Failure to maintain minimum flow rate of 10 gallons per minute (gpm) of water as required by NSR permit 18561, Special Condition 17 for the SC-2 kettle scrubber (EPN B13SV3).

Date: 08/11/2006. (457284)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.216(a)(5)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02216, SC 6C

Description: Dow failed to include the specific rule citation for any unit with a claimed exemption from the emission specification of §117.206 in the final NOx control report submitted on March 31, 2005.

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

Rqmt Prov: PERMIT NSR 20525, SC 15E
 PERMIT NSR 46429, SC 12E
 PERMIT NSR 46431, SC 13E
 OP Title V O-02216, SC 1A and 15

Description: Dow failed to equip open-ended lines in hazardous air pollutant (HAP) with plugs/caps on fourteen occasions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)
 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(b)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT NSR 46431, SC 13E
 OP Title V O-02216, SC 1A and 15

Description: Dow failed to conduct one weekly fugitive inspection by visual, audible, and/or olfactory means.

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 A 382.085(b)

Rqmt Prov: PERMIT NSR Permit 46431, SC 21
 OP Title V Permit O-02216, SC 15

Description: Dow failed to conduct daily analysis on the selective catalytic reduction (SCR) unit on four occasions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.211(a)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02216, SC 1A

Description: Dow failed to conduct stack sampling on the furnace exhaust stack (EPN A36S621)

within 60 days of startup of the emissions control.

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 A 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 46431, SC 17 OP Title V Permit O-02216, SC 15		
Description:	Dow failed to maintain the pH in the scrubber (EPN A36S531) at 7.5 or greater on two 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) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 46431, SC 12C OP Title V Permit O-02216, SC 10D and 15		
Description:	Dow failed to conduct performance test on the thermal treatment unit (TTU) and the tail scrubber (EPN A36S531) within 180 days as required by 40 CFR 63.7(a)(2) and 63.116(c), and as required by NSR Permit 46431, SC 12C.		
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 A 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 46431, SC 22A OP Title V Permit O-02216, SC 15		
Description:	Dow failed to monitor the carbon bed during unloading operation for the tank (EPN A40S741).		
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 A 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 2008, SC 1 OP Title V Permit O-02216, SC 15		
Description:	NOx, CO, SO2 emissions in lb/hr from the flare (EPN B4F19A) exceeded the allowables specified in the Maximum Allowable Emission Rate Table for NSR Permit 2008 during a period from January 10, 2005 through March 13, 2005.		
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 A 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 2008, SC 9 OP Title V Permit O-02216, SC 15		
Description:	Dow failed to maintain the minimum requirement of 300 BTU/scf for the flare (EPN B4F19A) during a period from January 10, 2005 through June 10, 2005.		
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 THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 2008, SC 14E OP Title V Permit O-02216, SC 1A and 15		
Description:	Dow failed to equip one open-ended line in VOC service with a cap or plug.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V Permit O-02216, SC 1A and 14		
Description:	Dow failed to maintain pilots for the flare (EPNA36MDF532), which was used as a control device for tank vents V-103 and V-534 at the time the pilots went out on September 19, 2005.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP Title V Permit O-02216, SC 14		
Description:	Dow failed to keep two monthly inspection records for the degreaser (A36MDSC1).		

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 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT NSR Permit 46431, SC 13F
OP Title V Permit O-02216, SC 1A and 15

Description: Dow failed to monitor 107 valves during the first and second quarters of 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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT NSR Permit 46431, SC 14A
OP Title V Permit O-02216, SC 1A and 15
Description: Dow failed to monitor 324 connectors during the first and second quarters of 2005.

Date: 08/18/2006 (465699)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEA Air Permit No. 21596, SC 1
Description: Dow had an avoidable emissions event during Incident No. 73674.

Date: 08/19/2006 (480155)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.130
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 A 382.085(b)
Rqmt Prov: OP FOP# O-02205, Special Condition #10
PA NSR Permit #20774, Special Condition 10E
Description: Failure to cap 6 open-ended valves/lines in HAP service per 63.167(a)(1).

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 THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP# O-02205, Special Condition #11
OP FOP# O-02205, Special Condition #1A
PA NSR Permit 20774, Special Condition #10E
Description: Failure to cap one open-ended valve or line in general VOC service as required by 115.352(4).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP FOP# O-02205, Special Condition #9
Description: Failure to limit the outlet gas temperature of PT-110 to 95 degrees fahrenheit during venting operations.

Date: 08/22/2006 (484727)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)
Rqmt Prov: PERMIT VII.A.1.
Description: Failure to report the burning of Waste Stream 2196219H in Boiler B-901 (NOR 089) on the 2005 Annual Waste Summary.

Date: 08/23/2006 (457315)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: 5C THC Chapter 382, SubChapter A 382.085(b)
PERMIT NSR 20909, SC 5
OP Title V O-02211, SC 14

Description: Dow failed to install pressure indicators for all vent streams from process vessels that are routed to an emissions control device so that the pressure indicators would indicate positive flows from the vessels to the primary thermal oxidizer (EPN B35EWS200).

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 A 382.085(b)

Rqmt Prov: PERMIT NSR 20909, SC 8
OP Title V O-02211, SC 14

Description: Dow failed to operate upset diverter valves and the backup oxidizer start-up automatically when a diversion is needed from the primary thermal oxidizer (EPN B35EWS200) to the backup thermal oxidizer (EPN B34EWS201).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.216(a)(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02211, SC 6C

Description: Dow failed to include the specific rule citation for any unit with a claimed exemption from the emission specification of §117.206 in the final NOx control report.

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 A 382.085(b)

Rqmt Prov: PERMIT NSR 313, SC 14
OP Title V O-02211, SC 14

Description: Dow failed to record fan amperage readings once every shift.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.697(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02211, SC 1A

Description: Dow failed to submit the required semiannual report within the time frame allowed.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02211, SC 11C

Description: Dow failed to follow malfunction procedure as it was written during a malfunction of a flow meter.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02211, SC 1A

Description: Dow failed to submit the required semiannual report within the time frame allowed.

Date: 08/23/2006 , (457302)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP Title V O-02218, SC 6

Description: Dow failed to equip 23 open-ended lines with caps or plugs as fugitive emissions were represented and authorized through Permit by Rule (PBR) 106.262.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP Title V O-02218, SC 6
Description: Dow failed to provide notification using Form PI-7 within ten days following the modification of the facility.

Date: 08/23/2006 (484737)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(18)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1052(e)

Rqmt Prov: PERMIT VI.A.21.a.

Description: Failure to conduct annual monitoring for fugitive emissions from Pump MP-506.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(18)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1061(b)(2)

Rqmt Prov: PERMIT VI.A.21.a.

Description: Failure to provide the notification and perform annual monitoring of valves in light liquid service.

Date: 08/28/2006 (497117)

Self Report? NO Classification: Minor

Citation: 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 A 382.085(b)

Rqmt Prov: OP FOP #O-02206, Special Condition #11
OP FOP #O-02206, Special Condition #1A
PA NSR Permit 2773, Special Condition #12E

Description: Failure to cap 53 open-ended valves or lines in HAP service.

Self Report? NO Classification: Minor

Citation: 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 63.168(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP #O-02006, Special Condition #1A
OP FOP #O-02206, Special Condition #11
PA NSR Permit 2472, Special Condition #9.I
PA NSR Permit 2773, Special Condition #12.I

Description: Failure to perform Method 21 remonitoring to three valves in HAP service within 15 days.

Self Report? NO Classification: Minor

Citation: 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)(1)

Rqmt Prov: OP FOP #O-02206, Special Condition #11
OP FOP #O-02206, Special Condition #1A
PA NSR Permit #2472, Special Condition #9.I

Description: Failure to remonitor the P-206 pump seal, after repairs, within 15 days.

Self Report? NO Classification: Minor

Citation: 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 63.174(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP #O-02006, Special Condition #11
OP FOP #O-02206, Special Condition #1A
PA NSR Permit 2472, Special Condition #9.I

Description: Failure to remonitor four flanges in HAP service, after completion of repairs, within 15 days.

Date: 08/31/2006 (457309)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-2710, Special Condition 3(B)(iii)

Description: Failure to conduct the visible emissions observations for the units in B6200, B4300 area during the compliance years 2004 and 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 20432, Special Condition I-38.c
OP O-02207, Special Condition 14
Description: Failure to conduct the quarterly cylinder gas audit (CGA) analysis of the continuous emissions monitoring system (CEMS) for the EPN B62CB1.

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 3434, Special Condition 27.B
OP O-02207, Special Condition 14
Description: Failure to maintain the sulfur content of the waste oils burned in the boilers below 50 ppmw.

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 116, SubChapter G 116.715(a)
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: PERMIT 20432, Special Condition 1.E
PERMIT 3434, Special Condition 7.E
OP O-02207, Special Condition 14
OP O-02207, Special Condition 1A
Description: Failure to cap or plug the Eight (8) open-ended lines in VOC service in the O-02207 Title V permit area.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
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(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 3434, Special Condition 7.G
OP O-02207, Special Condition 14
OP O-02207, Special Condition 1A
Description: Failure to monitor nine pumps in VHAP service in the O-02207 Title V permit area.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-2207, General Terms & Conditions
Description: The RE failed to report some instances of deviations in the deviation report dated November 17, 2005.

Date: 10/12/2006 (515660)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit No. 48813, SC 1
Description: Dow failed to prevent an operator error resulting in unauthorized emissions during Incident No. 79109.

Date: 10/25/2006 (509774)

Self Report? NO 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: PERMIT TCEQ Air Permit No. 46429 MAERT
Description: Investigation 509774 determined that Dow failed to communicate with a contractor technician properly to prevent unauthorized emissions during Incident 76828.

Date: 11/30/2006 (519472)

Self Report? NO

Classification: Moderate

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

Rqmt Prov: PERMIT TCEQ Permit No. 48813, SC 1

Description: Investigation No. 519472 determined that Dow had an avoidable emissions event during Incident No. 79942.

Date: 12/13/2006 (512466)

Self Report? NO

Classification: Moderate

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

Rqmt Prov: OP O-02212, SC 16.A.

Description: The Dow Chemical Company, Dow Texas Operations Freeport, failed to submit Form PI-7 on March 31, 2005, for the increase of ethylene and propylene emissions to the monitor well flare (BSRSRMW1T). This constitutes a violation of 30 Texas Administrative Code (TAC) § 106.261(a)(7)(B).

Self Report? NO

Classification: Moderate

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

Rqmt Prov: OP O-02212, SC 16.A.

Description: PERMIT Permit No. 22072, SC 4

Description: the Dow Chemical Company ("Dow"), Dow Texas Operations Freeport, failed to maintain the minimum heat value for Monitor Well Flare no. 1 (unit I.D. BSRSRFMW1) and Brine Flare 2 (unit I.D. BSRF401).

Date: 12/18/2006 (512614)

Self Report? NO

Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Dow failed to maintain records of daily average pH data for the T-734 Scrubber System (EPN B84S734) on October 5 and 6, 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 NSR 7531, SC 1

Description: OP Title V O-02210, SC 10

Description: Dow failed to meet the maximum permit allowable of 0.06 lb/hr for Cl2 from the T-734 Scrubber System (EPN B84S734) on the following dates during performance testing:
08-18-05 10:33 to 11:15 0.13 lb/hr; 08-29-05 11:23 to 12:14 0.38 lb/hr; 08-30-05 10:52 to 17:04 1.63 lb/hr; 10/12/05 9:43 to 13:23 0.1 lb/hr

Self Report? NO

Classification: Minor

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

Rqmt Prov: OP Title V O-02210, SC 10

Description: Dow failed to register a minor process modification made in April 2005 under Permits by Rule (PBR) 106.262(a)(3) within ten days following the modification of the facility.

Date: 01/18/2007 (512465)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02214, SC 15.A.(i)

Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the CO limit of 400 ppmv on Boiler No. 5 (Unit ID no. B664PB5, EPN FB-45). This constitutes a

violation of 30 TAC 117.206(e)(1).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02214, SC 9.A.
PERMIT Permit No. 46306, SC 7.C.
Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the ammonia limit of 10 ppmvd on boiler FB-93 (EPN: B56SB3). This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, Special Condition (SC) 7.C.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02214, SC 9.A.
PERMIT Permit No. 46306, SC 1
Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the maximum allowable emission rate for NOx for boiler FB-92 (EPN: B56SB2) on March 3, 2006. This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, SC 1.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02214, SC 9.A.
PERMIT Permit No. 46306, SC 7.A.
Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the lb/mmBtu emission rate for NOx for boilers FB-92 (EPN: B56SB2) and FB-94 (EPN: B56SB4) on March 3, 2006. This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, SC 7.A.

Date: 02/16/2007. (532501)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02219, SC 1.A.
Description: Failure to record 188 daily observation of the flare (Unit I.D. B3808F1) beginning February 3, 2006, through September 30, 2006. This constitutes a violation of 30 Texas Administrative Code (TAC) § 111.111(a)(4)(A)(ii).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02219, SC 2.F.
Description: Failure to create a final onsite record of emissions events. This constitutes a violation of 30 TAC § 101.201(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02219, General Terms and Conditions
Description: Failure to report all incidents of deviations as required by 30 TAC § 122.145(2)(A).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02219, SC 13.A.
PERMIT Permit No. 20775, SC 7.E.
Description: Failure to maintain secondary enclosures on the following open-ended line tag nos. EAI 128564.2, EAI 80701.2, EAI 80353, and 80701.2.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.767(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02219, SC 1.I.(iv)
Description: Failure to maintain the pressure between on the cooling water side at a minimum of 5 psig for HRVOC greater than the process fluid side for cooling tower B3831CT1.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to test HRVOC vents in the Research Reactor (BX250RX1).
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.217(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to submit an Application for Minor Permit Revisions prior to operating the Research Reactor (B250RX1).

Date: 02/28/2007 (542323)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Flex Air Permit No. 20432, SC III-1
Description: Investigation No. 542323 determined that Dow had an avoidable emissions event during Incident No. 84696.

Date: 03/27/2007 (542214)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit No. 770, SC 1
Description: Investigation No. 542214 determined that Dow Incident No. 84425 could have been avoided by good operations practices.

Date: 03/31/2007 (553947)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT TCEQ Air Permit No. 834, SC1
Description: Investigation No. 553947 determined that Dow Incident No. 85437 was caused by operator error. The incident was avoidable.

Date: 04/02/2007 (532635)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Site failed to represent volatile organic compound (VOC) emissions from Catalyst Mix Tanks D-10, D-10A, D-11, D-11A, D-12, and D-12A (B77APPT10, B77APPT10A, and B77APPT11, B77APPT11A, B77APPT12, and B77APPT12A) in the permit application for NSR Permit 8567.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02215, SC 2F
Description: Site failed to create final records of seven emissions events no later than two weeks after the end of the emissions events.

Self Report? NO Classification: Minor

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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT NSR 8567, SC 6
OP Title V O-02215, SC 11
Description: Site failed to operate the flare (B78APF1) with a flame present for a total of 21 minutes

on 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 NSR 8567, SC 1 OP Title V O-02215, SC 11		
Description:	Site failed to maintain the hourly permitted emission limit of 0.34 lbs/hr of VOC for a tank (B78APST5).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT NSR 6803, SC 9E PERMIT NSR 834, SC 9E PERMIT NSR 8567, SC 8E OP Title V O-02215, SC 11 OP Title V O-02215, SC 1F(v)		
Description:	Site failed to equip five open-ended lines with plugs/blinds. The regulated entity also discovered to fail to equip nine open-ended lines with second valves/plugs on the non-threaded drain lines of D-10, D-11, and D-12 on May 11, 2006.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.781(c)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V O-02215, SC 1F(v)		
Description:	Site failed to conduct weekly visual inspections of pumps, compressors, and agitators in highly reactive volatile organic compound (HRVOC) service during the week of January 15, 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V O-02215, SC 1F(ii)		
Description:	Site failed to operate Train 1 Make Hoppers, MH-101, MH-102 & MH-103, Check Hoppers CH-101A & CH-101B, and Spin Dryer SD-102 within the established operating limits for the selected operating parameters to establish maximum potential HRVOC hourly emission data expected during normal operation for the vent (B25P2RX101).		
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 NSR 48813, SC 1 OP Title V O-02215, SC 11		
Description:	Site failed to limit the VOC emissions from Train 2 Make Hoppers MH-201, MH-202, and MH-203 (B25P2SB201, B25P2SB202, and B25P2SB203) within the permit allowables of 1.98 lbs/hr from each hopper vent.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V O-02215, SC 1F(i)		
Description:	Site failed to operate Make Hoppers MH-241, MH-243, MH-244 and MH-311 within the established operating limits for the selected operating parameters to establish maximum potential HRVOC hourly emission data expected during normal operation for the vent (B25P2VOGS).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(3) 30 TAC Chapter 115, SubChapter H 115.782(a) 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 NSR 19519, SC 10H
 PERMIT NSR 48813, SC 5H
 PERMIT NSR 6803, SC 9H
 OP Title V O-02215, SC 11

Description: Site failed to place leaker tags on six leaking valves and four leaking connectors.

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 NSR 834, SC 1
 OP Title V O-02215, SC 11

Description: Site failed to limit the VOC emissions from Train 1 Blending Silos RB-1, RB-5, RB-9, and RB-13 (B41P4SB1, B41P4SB5, B41P4SB9, and B41P4SB13) within the permit allowables of 3.11 lbs/hr from each silo vent.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 834, SC 3
 PERMIT NSR 8567, SC 6
 OP Title V O-02215, SC 11
 OP Title V O-02215, SC 1F(iii)

Description: Site failed to maintain the minimum net heating value of 300 Btu/scf for the gas being combusting at the flare (B78APF1) on two occasions for a total of two hours on June 2 and 30, 2006.

Self Report? NO Classification: Minor

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: OP Title V O-02215, SC 2

Description: Site failed to determine an emissions event (Incident # 79942) occurred on August 13, 2006 is a reportable emissions event and failed to notify the commission regional office the reportable event no later than 24 hours after the discovery of the emissions event.

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 NSR 6803, SC 1
 OP Title V O-02215, SC 11

Description: Site failed to maintain VOC emissions from the flare (B27P3F1) within the emissions allowable of 10.95 lbs/hr for one hour on September 11, 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP Title V O-02215, SC 1F(i)

Description: Site failed to conduct testing on the Poly 4 hold up hopper vents (B41V1 and B41V2) to establish maximum potential HRVOC hourly emission data by the compliance date of January 30, 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 NSR 8567, SC 1
 OP Title V O-02215, SC 11

Description: Site failed to maintain VOC emissions from Tanks T-10 and T-11 within the permitted allowables of 0.02 lbs/hr for each of the tanks, and 0.06 tons/yr for T-10 and 0.03 tons/yr for T-11.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP Title V O-02215, General Conditions
Description: Site failed to report all instances of deviations in deviation reports.

Date: 04/13/2007 (543310)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02203, SC 14.A.
PERMIT Permit No. 4031, SC 16.E.

Description: Failure to seal an open-ended line (OEL) in organic hazardous air pollutant service (unit ID: B13GBFU3).

Date: 04/27/2007 (532788)

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 FOP O-02217, SC #15
PERMIT TCEQ Air Permit No. 6932, SC #3A

Description: Dow failed to prevent inadequate fuel supply to the flares.

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 FOP O-02217, SC #15
PERMIT TCEQ Air Permit No. 6932, S C #1

Description: Dow failed to control the release of unauthorized VOCs.

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 FOP O-02217, SC 15
PERMIT TCEQ Air Permit No. 19720 SC 3

Description: Dow exceeded their annual permitted throughput loading rate.

Date: 06/30/2007 (575538)

Self Report? YES Classification: Moderate

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

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

Date: 07/11/2007 (532793)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP Permit # O-02311, General Terms & Cond.
OP Permit # O-02311, Special Condition #10
PERMIT Permit #20776, Special Condition #5

Description: Failure to prevent the solvent recovery tank system pressure from exceeding 10 psig.

Date: 07/27/2007 (563635)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.15(3)(A)

Rqmt Prov: PERMIT Provision IV.A

Description: Failure to notify acceptance of unmanifested wastes within 15 days from the date the wastes were accepted.

Date: 08/06/2007 (568640)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit a deviation report by the submittal due date.

Date: 08/14/2007 (568679)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP General Terms and Conditions
Description: Failure to submit semiannual deviation report within 30 days of end of deviation reporting period.

Date: 08/31/2007 (512665)
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)
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 FOP Permit No. O-02206, STC 11
PERMIT NSR Permit No. 2472 SC 9E
PERMIT NSR Permit No. 2773 SC 12 E
Description: Failure to plug 35 open-ended lines.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP FOP No. O-02206 STC 10
OP FOP No. O-02206 STC 1D
Description: failure to record solvent flow and pH for the units A32TO560, A32STHROX, A32CPST06C&D, and A32CSST284 during February 20, 2006 at 3:03 p.m. through February 21, 2006 till 7:35 a.m.

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: OP FOP O-02206 STC 11
PERMIT NSR Permit No. 770 SC 11
Description: failed to complete annual refresher training for the year 2005.

Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
Description: failure monitor 29 connectors initially and annually as required from January 16, 2005 through July 15, 2006.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP FOP O-02206 STC 11
Description: failure to record firebox temperature of incinerators A32CPSTO6D and A32CPSTO6C and failed to detect pilot flame for flare A32CSST284 for one hour between April 25, 2006 at 9:00 a.m. through April 26, 2006 at 10:00 a.m. while compute files were backed-up.

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 FOP O-02206 STC 11
PERMIT NSR Permit No. R-770 SC 17 B(2)
Description: failure to maintain minimum Liquid / Gas (L/G) ratio for the Huntsman's ammonia scrubber 36 times during July 16, 2005 through January 15, 2006.

Date: 08/31/2007 (543556)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-2208, STC 3(A)(ii)
Description: Failure to conduct visible emission observations for unit ID B19S2, each quarter from April 4, 2004 through September 30, 2005.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT NSR Permit No. 20432 SC 2E
OP O-02208 STC 1(F)
Description: Failure to plug 12 open-ended lines during October 19, 2005 through September 27, 2006.
This is an alleged violation of 40 CFR 63.167(a)(1) and 30 TAC 115.352(4).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT NSR Permit No. 20232 SC 4
OP O-02208 STC 17
Description: Failure to maintain minimum BTU of 300 Btu/scf for the flares B23G1FS865, B70ALF1, and B70ALF801 during April 19, 2006 through October 17, 2006 and November 5, 2005 through April 18, 2006.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02208 STC 1M
Description: Failure to analyze grab samples when the on-line analyzer data unavailable for 15 instances from June 13, 2006 through August 13, 2006 for the unit B23G2F865 and for two instances from February 1, 2006 through June 27, 2006 for the unit B70AKF1.

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 NSR Permit No. 20432 SC 1-12A
OP O-0228 STC 17
Description: failure to install a rupture disc upstream of PSV in HAP service. This is an alleged violation of NSR Permit No. 20432 SC I-12A

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.14(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02208 STC 9G
Description: failure to maintain monitoring data for the flare, B23G2F865 from July 4, 2006 through July 5, 2006.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02208 STC 1F
Description: failure to monitor a pump during September 1, 2006 through October 18, 2006. This is an alleged violation of 40 CFR 63.163(b)(1).

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

Rqmt Prov: PERMIT NSR Permit 20432 SC 2F
 OP O-02208 STC 17
 Description: failure to replace rupture disc at the earliest convenience during January 31, 2006 through March 29, 2006.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(ii)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02208 STC 11
 Description: failed to install car seal on the ten (10) bypass valves on closed vent system during December 13, 2005 though December 14, 2005.

Date: 10/03/2007 (543554)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 20432; SC I-9.C., SC I-9.D., SC I-9.E.
 OP Title V O-02207; SC 14.A.
 Description: failed to maintain water flow rates to scrubbers with a minimum rate as indicated in the permit

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP Title V O-02207; SC 14.A.
 Description: failed to maintain water flow to the Scrubber, EPN B64VS3, with a minimum rate of 30 gallons per minute on November 27, 2005.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 20432; SC I-38.C.
 OP Title V O-02207; SC 14.A.
 Description: failed to perform quarterly cylinder gas audits (CGAs) on the continuous emissions monitoring system (CEMS) for Epoxy 2 Carbon Bed, EPN B62CB1 from April 1, 2005 through June 30, 2006.

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

Rqmt Prov: OP Title V O-02207; SC 3.B.(iii)
 Description: failed to perform annual observations of the stationary vents, EPN B62E2RX1 and B43E3RX1 from January 16, 2004 to April 18, 2006, and failed to keep records of annual observations of the stationary vent, EPN B52V001 from April 18, 2004 to October 18, 2006

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 20432; SC I-37.C.
 OP Title V O-02207; SC 14.A.
 Description: failed to convert volatile organic compounds (VOC) concentrations to pounds per hour from April 1, 2005 to July 31, 2006 for Epoxy 2 Carbon Bed, EPN B62CB1.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 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: PERMIT NSR 20432: SC 2E
 OP Title V O-02207; SC 1.A., 14.A.
 Description: failed to equip open-ended lines in hazardous air pollutant (HAP) and in VOC service with a cap or plug.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP Title V O-02207; SC 1.A.
Description: failed to submit a semi-annual NOx CEMS report for Boilers B-901, B-902, and B-903, EPN OC3U3B901, EPN OC3U3B902, and EPN OC3U3B903, within the established deadline.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(e)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT W 63.528(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP Title V O-02207; SC 1.A.
OP Title V O-02207; SC 8.G.

Description: failed to submit a semi-annual report for the Epoxy Products (1) Unit, within the established deadline.

Self Report? NO Classification: Minor

Citation: 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)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT NSR 3434; SC 6.F.
OP Title V O-02207; SC 1.A., 14.A.

Description: failed to re-monitor of a fugitive leaker within 15 days of the detection of the leak.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP Title V O-02207: General Conditions

Description: failed to report all instances of deviations in the deviation report dated November 18, 2005

Date: 10/23/2007 (566959)

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 NSR 20909; SC 7.
OP Title V O-02211; SC 14.

Description: Site failed to maintain a positive flow from the vent header system to the thermal oxidizer (EPN B35EWS200) on November 14 and 15, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.69(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP Title V O-02211; SC 20

Description: Site failed to certify the operating procedures required by 40 CFR 68.69(c) pertaining to risk management processes to assure that they are current and accurate.

Date: 01/09/2008 (595622)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP FOP 2212, SC # 16
OP FOP 2212, SC # 1A
PERMIT NSR # 22072 SC # 4

Description: Failure to maintain minimum flare heating values of 300 Btu/scf for flares BSRFMNF and BSRF401

Self Report? NO 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)

Rqmt Prov: 5C THSC Chapter 382 382.085(b)
OP FOP 2212, SC #16
PERMIT NSR # 22072, SC # 1

Description: Failure to maintain maximum allowable VOC emissions of 0.94 lb/hr during the times the BSRFMNF flare was below 300 Btu/scf on July 24, 2006 from 1500-1600, and from August 11, 2006 at 1900 to August 14, 2006 at 0700.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(2)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to record permanent records of the daily NOx emissions and fuel usage (or exhaust stack flow) from January 1, 2007 to March 28, 2007 for EPN BSRHDHTR.

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 FOP 2212, SC # 17
PERMIT NSR # 22072, SC # 10A

Description: Failure to consistently conduct audio, visual, & olfactory (AVO) inspections for chlorine leaks within the operating area every four hours (19 times) from January 1, 2007 to July 6, 2007.

Date: 01/09/2008 (595628)

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

Rqmt Prov: PERMIT NSR #770, SC26E
OP O-02206, STC 11
OP O-02206, STC 1A

Description: Failed to seal 10 open-ended valves or lines with a cap, blind flange, plug or a second valve.

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 63, SubChapter C, PT 63, SubPT H 63.169(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR#770, SC26F
OP O-02206, SC12
OP O-02206, SC1A

Description: Failed to monitor nine fugitive components.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.116(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(2)(ii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02206, STC1A

Description: Failed to record two periodic monitoring records.

Date: 01/28/2008 (610685)

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 37884, SC 3 (C)
OP O-02313, SC 9

Description: Failure to stay below the maximum operating limit for NOx on flare FV600.

Date: 01/29/2008 (615960)

Self Report? NO Classification: Moderate

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

Rqmt Prov: PA 20774

Description: Failure to inspect relief valves as required by permit No. 20774.

Date: 02/13/2008 (610665)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT NSR Permit 20776, Special Condition 5
OP O-02311, Special Terms and Conditions 10
Description: Failure to operate at a minimum pressure of 2 psig and a maximum pressure of 10 psig on Unit B6610QUV53.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT NSR Permit 20776, Special Condition 8
OP O-02311 Special Terms and Conditions 10
Description: Failure to maintain the minimum flow rate of 0.6 gallon per minute on the Acid Scrubber System (D-27).

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 NSR Permit 20776, Special Condition 71
OP O-02311, Special Terms and Conditions 10
Description: Failure to monitor one component out of 3814 fugitive components for three monitoring periods.

Date: 02/28/2008 (637300)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)
Description: Failure to provide a ground storage capacity which is equal to 50% of the maximum daily demand.

Date: 03/06/2008 (595630)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-02213, SC 1(L)(iii)
Description: Failure to collect grab samples when the on-line analyzer (OC6L8F1000) data was unavailable (2 instances) from November 1, 2006 at 0833 to November 30, 2006 at 0955.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
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 THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-02213, SC 1(A)
OP FOP O-02213, SC 1(D)
OP FOP O-02213, SC 16
PERMIT NSR 20432, SC 1(E)
Description: Failure to seal fifty (50) open-ended lines containing volatile organic compounds for B72L2FU1 and OC6L8FU01 from May 16, 2006 at 1500 to August 3, 2006 at 1159 and from November 29, 2006 at 1200 to March 21, 2007 at 1150.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
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 63.168(b)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-02213, SC 1(A)
OP FOP O-02213, SC 1(D)

OP FOP O-02213, SC 16
 PERMIT NSR 20432 (GMA) SC 1(F)

Description: Failure to monitor 61 newly installed valves as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
 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 FOP O-02213, SC 16
 PERMIT NSR 20432 (GMA), SC 1(E)

Description: Failure to monitor 512 newly installed connectors as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 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(b)(1)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 1(A)
 OP FOP O-02213, SC 1(D)
 OP FOP O-02213, SC 16
 PERMIT NSR 20432 (GMA), SC 1(G)

Description: Failure to monitor 2 newly installed pumps as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 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(b)(1)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 1(A)
 OP FOP O-02213, SC 1(D)
 OP FOP O-02213, SC 16
 PERMIT NSR 21596, SC 13

Description: Failure to monitor one fugitive component (pump EAI266096 in light liquid service) from November 1, 2006 at 0000 to April 18, 2007 at 2350 for A17FU2.

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 FOP O-02213, SC 16
 PERMIT NSR 20432, Ch. III, SC III-24(G)(1)(b)

Description: Failure to complete analysis of cracked gas sulfur content which was collected but not analyzed by the end of the 1st quarter, from April 1, 2007 at 0000 to April 18, 2007 at 2359.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-02213, SC 16

Description: Failure to submit a permit-by-rule for HRVOC analyzer vents B72L7FU1, OC6L8FU01, A17EAFU2, B31S1FU1, and B71S2FU1) from January 30, 2006 at 0000 to October 18, 2006 at 2350 and from October 19, 2006 at 0000 to April 18, 2007.

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 FOP O-02213, SC 16
 PERMIT NSR 20432, Ch. IV, SC IV-10(D)
 PERMIT NSR 21596, SC 15(C)

Description: Failure to reduce the individual average NOx and CO concentrations to units of the applicable permit allowable emission rates at the required frequency as stated in the permit from April 19, 2004 at 0000 to April 4, 2007 at 2359 for B31HMOD1B and 74S1221A170554

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 FOP O-02213, SC 16
 PERMIT NSR 20432 (GMA), SC 4
 Description: Failure to prevent five (5) occurrences of excess the flare tip exit velocity for flare waste gas from May 03, 2006 at 0200 to May 11, 2006 at 2100 (2 occurrences) and from November 22, 2006 at 0800 to February 2, 2007 at 1500 (3 occurrences) for flare OC6L8F1000.

Self Report? NO 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 THSC Chapter 382 382.085(b)
 Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 20432, Ch. III, SC III-1
 Description: Failure to prevent Maximum Allowable Emissions Rate Table (MAERT) occurrences due to excess the flare tip exit velocity for flare waste gas on February 4, 2007 for flare OC6L8F1000. Total VOC emissions were 267.6 lbs/hr (126.0 lbs/hr maximum allowed per the interim CAP effective from December 31, 2005 to July 1, 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 FOP O-02213, SC 1(A)
 OP FOP O-02213, SC 16
 PERMIT NSR 21596, SC 8
 Description: Failure to maintain minimum flare Btu/scf value at or above 300 on August 6, 2006 from 1300-1400 for A17EAF11.

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 NNN 60.662(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: OP FOP O-02213, SC 16
 PERMIT NSR 21596, SC 3
 Description: Failure to maintain minimum firebox temperature at or above 663 degrees Celsius on May 21, 2006 from 1300 to 2100 for A17EAH551.

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 FOP O-02213, SC 16
 PERMIT NSR 21596, GC 8
 PERMIT NSR 21596, SC 1
 Description: Failure to prevent Maximum Allowable Emission Rate Table (MAERT) exceedance for A17S551 due to low firebox temperature below 663 degrees Celsius on May 21, 2006 from 1300 to 2100 for A17EAH551.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: OP FOP O-02213 SC 2F
 Description: Failure to make a final record of a recordable event within 14 days (2 occurrences) for the loss of 2 lbs of VOC from A17EAF11 and the 3 lbs of VOC from A17EAF11.

Date: 03/10/2008 (619156)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
PERMIT TCEQ Air Permit No. 21596, SC 3
PERMIT TCEQ Air Permit No. 21596, SC 8
Description: Dow failed to maintain the net heating value of the flare for one hour during an emissions event (Incident 101569) that occurred on December 19, 2007 and lasted 15 hours and 17 minutes.

Date: 07/02/2008 (618777)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(c)
40 CFR Part 60, Subpart VV 60.482-1(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP SC 15
PERMIT SC 2 E

Description: Failure to install plugs for open ended lines during the annual compliance certification period 10/19/06 through 10/18/07.

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 122.145
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP SC 15
PERMIT SC I-9 (B), (C), & (D)

Description: Failure to maintain inlet water flow to the adsorber, process vents and storage tanks.

F. Environmental audits.

Notice of Intent Date: 02/18/2004 (265119)
No DOV Associated

Notice of Intent Date: 03/19/2004 (336700)
No DOV Associated

Notice of Intent Date: 04/14/2004 (274298)
No DOV Associated

Notice of Intent Date: 06/14/2004 (347895)
No DOV Associated

Notice of Intent Date: 12/17/2004 (347242)
Disclosure Date: 11/23/2005

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)

30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(8)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)

Rqmt Prov: PERMIT NSR Permit 20432
PERMIT NSR Permit 22072

Description: Failure to monitor Valves, Connectors, Pressure Relief Valves, Pumps, Compressors, Agitator and Instrumentation Systems in the Salt Dome Operation, LHC-7 and LHC8.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring in emissions inventory calculations.

Notice of Intent Date: 03/30/2005 (378947)
No DOV Associated

Notice of Intent Date: 04/20/2005 (380855)
Disclosure Date: 10/28/2005

Viol. Classification: Moderate
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)

Rqmt Prov: PERMIT NSR Permit 2473

Description: Failed to monitor all components under a prescribed Leak Detection and Repair Program.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to include missed monitored components in emissions inventory.

Notice of Intent Date: 08/16/2005 (434104)
Disclosure Date: 02/22/2006

Viol. Classification: Moderate
Rqmt Prov: PERMIT NSR permit 37884

Description: Failure to monitor 369 Valves, 1156 Connectors and 31 Pressure Relief Valves in the OC4 Polypropylene Unit.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)

40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30

Description: Failed to report emission calculations of components that were not monitored under a prescribed LDAR program

Notice of Intent Date: 09/16/2005 (436340)
Disclosure Date: 11/28/2005

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to monitor components within an LDAR program.

Notice of Intent Date: 10/26/2005 (465631)
Disclosure Date: 04/27/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(8)

30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT 19519
PERMIT 48813
PERMIT 6803

Description: Failure to monitor Valves, Connectors, Pressure Relief Valves in B25 Polyethylene 2 and failure to monitor Valves, Connectors, Pressure Relief Valves, Agitator and Pumps in B27 Polyethylene 3.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring (B25 Polyethylene 2 and B27 Polyethylene 3) in the emissions inventory calculations.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

Description: Failure to close open ended lines.

Disclosure Date: 10/25/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT 19519
PERMIT 48813
PERMIT 6803

Description: Failure to monitor Valves, Connectors, Pressure Relief Valves in B25 Polyethylene 2 and failure to monitor Valves, Connectors, Pressure Relief Valves, Agitator and Pumps in B27 Polyethylene 3.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring (B25 Polyethylene 2 and B27 Polyethylene 3) in the emissions inventory calculations.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

Description: Failure to close open ended lines.

Notice of Intent Date: 10/31/2005 (597298)

Disclosure Date: 05/01/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)

Rqmt Prov: PERMIT NSR 20432

Description: Failure to monitor components under a prescribed LDAR program

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components on EIQ.

Notice of Intent Date: 01/06/2006 (452904)

Disclosure Date: 05/12/2006

Viol. Classification: Minor

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

Description: RQ emissions event records missing information.

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR Permit 22070

Description: Failure to maintain monthly emissions records for all storage tanks and loading operations.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(h)(1)

Description: Failure to maintain documentation for the design criteria of the seal system, the barrier fluid system or both for dual mechanical seal pumps in benzene service.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)

Description: Failure to label lines for Pygas.

Notice of Intent Date: 02/06/2006 (458261)

Disclosure Date: 08/04/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.789(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4

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

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-4

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)(1)

Description: Failure to monitor valves, connectors and pressure relief valves under a prescribed Leak Detection and Repair Program.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to submit emissions inventories for missed component monitoring.

Notice of Intent Date: 02/27/2006 (459089)

Disclosure Date: 08/24/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)(1)

Rqmt Prov: PERMIT NSR Permit 5339

Description: Failure to monitor 146 Valves and 499 Connectors in the B15 Trichloroethanes Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.1

Description: Failure to include components which missed monitoring in emissions inventory calculations.

Notice of Intent Date: 03/29/2006 (464367)

Disclosure Date: 08/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

Rqmt Prov: PERMIT NSR permit 2606

Description: Failure to monitor components

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ submittals

Notice of Intent Date: 03/29/2006 (464509)

Disclosure Date: 10/02/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.782(b)

30 TAC Chapter 115, SubChapter H 115.789(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

Description: Failure to monitor 146 valves and 398 connectors.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions calculations reporting.

Notice of Intent Date: 03/29/2006 (464513)

Disclosure Date: 08/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)(1)

Rqmt Prov: PERMIT NSR Permit 5340

Description: Failed to monitor 341 Valves and 1018 Connectors in the A18 Chlorinated Methane Unit.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring in the emissions inventory calculations.

Notice of Intent Date: 03/29/2006 (466306)

Disclosure Date: 09/28/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(1)

Rqmt Prov: PERMIT NSR Permit 8567

Description: Failure to monitor 261 Valves and 715 Connectors in the B77 Adhesive Polymers Plant.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failed to include components that missed monitoring in emissions inventory calculations.

Notice of Intent Date: 03/29/2006 (466317)

Disclosure Date: 09/28/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR Permit 834

Description: Failure to monitor 828 Valves, 3981 Connectors, 4 Pumps, and 6 Relief Valves in the B41 Polyethylene Plant.

Viol. Classification: Moderate

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

Description: Failure to close 80 open ended lines in B41 Polyethylene Plant.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions inventory calculations.

Notice of Intent Date: 04/21/2006 (465958)

Disclosure Date: 10/22/2006

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)

Rqmt Prov: PERMIT NSR Flex Permit 20432

Description: Failure to monitor 633 Valves, 5175 Connectors, 4 Relief Devices and 38 Pumps in the B71 Styrene Plant.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring in emissions inventory calculations.

Notice of Intent Date: 04/25/2006 (480426)

Disclosure Date: 10/22/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1052

40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1058

40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1062(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(1)

Rqmt Prov: PERMIT NSR Flex Permit 20525

PERMIT NSR Flex Permit 46429

PERMIT NSR Permit 8567

Description: Failure to monitor Valves, Connectors and Agitators in B44 Voranol Plant, failure to monitor Valves and Connectors in B46 SPC Plant and failure to monitor Valves and Connectors in B46 Blending Plant.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR Flex Permit 20525

PERMIT NSR Flex Permit 46429

Description: Failure to include 2 Pumps and 14 Relief Valves in the LDAR Program in B44 Voranol Plant, failure to include 3 Pumps in the LDAR Program in B46 SPC Plant.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components which missed monitoring into Emissions Inventory calculations.

Notice of Intent Date: 05/12/2006 (465966)

Disclosure Date: 11/15/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1052

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR Flex permit 20432

Description: Failure to monitor 108 Valves, 392 Connectors and 3 Pumps in the B43 Epoxy 3. Failure to monitor 898 Valves, 3018 Connectors, 12 Pressure Relief Valves, 10 Pumps and 1 Agitator in the B62 Epoxy 2.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions inventory calculations.

Viol. Classification: Minor

Citation: 1 THC Chapter 1 1.001(a)

Rqmt Prov: PERMIT Title V permit O-02207

Description: Failure to include missed monitored components in previous Title V Deviation Reports.

Notice of Intent Date: 06/13/2006 (484536)

Disclosure Date: 05/14/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR permit 20432

Description: Failure to monitor components

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components on EIQ reports

Notice of Intent Date: 06/20/2006 (486601)

No DOV Associated

Notice of Intent Date: 06/26/2006 (488476)

No DOV Associated

Notice of Intent Date: 08/15/2006 (511065)

Disclosure Date: 11/15/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1052

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to monitor 402 Valves, 1425 Connectors, 8 Relief Devices and 2 Pumps in the B64 HydroxyAlkylAcrylate Plant.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in the emissions inventory calculations.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V permit O-02207

Description: Failure to include missed monitored components in previous Title V deviation reports.

Notice of Intent Date: 08/28/2006 (514018)

No DOV Associated

Notice of Intent Date: 10/24/2006 (461404)

Disclosure Date: 04/25/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to monitor valves, connectors, relief devices and pumps.

Viol. Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include emissions of missed monitored components in emission calculation reporting.

Viol. Classification: Moderate

Citation: 1 THC Chapter 1 1.001(a)

Rqmt Prov: PERMIT Title V Permit O-2207

Description: Failure to include missed monitored components in Title V deviation reports.

Notice of Intent Date: 12/13/2006 (536545)

Disclosure Date: 06/13/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

Rqmt Prov: PERMIT Permit 20777

Description: Failure to monitor components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ submittals.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V Operating Permit O-02218

Description: Failure to include missed monitored components in the Title V deviation report.

Notice of Intent Date: 12/13/2006 (536549)

No DOV Associated

Notice of Intent Date: 12/27/2006 (537891)

No DOV Associated

Notice of Intent Date: 01/09/2007 (541786)

No DOV Associated

Notice of Intent Date: 01/12/2007 (554256)

No DOV Associated

Notice of Intent Date: 01/19/2007 (541798)

Disclosure Date: 07/12/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR permit 48715

Description: Failure to, under a prescribed LDAR program, monitor 462 valves, 2873 connectors, 1 pump, 5 relief valves.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQs.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02204

Description: Failure to include missed monitored components in Title V deviation report.

Notice of Intent Date: 01/19/2007 (541800)

Disclosure Date: 07/13/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR 3320

Description: Failure to monitor components under a prescribe LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02209

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 01/25/2007 (541805)

Disclosure Date: 07/30/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

Description: Failure to monitor components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02211

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 01/25/2007 (541810)

Disclosure Date: 07/25/2007

Viol. Classification: Moderate

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

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(f)

30 TAC Chapter 115, SubChapter H 115.789(1)

Description: Failure to monitor components under a prescribed LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02311

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 02/13/2007 (542642)

Disclosure Date: 07/30/2007

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1362(c)(6)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)

Description: Failure to monitor components under a prescribe LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V O-02205

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 02/12/2007 (542650)

Disclosure Date: 07/14/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR 2008

Description: Failure to monitor components under a prescribed LDAR program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in Emissions Inventory.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Rqmt Prov: PERMIT O-02216

Description: Failure to include missed monitored components in Title V deviation report.

Notice of Intent Date: 02/26/2007 (554272)

No DOV Associated

Notice of Intent Date: 02/26/2007 (554275)

No DOV Associated

Notice of Intent Date: 04/02/2007 (557536)

No DOV Associated

Notice of Intent Date: 04/02/2007 (557539)

No DOV Associated

Notice of Intent Date: 04/02/2007 (557547)

No DOV Associated

Notice of Intent Date: 04/18/2007 (558622)

No DOV Associated

Notice of Intent Date: 04/16/2007 (558628)

Disclosure Date: 11/04/2007

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1035(b)

Rqmt Prov: PERMIT NSR 1472

Description: Failure to monitor specific components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components on emissions inventory report.

Viol. Classification: Minor

Rqmt Prov: PERMIT O-2220

Description: Failure to include missed monitored components on emissions inventory report.

Notice of Intent Date: 04/19/2007 (558643)

No DOV Associated

Notice of Intent Date: 04/19/2007 (558652)

No DOV Associated

Notice of Intent Date: 04/20/2007 (558658)

Disclosure Date: 11/16/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)(1)

Description: Failure to monitor specific components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions inventory report.

Viol. Classification: Minor

Rqmt Prov: PERMIT O-2213

Description: Failure to include missed monitored components on Title V deviation report.

Notice of Intent Date: 04/18/2007 (558712)

No DOV Associated

Notice of Intent Date: 04/20/2007 (558725)

Disclosure Date: 11/16/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 115, SubChapter H 115.781(f)

Description: Failure to monitor specific components under a prescribed Leak Detection and Repair Program.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to report emission calculations for missed monitored components.

Viol. Classification: Minor

Rqmt Prov: PERMIT O-2213

Description: Failure to include missed monitored components in Title V deviation report.

Notice of Intent Date: 04/18/2007 (558733)

No DOV Associated

Notice of Intent Date: 10/02/2007 (598845)

No DOV Associated

Notice of Intent Date: 10/25/2007 (600864)

No DOV Associated

Notice of Intent Date: 10/25/2007 (600866)

No DOV Associated

Notice of Intent Date: 04/29/2008 (681813)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J: Early compliance.

N/A

Sites Outside of Texas

N/A



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
THE DOW CHEMICAL COMPANY
RN100225945

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

**AGREED ORDER
DOCKET NO. 2008-0843-AIR-E**

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

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

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

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

I. FINDINGS OF FACT

1. The Respondent owns and operates a chemical manufacturing plant at 2301 North Brazosport Boulevard in Freeport, Brazoria County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation on July 10, 2007, TCEQ staff documented that during a June 7, 2007 excessive emissions event (Incident No. 92204) the following unauthorized emissions were released over a period of 24 hours and 11 minutes from Flare FS1 and the LHC7 Process Area: 30,526 pounds ("lbs") of carbon monoxide, 16,666 lbs of ethylene, 6,823 lbs of toluene, 4,220 lbs of nitrogen oxides, 3,228 lbs of propylene, 1,297 lbs of 1,3 butadiene, 1,211 lbs of benzene, 1,171 lbs of propane, 426 lbs of styrene, 272 lbs of 1-butene, 179 lbs of n-butane, 126 lbs of acetylene, 115 lbs of trans 2-butene, 69 lbs of cis 2-butene, and 41 lbs of isobutene.
4. During an investigation on February 21, 2008, TCEQ staff documented that during a February 5, 2008 emissions event (Incident No. 103332) 2,799.40 lbs of unauthorized ethylene oxide emissions were released over a period of two hours and 24 minutes from the VS-3 Scrubber.
5. During an investigation on March 17, 2008, TCEQ staff documented that during a February 14, 2008 emissions event (Incident No. 103745) 272.59 lbs of unauthorized chlorobenzene emissions were released over a period of 53 minutes from a rupture disc holder.
6. During an investigation on April 7, 2008, TCEQ staff documented that during a March 3, 2008 emissions event (Incident No. 104544) the following unauthorized emissions were released over a period of four hours from Elevated Flare F-1 and Ground Flare F1000: 10,503 lbs of volatile organic compounds ("VOCs"), 8,996 lbs of carbon monoxide, and 1,246 lbs of nitrogen oxides.
7. During an investigation on July 10, 2007, TCEQ staff documented that during a May 30, 2007 excessive emissions event (Incident No. 92991) 15,300 lbs of unauthorized chlorobenzene emissions were intermittently released from Cooling Tower CT-611 on a total of eleven days over a period that lasted 526 hours and 14 minutes from Cooling Tower CT-611.
8. During an investigation on April 17, 2008, TCEQ staff documented that during a March 18, 2008 emissions event (Incident No. 105191) 538 lbs of unauthorized ethylene emissions were released over a period of one minute from vents on Reactor R-101.
9. During an investigation on May 21, 2008, TCEQ staff documented that during an April 2, 2008 emissions event (Incident No. 105792) 902.64 lbs of unauthorized dichloropropanol emissions were released over a period of 86 hours and 30 minutes from Clarifier Tanks CL-145, CL-155, CL-165, and FL-135.
10. During an investigation on April 17, 2008, TCEQ staff documented that during a March 31, 2008 emissions event (Incident No. 105644) 213 lbs of unauthorized ethylene emissions and 44 lbs of unauthorized VOC emissions were released over a period of ten minutes from Flare F78F1 when there was not a flare flame present.
11. During an investigation on May 21, 2008, TCEQ staff documented that during an April 21, 2008 emissions event (Incident No. 106640) 648 lbs of unauthorized ethylene emissions were released over a period of seven minutes from Vent C-20.

12. The Respondent received notices of the violations on May 5, 2008, May 7, 2008, May 24, 2008, June 7, 2008, June 15, 2008, July 6, 2008, July 15, 2008, July 16, 2008, and July 23, 2008.
13. The Executive Director recognizes that the Respondent:
 - a. Completed the following corrective actions on April 30, 2008 in accordance with the TCEQ approved Corrective Action Plan ("CAP") submitted on June 26, 2008 for Incident No. 92204: adjusted the control oil regulator to reduce the flow rate, installed a portable flow device to measure and demonstrate the reduced flow rate, relocated the control oil regulator and associated piping to the correct locations, and updated the Management of Change and work process to ensure adequate review of piping prior to start-up;
 - b. Completed the following corrective actions on February 6, 2008 in response to Incident No. 103332: revised unit procedures to visually verify the trans-flow valve position in the field following exchanger swaps, trained employees on the revised procedure, permanently sealed the locking device on related exchanger actuators, conducted an audit of other similar valves, reviewed the management system, completed functional tests, and developed a new emergency procedure for response to related alarms;
 - c. Completed the following corrective actions on May 22, 2008 in response to Incident No. 103745: installed a new rupture disk holder, conducted an audit of other similar rupture disk holders, updated related checklists to ensure correct installation of future rupture disks and holders, and created a new procedure for the installation of rupture disk holders;
 - d. Completed the following corrective actions on July 22, 2008 in response to Incident No. 104544: updated the start-up procedure to note specific valves so they can be identified during testing conducted prior to start-up, trained employees on the installation procedure for the turbo-expander bypass fail-open valve, changed the temperature control selection to remove one of the three thermocouples for the control selection, and evaluated the start-up procedure load increases;
 - e. Completed the following corrective actions on March 31, 2008 in accordance with the TCEQ approved CAP submitted on August 4, 2008 for Incident No. 92991: immediately isolated and repaired the leaking heat exchanger, subsequently replaced all similar heat exchangers with a stainless steel version more resistant to cracking and leaks, lowered the detection limits for the cooling tower water test methods, increased the cooling tower water sampling frequency, and implemented a written plan for responding to water contamination in the cooling tower;
 - f. Completed the following corrective actions on March 19, 2008 in response to Incident No. 105191: modified the procedure for taking the reactor down to low pressure and trained employees on the modified procedure;

- g. Completed the following corrective actions on May 2, 2008 in response to Incident No. 105792: upgraded the Epi-1 Process Control System to prevent operating under low pH conditions and trained employees on the upgrade;
- h. Completed the following corrective actions on March 31, 2008 in response to Incident No. 105644: the flare tip was inspected and the cracked pilot shroud was replaced; and
- i. Completed the following corrective actions on July 31, 2008 in response to Incident No. 106640: developed and implemented procedures for computer hardware repairs that includes risk assessment and trained employees on the procedures.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions during Incident No. 92204, in violation of Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and excessive the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
3. As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions during Incident No. 103332, in violation of Air Permit No. 7386, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
4. As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized emissions during Incident No. 103745, in violation of Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
5. As evidenced by Findings of Fact No. 6, the Respondent failed to prevent unauthorized emissions during Incident No. 104544, in violation of Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
6. As evidenced by Findings of Fact No. 7, the Respondent failed to prevent unauthorized emissions during Incident No. 92991, in violation of Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and excessive the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

7. As evidenced by Findings of Fact No. 8, the Respondent failed to prevent unauthorized emissions during Incident No. 105191, in violation of Air Permit No. 834, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
8. As evidenced by Findings of Fact No. 9, the Respondent failed to prevent unauthorized emissions during Incident No. 105792, in violation of Air Permit No. 20909, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
9. As evidenced by Findings of Fact No. 10, the Respondent failed to prevent unauthorized emissions and maintain a flare flame during Incident No. 105644, in violation of Air Permit No. 8567, Special Condition Nos. 1, 4B, and 10, 40 CODE OF FEDERAL REGULATIONS § 60.18(c)(2) and (c)(3)(ii), 30 TEX. ADMIN. CODE §§ 116.115(c), 101.20(1), and 101.221(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
10. As evidenced by Findings of Fact No. 11, the Respondent failed to prevent unauthorized emissions during Incident No. 106640, in violation of Air Permit No. 22072, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
11. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
12. An administrative penalty in the amount of Two Hundred Two Thousand Three Hundred Twenty-Five Dollars (\$202,325) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid One Hundred One Thousand One Hundred Sixty-Three Dollars (\$101,163) of the administrative penalty. One Hundred One Thousand One Hundred Sixty-Two Dollars (\$101,162) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Two Hundred Two Thousand Three Hundred Twenty-Five Dollars (\$202,325) as set forth in Section II, Paragraph 12

above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Dow Chemical Company, Docket No. 2008-0843-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 12 above, One Hundred One Thousand One Hundred Sixty-Two Dollars (\$101,162) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The 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.
4. 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.
5. 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.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. 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.

8. 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.
9. 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.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

The Dow Chemical Company
DOCKET NO. 2008-0843-AIR-E
Page 8

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srdic
For the Executive Director

4/13/2009
Date

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

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

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

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

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

Laura Ambrose
Signature

02/20/2009
Date

Laura Ambrose
Name (Printed or typed)
Authorized Representative of
The Dow Chemical Company

Responsible Case handler
Title

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

Attachment A
Docket Number: 2008-0843-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	The Dow Chemical Company
Payable Penalty Amount:	Two Hundred Two Thousand Three Hundred Twenty-Five Dollars (\$202,325)
SEP Amount:	One Hundred One Thousand One Hundred Sixty-Two Dollars (\$101,162)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Brazoria County

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

1. **Project Description**

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

The Dow Chemical Company
Agreed Order B Attachment A

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.

