EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-0971-AIR-E **TCEQ ID:** RN100542711 **CASE NO.:** 36054

RESPONDENT NAME: E. I. du Pont de Nemours and Company

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

SITE WHERE VIOLATION(S) OCCURRED: DuPont Sabine River Works, 3055 Farm-to-Market Road 1006, Orange, Orange County

TYPE OF OPERATION: Petrochemical plant

SMALL BUSINESS: ___ Yes __X__ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2008-1167-AIR-E and 2008-1315-IWD-E.

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

COMMENTS RECEIVED: The *Texas Register* comment period expired on January 12, 2009. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None
TCEQ Enforcement Coordinator: Mr. Raymond Marlow, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8785; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387
Respondent: Mr. M. N. Sanchez, Site Manager, E. I. du Pont de Nemours and Company, P.O. Box 1089, Orange, Texas 77631
Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: __ Complaint X Routine __ Enforcement Follow-up __ Records Review **Date(s) of Complaints Relating to this Case:** None **Date of Investigation Relating to this Case:** April 7, 2008 **Date of NOV/NOE Relating to this Case:** June 3, 2008 (NOE) **Background Facts:** This was a routine investigation. **AIR** 1) Failure to prevent unauthorized emissions (Incident Number 102860). Specifically, 7,550 pounds ("lbs") of ethylene was released from the Ethylene Unit Fractionator Relief Valve on January 25, 2008, for 4 hours and 14 minutes. The event was caused by water intrusion into an electrical junction box which resulted in the shutdown of an ethylene reflux pump. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review Permit ("NSR") 914, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-02074, General Terms and Conditions ("GTC"), SC 15]. 2) Failure to prevent unauthorized emissions (Incident Number 103221). Specifically, 467 lbs of ethylene was released without authorization from relief valve (EPN PL-CRV1) on February 2, 2008, for 4 minutes. The cause of the emissions event was due to valve alignment error in the Purge Compressor unit resulting in the 4th Stage Discharge Relief Valve to open. Since this emissions event was avoidable and reported late, the Respondent failed to meet the	**Total Assessed:** $12,859 **Total Deferred:** $2,571 X Expedited Settlement __Financial Inability to Pay **SEP Conditional Offset:** $0 **Total Paid to General Revenue:** $10,288 **Site Compliance History Classification** __ **High** X **Average** __ **Poor** **Person Compliance History Classification** __ **High** X **Average** __ **Poor** **Major Source:** X Yes __ No **Applicable Penalty Policy:** September 2002	**Corrective Actions Taken:** The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant: a. Completed inspections and repairs of all same or similar electrical junction boxes on April 30, 2008 (Incident Number 102860); b. Completed training to ensure similar line-up errors are prevented at the relief valve EPN PL-CRV1 on May 22, 2008 (Incident Number 103221); and c. Completed training to ensure emissions events are properly reported on June 26, 2008.

demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), and (c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 9176, SC 1, and FOP O-02001, GTC, SC 8]. 3) Failure to properly report an emissions event (Incident Number 103221). Specifically, the reportable event report for the February 2, 2008, emissions event was not submitted 24 hours after the discovery of the event [30 TEX. ADMIN. CODE § 101.201(a)(1)(B), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR 914, SC 8, and FOP O-02001, GTC, SC 1].		

Additional ID No(s).: OC0007J

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision June 12, 2008*

TCEQ

DATES					
Assigned	9-Jun-2008				
PCW	10-Sep-2008	Screening	13-Jun-2008	EPA Due	6-Mar-2009

RESPONDENT/FACILITY INFORMATION

Respondent	E. I. du Pont de Nemours and Company		
Reg. Ent. Ref. No.	RN100542711		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	36054	No. of Violations	3
Docket No.	2008-0971-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Raymond Marlow
		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* $7,600

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 94.0% Enhancement — *Subtotals 2, 3, & 7* $7,144

Notes: Penalty enhancement due to: four (4) NOVs with same or similar violations, thirty-one (31) NOVs for unrelated violations including seven (7) self-reported violations and one (1) Agreed Order with denial of liability. Penalty reduction due to four (4) letters of intended audits and two (2) letters in which violations were disclosed.

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* $1,885

Economic Benefit — 0.0% Enhancement* — *Subtotal 6* $0

Total EB Amounts $36
Approx. Cost of Compliance $2,000
**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal* $12,859

OTHER FACTORS AS JUSTICE MAY REQUIRE — 0.0% — *Adjustment* $0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount $12,859

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* $12,859

DEFERRAL — 20.0% Reduction — *Adjustment* -$2,571

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY $10,288

Screening Date 13-Jun-2008 **Docket No.** 2008-0971-AIR-E **PCW**

Respondent E. I. du Pont de Nemours and Company *Policy Revision 2 (September 2002)*

Case ID No. 36054 *PCW Revision June 12, 2008*

Reg. Ent. Reference No. RN100542711

Media [Statute] Air

Enf. Coordinator Raymond Marlow

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*)	4	20%
	Other written NOVs	31	62%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	4	-4%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	2	-4%

		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) 94%

>> 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: four (4) NOVs with same or similar violations, thirty-one (31) NOVs for unrelated violations including seven (7) self-reported violations and one (1) Agreed Order with denial of liability. Penalty reduction due to four (4) letters of intended audits and two (2) letters in which violations were disclosed.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 94%

Screening Date 13-Jun-2008 **Docket No.** 2008-0971-AIR-E **PCW**

Respondent E. I. du Pont de Nemours and Company *Policy Revision 2 (September 2002)*

Case ID No. 36054 *PCW Revision June 12, 2008*

Reg. Ent. Reference No. RN100542711

Media [Statute] Air

Enf. Coordinator Raymond Marlow

Violation Number 1

Rule Cite(s) 30 Tex. Admin Code §§ 116.115(b)(2)(F), and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), New Source Review Permit("NSR") 914, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-02074, General Terms and Conditions ("GTC"), SC 15

Violation Description Failed to prevent unauthorized emissions (Incident Number 102860). Specifically, 7,550 pounds ("lbs") of ethylene was released from the Ethylene Unit Fractionator Relief Valve on January 25, 2008, for 4 hours and 14 minutes. The event was caused by water intrusion into an electrical junction box which resulted in the shutdown of an ethylene reflux pump. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

	Release	Harm: Major	Moderate	Minor
OR	Actual		x	
	Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1 — 1 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction — $1,250

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

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

Violation Subtotal $3,750

Economic Benefit (EB) for this violation

Estimated EB Amount $18

Statutory Limit Test

Violation Final Penalty Total $8,450

This violation Final Assessed Penalty (adjusted for limits) $8,450

Economic Benefit Worksheet

Respondent E. I. du Pont de Nemours and Company
Case ID No. 36054
Reg. Ent. Reference No. RN100542711
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment	$1,000	25-Jan-2008	30-Apr-2008	0.26	$1	$18	$18
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0

Notes for DELAYED costs: $1,000 is the estimated cost of inspecting and repairing all same or similar electrical junction boxes. 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 $18

Screening Date 13-Jun-2008 **Docket No.** 2008-0971-AIR-E **PCW**

Respondent E. I. du Pont de Nemours and Company *Policy Revision 2 (September 2002)*

Case ID No. 36054 *PCW Revision June 12, 2008*

Reg. Ent. Reference No. RN100542711

Media [Statute] Air

Enf. Coordinator Raymond Marlow

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(b)(2)(F), and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), NSR Permit 9176, SC 1, and FOP O-02001, GTC, SC 8

Violation Description Failed to prevent unauthorized emissions (Incident Number 103221). Specifically, 467 lbs of ethylene was released without authorization from relief valve (EPN PL-CRV1) on February 2, 2008, for 4 minutes. The cause of the emissions event was due to valve alignment error in the Purge Compressor unit resulting in the 4th Stage Discharge Relief Valve to open. Since this emissions event was avoidable and reported late, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 — 1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction — $625

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

Notes: The Respondent completed corrective actions May 22, 2008.

Violation Subtotal $1,875

Economic Benefit (EB) for this violation

Estimated EB Amount $8

Statutory Limit Test

Violation Final Penalty Total $4,225

This violation Final Assessed Penalty (adjusted for limits) $4,225

Economic Benefit Worksheet

Respondent E. I. du Pont de Nemours and Company
Case ID No. 36054
Reg. Ent. Reference No. RN100542711
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling	$500	2-Feb-2008	22-May-2008	0.30	$8	n/a	$8
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0

Notes for DELAYED costs: $500 is the estimated cost of training personnel to ensure unauthorized emissions do not occur due to a same or similar cause. 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 $500

TOTAL $8

Screening Date 13-Jun-2008 **Docket No.** 2008-0971-AIR-E **PCW**

Respondent E. I. du Pont de Nemours and Company *Policy Revision 2 (September 2002)*

Case ID No. 36054 *PCW Revision June 12, 2008*

Reg. Ent. Reference No. RN100542711

Media [Statute] Air

Enf. Coordinator Raymond Marlow

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a)(1)(B), Tex. Health & Safety Code § 382.085(b), NSR 914, SC 8, FOP O-02001, GTC, SC 1

Violation Description Failed to properly report an emissions event (Incident Number 103221). Specifically, the reportable event report for the February 2, 2008, emissions event was not submitted 24 hours after the discovery of the event.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: At least 70% of the rule requirement was met.

Adjustment $9,900

$100

Violation Events

Number of Violation Events: 1 — 1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $100

One single event is recommended.

Good Faith Efforts to Comply

10.0% Reduction — $10

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

Notes: The Respondent completed corrective actions June 26, 2008.

Violation Subtotal $90

Economic Benefit (EB) for this violation

Estimated EB Amount $10

Statutory Limit Test

Violation Final Penalty Total $184

This violation Final Assessed Penalty (adjusted for limits) $184

Economic Benefit Worksheet

Respondent E. I. du Pont de Nemours and Company
Case ID No. 36054
Reg. Ent. Reference No. RN100542711
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling	$500	3-Feb-2008	26-Jun-2008	0.39	$10	n/a	$10
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0

Notes for DELAYED costs: $500 is the estimated cost of training personnel to properly report an emissions event. Date required is the date the report was due; 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: $500

TOTAL: $10

Compliance History

Customer/Respondent/Owner-Operator:	CN600128284	E. I. du Pont de Nemours and Company	Classification: AVERAGE	Rating: 2.29
Regulated Entity:	RN100542711	DUPONT SABINE RIVER WORKS	Classification: AVERAGE	Site Rating: 1.17

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	OC0007J
AIR OPERATING PERMITS	PERMIT	1350
AIR OPERATING PERMITS	PERMIT	1868
AIR OPERATING PERMITS	PERMIT	1895
AIR OPERATING PERMITS	PERMIT	1896
AIR OPERATING PERMITS	PERMIT	1897
AIR OPERATING PERMITS	PERMIT	1898
AIR OPERATING PERMITS	PERMIT	1899
AIR OPERATING PERMITS	PERMIT	1900
AIR OPERATING PERMITS	PERMIT	1901
AIR OPERATING PERMITS	PERMIT	1996
AIR OPERATING PERMITS	PERMIT	2001
AIR OPERATING PERMITS	PERMIT	2055
AIR OPERATING PERMITS	PERMIT	2074
AIR OPERATING PERMITS	PERMIT	2331
AIR OPERATING PERMITS	PERMIT	1882
AIR NEW SOURCE PERMITS	REGISTRATION	72030
AIR NEW SOURCE PERMITS	PERMIT	9629
AIR NEW SOURCE PERMITS	PERMIT	914
AIR NEW SOURCE PERMITS	PERMIT	914A
AIR NEW SOURCE PERMITS	PERMIT	1302
AIR NEW SOURCE PERMITS	PERMIT	1303
AIR NEW SOURCE PERMITS	PERMIT	1387
AIR NEW SOURCE PERMITS	PERMIT	1423
AIR NEW SOURCE PERMITS	PERMIT	1423A
AIR NEW SOURCE PERMITS	PERMIT	1423B
AIR NEW SOURCE PERMITS	PERMIT	1423C
AIR NEW SOURCE PERMITS	PERMIT	1790
AIR NEW SOURCE PERMITS	PERMIT	2004
AIR NEW SOURCE PERMITS	PERMIT	2116
AIR NEW SOURCE PERMITS	PERMIT	2490
AIR NEW SOURCE PERMITS	PERMIT	5745
AIR NEW SOURCE PERMITS	PERMIT	7021
AIR NEW SOURCE PERMITS	PERMIT	9176
AIR NEW SOURCE PERMITS	PERMIT	9468
AIR NEW SOURCE PERMITS	PERMIT	10447
AIR NEW SOURCE PERMITS	PERMIT	11434
AIR NEW SOURCE PERMITS	PERMIT	12967
AIR NEW SOURCE PERMITS	PERMIT	16327
AIR NEW SOURCE PERMITS	PERMIT	17157
AIR NEW SOURCE PERMITS	PERMIT	20204
AIR NEW SOURCE PERMITS	PERMIT	21236
AIR NEW SOURCE PERMITS	PERMIT	22977
AIR NEW SOURCE PERMITS	PERMIT	23646
AIR NEW SOURCE PERMITS	PERMIT	24252
AIR NEW SOURCE PERMITS	PERMIT	26132
AIR NEW SOURCE PERMITS	PERMIT	25167
AIR NEW SOURCE PERMITS	PERMIT	26158
AIR NEW SOURCE PERMITS	PERMIT	26325
AIR NEW SOURCE PERMITS	PERMIT	26410
AIR NEW SOURCE PERMITS	PERMIT	28148
AIR NEW SOURCE PERMITS	PERMIT	32733
AIR NEW SOURCE PERMITS	PERMIT	36046
AIR NEW SOURCE PERMITS	PERMIT	37488
AIR NEW SOURCE PERMITS	PERMIT	41263
AIR NEW SOURCE PERMITS	PERMIT	42054
AIR NEW SOURCE PERMITS	PERMIT	44528
AIR NEW SOURCE PERMITS	PERMIT	46790
AIR NEW SOURCE PERMITS	PERMIT	47671
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	OC0007J

AIR NEW SOURCE PERMITS	PERMIT	71863
AIR NEW SOURCE PERMITS	REGISTRATION	75999
AIR NEW SOURCE PERMITS	REGISTRATION	75839
AIR NEW SOURCE PERMITS	PERMIT	49076
AIR NEW SOURCE PERMITS	AFS NUM	4836100002
AIR NEW SOURCE PERMITS	REGISTRATION	70647
AIR NEW SOURCE PERMITS	REGISTRATION	70650
AIR NEW SOURCE PERMITS	REGISTRATION	71054
AIR NEW SOURCE PERMITS	REGISTRATION	71338
AIR NEW SOURCE PERMITS	PERMIT	53130
AIR NEW SOURCE PERMITS	PERMIT	56781
AIR NEW SOURCE PERMITS	PERMIT	53324
AIR NEW SOURCE PERMITS	PERMIT	55710
AIR NEW SOURCE PERMITS	REGISTRATION	71829
AIR NEW SOURCE PERMITS	REGISTRATION	72443
AIR NEW SOURCE PERMITS	PERMIT	53572
AIR NEW SOURCE PERMITS	PERMIT	56055
AIR NEW SOURCE PERMITS	REGISTRATION	73921
AIR NEW SOURCE PERMITS	REGISTRATION	73779
AIR NEW SOURCE PERMITS	REGISTRATION	74503
AIR NEW SOURCE PERMITS	REGISTRATION	76581
AIR NEW SOURCE PERMITS	REGISTRATION	76955
AIR NEW SOURCE PERMITS	REGISTRATION	76719
AIR NEW SOURCE PERMITS	REGISTRATION	76580
AIR NEW SOURCE PERMITS	REGISTRATION	76726
AIR NEW SOURCE PERMITS	REGISTRATION	76690
AIR NEW SOURCE PERMITS	REGISTRATION	76686
AIR NEW SOURCE PERMITS	REGISTRATION	78770
AIR NEW SOURCE PERMITS	REGISTRATION	78820
AIR NEW SOURCE PERMITS	REGISTRATION	79048
AIR NEW SOURCE PERMITS	REGISTRATION	78445
AIR NEW SOURCE PERMITS	REGISTRATION	79512
AIR NEW SOURCE PERMITS	REGISTRATION	80163
AIR NEW SOURCE PERMITS	REGISTRATION	80331
AIR NEW SOURCE PERMITS	REGISTRATION	79817
AIR NEW SOURCE PERMITS	REGISTRATION	80113
AIR NEW SOURCE PERMITS	REGISTRATION	80067
AIR NEW SOURCE PERMITS	REGISTRATION	80740
AIR NEW SOURCE PERMITS	REGISTRATION	80742
AIR NEW SOURCE PERMITS	REGISTRATION	80739
AIR NEW SOURCE PERMITS	REGISTRATION	80738
AIR NEW SOURCE PERMITS	REGISTRATION	80736
AIR NEW SOURCE PERMITS	REGISTRATION	80747
AIR NEW SOURCE PERMITS	REGISTRATION	80712
AIR NEW SOURCE PERMITS	REGISTRATION	80930
AIR NEW SOURCE PERMITS	REGISTRATION	80784
AIR NEW SOURCE PERMITS	REGISTRATION	81074
AIR NEW SOURCE PERMITS	REGISTRATION	80705
AIR NEW SOURCE PERMITS	REGISTRATION	80706
AIR NEW SOURCE PERMITS	REGISTRATION	80707
AIR NEW SOURCE PERMITS	REGISTRATION	80708
AIR NEW SOURCE PERMITS	REGISTRATION	80709
AIR NEW SOURCE PERMITS	REGISTRATION	80711
AIR NEW SOURCE PERMITS	REGISTRATION	80743
AIR NEW SOURCE PERMITS	REGISTRATION	81410
AIR NEW SOURCE PERMITS	REGISTRATION	81411
AIR NEW SOURCE PERMITS	REGISTRATION	81429
AIR NEW SOURCE PERMITS	REGISTRATION	81431
AIR NEW SOURCE PERMITS	REGISTRATION	81430
AIR NEW SOURCE PERMITS	REGISTRATION	81292
AIR NEW SOURCE PERMITS	REGISTRATION	81828
AIR NEW SOURCE PERMITS	REGISTRATION	81587
AIR NEW SOURCE PERMITS	REGISTRATION	82031
AIR NEW SOURCE PERMITS	REGISTRATION	83760
AIR NEW SOURCE PERMITS	REGISTRATION	84928
AIR NEW SOURCE PERMITS	REGISTRATION	85159
AIR NEW SOURCE PERMITS	REGISTRATION	83519

AIR NEW SOURCE PERMITS	REGISTRATION	84794
AIR NEW SOURCE PERMITS	REGISTRATION	82838
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1810114
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008079642
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30019
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50230
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50230
STORMWATER	PERMIT	TXR05L392
WATER RIGHTS	ID NUMBER	4664
WATER LICENSING	LICENSE	1810114
WASTEWATER	PERMIT	WQ0000475000
WASTEWATER	PERMIT	TPDES0006327
WASTEWATER	PERMIT	TX0006327
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30019
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50230

Location: 3055 FM 1006, ORANGE, TX, 77631 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: June 10, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 10, 2003 to June 10, 2008

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

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

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

Effective Date: 04/28/2008 ADMINORDER 2007-0760-AIR-E

Classification: Moderate

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

Rqmt Prov: 914, SC 7 PERMIT
O-02074, SC 15 OP

Description: Failed to sample cooling tower water according to the requirements of the TCEQ Sampling Procedures Manual Appendix P.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter D 382.085(b)
5C THSC Chapter 382 382.0518(a)

Description: Failed to represent 176 flanges and 88 valves in the permit application for Air Permit No. 914.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1H OP

Description: Failed to monitor 88 valves, and 15 pumps.

Classification: Minor

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

Description: Failed to conduct quarterly opacity observations.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 914 SC 9E PERMIT
O-02074 SC 15 OP
O-02074 SC 1A OP

Description: Failed to equip eight OEL's with a cap, blind flange, plug, or a second valve during the certification period of September 1, 2005 through February 28, 2006, and failed to equip 29 OEL's with a cap, blind flange, plug, or a second valve during the certification period of April 11, 2006 through October 10, 2006.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02074 SC 1A OP

Description: Failed to monitor carbon canisters on five different occasions.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(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: 914 SC 4C PERMIT
O-02074 SC 1A OP

Description: Failed to prevent visible emissions at the flare (EPN No. PK-16) for greater than five minutes in any two consecutive hours on two separate occasions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-01896 SC 1A OP

Description: Failed to identify and mark two pieces of equipment in benzene service during the certification period of September 1, 2005 to February 28, 2006.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-01896 SC 1A OP

Description: Failed to maintain 24 drums containing waste material in a properly sealed position.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02074 SC 1A OP

Description: Failed to determine the annual benzene waste quantity at the point of waste generation and to keep records for those points for the reporting period of April 11, 2006 through October 10, 2006.

Classification: Moderate

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

Rqmt Prov: O-01896 SC 1A OP

Description: Failed to maintain the fluoride content feed rate below the feed rate of 19 lbs/hr.

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 report a reportable emissions event within 24 hours of discovery.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 9176 SC 1 PERMIT
Spec. Cond. 8 OP
Description: Failed to prevent the unauthorized release of air contaminants into the atmosphere.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 20204 SC 1 PERMIT
Description: Failed to prevent the unauthorized release of air contaminants into the atmosphere.

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	06/25/2003	(112308)
2	06/27/2003	(159108)
3	06/27/2003	(159104)
4	07/01/2003	(134042)
5	07/01/2003	(133983)
6	07/01/2003	(134010)
7	07/15/2003	(38074)
8	07/15/2003	(112514)
9	07/15/2003	(112516)
10	07/15/2003	(112518)
11	07/15/2003	(112519)
12	07/22/2003	(295812)
13	08/04/2003	(125899)
14	08/18/2003	(295810)
15	08/22/2003	(144190)
16	08/27/2003	(152757)
17	08/27/2003	(152763)
18	08/27/2003	(152759)
19	08/27/2003	(152760)
20	08/27/2003	(152752)
21	08/29/2003	(152995)
22	08/29/2003	(153012)
23	10/17/2003	(252339)
24	10/21/2003	(295815)
25	10/29/2003	(251998)
26	11/13/2003	(295816)
27	12/08/2003	(255358)
28	12/08/2003	(255362)
29	12/08/2003	(255366)
30	12/11/2003	(295817)
31	12/15/2003	(255071)
32	12/29/2003	(258574)
33	12/29/2003	(258639)
34	12/29/2003	(258593)
35	12/29/2003	(258585)
36	12/29/2003	(258553)
37	01/20/2004	(295819)
38	01/28/2004	(261078)
39	01/28/2004	(260132)
40	01/29/2004	(258780)
41	02/06/2004	(257858)
42	02/13/2004	(262593)

43	02/13/2004	(262596)
44	02/13/2004	(262585)
45	02/23/2004	(295799)
46	02/25/2004	(263758)
47	03/04/2004	(264387)
48	03/04/2004	(263186)
49	03/26/2004	(295802)
50	03/30/2004	(264141)
51	03/30/2004	(264137)
52	04/02/2004	(332777)
53	04/20/2004	(269279)
54	04/20/2004	(269271)
55	04/20/2004	(269276)
56	04/20/2004	(264114)
57	04/26/2004	(295803)
58	04/28/2004	(266290)
59	05/13/2004	(271900)
60	05/19/2004	(270883)
61	05/19/2004	(270872)
62	05/19/2004	(270885)
63	05/19/2004	(270887)
64	05/21/2004	(267872)
65	05/24/2004	(295805)
66	05/26/2004	(266492)
67	06/10/2004	(269300)
68	06/16/2004	(271873)
69	06/16/2004	(274638)
70	06/17/2004	(272995)
71	06/21/2004	(295807)
72	06/21/2004	(295813)
73	06/22/2004	(274776)
74	06/22/2004	(274848)
75	06/22/2004	(274709)
76	06/24/2004	(269645)
77	07/07/2004	(352267)
78	07/09/2004	(273112)
79	07/23/2004	(274856)
80	07/26/2004	(279807)
81	07/30/2004	(285129)
82	08/13/2004	(352268)
83	08/20/2004	(276576)
84	08/23/2004	(288711)
85	08/31/2004	(253065)
86	08/31/2004	(253079)
87	09/02/2004	(289441)
88	09/13/2004	(282801)
89	10/13/2004	(336687)
90	10/13/2004	(336664)
91	10/18/2004	(352269)
92	10/20/2004	(292086)
93	10/20/2004	(291761)
94	10/20/2004	(291770)
95	10/20/2004	(292048)
96	10/20/2004	(291861)
97	10/20/2004	(292076)
98	10/20/2004	(291763)
99	10/20/2004	(293180)
100	10/20/2004	(292069)
101	10/20/2004	(291767)
102	10/20/2004	(292578)
103	10/20/2004	(291769)
104	10/20/2004	(292063)
105	11/08/2004	(339532)
106	11/22/2004	(338251)
107	11/29/2004	(352270)
108	11/29/2004	(338082)
109	12/09/2004	(285339)
110	12/09/2004	(337881)

111	12/09/2004	(337904)
112	12/22/2004	(381921)
113	01/09/2005	(342372)
114	01/09/2005	(342410)
115	01/21/2005	(381922)
116	02/21/2005	(348629)
117	02/22/2005	(381920)
118	03/03/2005	(350005)
119	03/04/2005	(371431)
120	03/04/2005	(371423)
121	03/04/2005	(371426)
122	03/29/2005	(419759)
123	03/30/2005	(375164)
124	03/30/2005	(375158)
125	04/01/2005	(349907)
126	04/08/2005	(373226)
127	04/20/2005	(373311)
128	04/25/2005	(419760)
129	04/25/2005	(419763)
130	04/28/2005	(378722)
131	04/28/2005	(378717)
132	04/29/2005	(348352)
133	04/29/2005	(379040)
134	05/16/2005	(374625)
135	05/31/2005	(419761)
136	05/31/2005	(393307)
137	06/13/2005	(379238)
138	06/28/2005	(419762)
139	07/12/2005	(397336)
140	07/12/2005	(397233)
141	07/13/2005	(397746)
142	07/13/2005	(397015)
143	07/13/2005	(397437)
144	07/15/2005	(397147)
145	07/15/2005	(397700)
146	07/15/2005	(396777)
147	08/17/2005	(404042)
148	08/18/2005	(402083)
149	08/19/2005	(440895)
150	08/26/2005	(402989)
151	10/21/2005	(431191)
152	10/27/2005	(468549)
153	10/27/2005	(440896)
154	11/15/2005	(436523)
155	11/28/2005	(468550)
156	12/05/2005	(437856)
157	12/27/2005	(468551)
158	01/13/2006	(451620)
159	01/30/2006	(468552)
160	01/30/2006	(438126)
161	02/04/2006	(452772)
162	02/04/2006	(452809)
163	02/23/2006	(452806)
164	02/28/2006	(454800)
165	02/28/2006	(468547)
166	02/28/2006	(456864)
167	03/23/2006	(454880)
168	03/27/2006	(498278)
169	04/05/2006	(453563)
170	04/13/2006	(468548)
171	04/25/2006	(461211)
172	05/01/2006	(459960)
173	05/01/2006	(459864)
174	05/01/2006	(460085)
175	05/11/2006	(462874)
176	05/16/2006	(498279)
177	05/24/2006	(467236)
178	05/30/2006	(467025)

179	06/20/2006	(498280)
180	07/12/2006	(498281)
181	07/31/2006	(484359)
182	08/22/2006	(520290)
183	08/22/2006	(520291)
184	08/24/2006	(487772)
185	08/31/2006	(458269)
186	10/23/2006	(520292)
187	11/15/2006	(575471)
188	12/06/2006	(532890)
189	12/11/2006	(514581)
190	12/12/2006	(575472)
191	12/28/2006	(270174)
192	01/03/2007	(534464)
193	01/23/2007	(593178)
194	01/25/2007	(575473)
195	02/01/2007	(538491)
196	02/21/2007	(575463)
197	03/14/2007	(575464)
198	04/12/2007	(575465)
199	04/12/2007	(575466)
200	05/04/2007	(542914)
201	05/10/2007	(555087)
202	05/21/2007	(556693)
203	06/07/2007	(575467)
204	06/27/2007	(565892)
205	06/29/2007	(564203)
206	07/10/2007	(575468)
207	07/10/2007	(575469)
208	07/10/2007	(562896)
209	07/17/2007	(575470)
210	07/19/2007	(565918)
211	07/19/2007	(565912)
212	07/19/2007	(565922)
213	07/20/2007	(565938)
214	07/20/2007	(565947)
215	07/20/2007	(565942)
216	07/24/2007	(564002)
217	07/30/2007	(564905)
218	08/02/2007	(645510)
219	08/03/2007	(568577)
220	08/28/2007	(573506)
221	08/30/2007	(567177)
222	09/01/2007	(645773)
223	09/07/2007	(572061)
224	09/25/2007	(607568)
225	10/03/2007	(595357)
226	10/10/2007	(607567)
227	10/12/2007	(567973)
228	10/23/2007	(607569)
229	10/24/2007	(594503)
230	11/20/2007	(596110)
231	12/07/2007	(619563)
232	12/07/2007	(619564)
233	12/18/2007	(598952)
234	01/11/2008	(598658)
235	01/17/2008	(610417)
236	03/03/2008	(613811)
237	03/03/2008	(615669)
238	03/14/2008	(672086)
239	03/14/2008	(613893)
240	03/20/2008	(672084)
241	03/26/2008	(618723)
242	04/09/2008	(672087)
243	04/17/2008	(672085)
244	05/05/2008	(640667)
245	05/07/2008	(639558)
246	05/07/2008	(646161)

247 05/14/2008 (657311)
248 05/15/2008 (657011)
249 05/16/2008 (646399)
250 06/03/2008 (639225)

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

Date: 08/31/2003 (295812)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 02/29/2004 (295802)
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: 04/02/2004 (332777)
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: 04/20/2004 (264114)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Description: Failure to provide written notification of the container storage area for the hazardous waste railcar.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.4
Description: Failure to prevent an unauthorized discharge near the 15 psi steam condensate pump next to Bldg#261 of the HMD unit.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter E 335.112(a)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.15(d)
Description: Failure to place the name of the inspector on the container storage area (CSA) inspection log for Building #568.

Date: 06/10/2004 (269300)
Self Report? NO Classification: Minor
Rqmt Prov: PERMIT WQ 0475-000
Description: Numerous willows and tallows were observed growing in the embankments on the pond system.

Date: 06/16/2004 (271873)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)
Description: Failure to protect the public drinking water supply system from potential contamination hazards.

During the investigation, it was noted that the water system did not have the required backflow prevention assemblies on the water lines to a medical clinic, a dock, and a public swimming pool.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain the surface water treatment plant.

During the investigation, it was noted that the interiors of both clarifiers have areas of corrosion, and the water system manager told the investigator she believed that the underdrain on filter # 2 is damaged.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to maintain perform needed maintenance.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(C)
Description: Failure to protect the public drinking water supply system from a potential contamination hazard.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)

Description: Failure to provide containment on the overhead bulk polymer tank.
Date: 08/23/2004 (288711)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.45(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT 1468, Special Condition 7B
OP O-02075, Special Condition 4F
OP O-02075, Special Condition 9
Description: Failure to conduct quarterly Cylinder Gas Audit (CGA) and Calibration Error (CE) testing on the Continuous Emissions Monitoring System (CEMS) for the Adiponitrile (ADN) North Boiler, Emission Point Number (EPN) PP-40B.
Date: 09/02/2004 (289441)
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 21236, Special Condition 5E
OP O-01895, Special Condition 6
Description: Failure to submit a final sampling report within 30 days of performing the stack sampling.
Date: 04/08/2005 (373226)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.4
Description: Failure to prevent an unauthorized discharge.
Date: 08/18/2005 (404042)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)
Description: Failure to provide containment on the overhead bulk polymer tank.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(C)
Description: Failure to properly vent gas chlorination facilities.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(E)
Description: Failure to provide filter to waste connections with an air gap.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)
Description: Failure to verify the accuracy of manual disinfectant residual analyzers at least once every thirty days using chlorine solutions of known concentrations.
Date: 11/30/2005 (468551)
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: 01/30/2006 (438126)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.15(d)
Description: Failure to maintain records of weekly container storage area inspections.
Date: 02/24/2006 (565912)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(B)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(C)
30 TAC Chapter 290, SubChapter F 290.110(f)(4)
Description: December 2005 - 4 days with a low concentration time for more than 4 consecutive hours.
Date: 02/24/2006 (565892)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(4)

Description: November 2004 - 4 days with a low CT for more than 4.0 consecutive hours. Treatment Technique Violation.

Date: 02/28/2006 (498278)

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: 05/11/2006 (565922)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(B)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(C)
30 TAC Chapter 290, SubChapter F 290.110(f)(4)

Description: February 2006 - 1 day with a low concentration time for more than 4 consecutive hours.

Date: 05/24/2006 (467236)

Self Report? NO Classification: Minor

Rqmt Prov: PERMIT WQ 0475-000

Description: Numerous willows and tallows were observed growing in the embankments on the pond system.

Self Report? NO Classification: Minor

Rqmt Prov: PERMIT M&RR 2

Description: Failure by E. I. Dupont De Nemours and Company-Sabine River Works to include correction factors obtained during thermometer verification in temperature measurements.

Date: 05/30/2006 (467025)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)

Description: Failure to provide containment on the overhead bulk polymer tank.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(C)

Description: Failure to properly vent gas chlorination facilities.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(E)

Description: Failure to provide filter to waste connections with an air gap.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

Description: Failure to verify the accuracy of manual disinfectant residual analyzers at least once every thirty days using chlorine solutions of known concentrations.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(L)

Description: Failure to provide a well blow -off that is not subject to submergence.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(v)

Description: Failure to maintain calibration records for laboratory equipment.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(i)

Description: Failure to restandardized the secondary standards each time the Bench top turbidity meter is calibrated with primary standards.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(iii)

Description: Failure to perform primary calibrations on the on-line turbidity meters with primary standards.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(v)

Description: Failure to maintain complete records of on-line pH meter calibrations.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(A)

Description: Failure to properly inspect the potable filter well.

Date: 07/07/2006 (565938)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(i)
30 TAC Chapter 290, SubChapter F 290.111(f)(5)

Description: May 2006 - 1 day with combined filter effluent turbidity readings above 1.0 NTU.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(ii)
30 TAC Chapter 290, SubChapter F 290.111(f)(5)

Description: May 2006 - 32.7% of the combined filter effluent turbidity readings above 0.3 NTU, exceeding the 5% limit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(c)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)

Description: May 2006 - 1 day when concentration time data were not collected.

Date: 08/24/2006 (487772)

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 9176
OP O-02001, General Terms and Conditions
OP O-02001, Special Condition 8A

Description: Failure to re-monitor replaced valves and compressor seals as required by permit.

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 9176
OP O-02001, General Terms and Conditions
OP O-02001, Special Condition 1A
OP O-02001, Special Condition 8A

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 1E
OP O-02074, Special Condition 1H

Description: Failure to equip each sampling connection system with a closed-purge, closed-loop, or closed vent system.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 113, SubChapter E 113.3050
30 TAC Chapter 115, SubChapter D 115.354(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 914
OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 15A
OP O-02074, Special Condition 1A
OP O-02074, Special Condition 1E
OP O-02074, Special Condition 1H
OP O-02074, Special Condition 1I

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 1E

OP O-02074, Special Condition 1G

Description: Failure to take a minimum of three sets of samples at each entrance and exit of the heat exchanger system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 1E
OP O-02074, Special Condition 1G

Description: Failure to use a method listed in 40 CFR Part 136 to determine the concentration of the monitored substance in the heat exchange cooling water.

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-02074

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

Date: 11/17/2006 (565918)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.110(b)(1)(A)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(B)
30 TAC Chapter 290, SubChapter F 290.110(b)(1)(C)
30 TAC Chapter 290, SubChapter F 290.110(f)(4)

Description: January 2006 - 3 days with a low concentration time for more than 4 consecutive hours.

Date: 12/12/2006 (514581)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 116, SubChapter H 116.820
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49076
OP O-01901

Description: Failure to obtain a permit amendment prior to a modification of the facility.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-02055

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter H 116.814(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49076
OP O-01901

Description: Failure to keep records of visible emissions observations.

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)

Description: Failure to submit an accurate deviation report.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02055

Description: Failure to conduct a floating roof tank inspection.

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 20204

OP O-02055

Description: Failure to install a continuous flow monitor and a Btu Analyzer and have them operational within 180 days from the approval of the permit amendment.

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 20204
OP O-02055

Description: Failure to record Abater emissions in maximum pounds per hour and tons per year at least quarterly for review by TCEQ personnel.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-02055

Description: Failure to monitor a pressure relief valve, that has vented to the atmosphere, within 24 hours of the release.

Date: 01/23/2007 (593178)

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: 01/30/2007 (565942)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(ii)
30 TAC Chapter 290, SubChapter F 290.111(f)(5)

Description: December 2006 - 52.2% of the combined filter effluent turbidity readings above 0.3 NTU, exceeding the 5% limit.

Date: 03/07/2007 (565947)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.111(b)(1)(A)(ii)
30 TAC Chapter 290, SubChapter F 290.111(f)(5)

Description: January 2007 - 32.5% of the combined filter effluent turbidity readings above 0.3 NTU, exceeding the 5% limit.

Date: 05/10/2007 (555087)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(2)(E)

Description: Failure to provide filter to waste connections with an air gap.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(L)

Description: Failure to provide a well blow -off that is not subject to submergence.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(13)

Description: Failure to provide appropriate labels on several of the water lines and chemical feed lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)

Description: Failure to complete the December 2006 surface water monthly operating report (SWMOR) with the proper contact time (CT) numbers.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(5)

Description: Failure to monitor and record the quantity of water used each day for backwashing as required by the water system's exception to the rule for a backwash flow meter.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(A)(i)

Description: Failure to calibrate the benchtop pH meter according to manufacturer's specifications at least once a day.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(ii)

Description: Failure to check the calibration of the benchtop turbidimeter with secondary standards each time a series of samples is tested.

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(iii)

Description: Failure to calibrate the online turbidimeters with primary standards at least once every 90 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(15)(C)

Description: Failure to provide unexpired buffer solutions to calibrate the benchtop pH meter.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(1)(A)

Description: Failure to install and test an appropriate backflow prevention assembly before the bulk water loading station at Well #3.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)

Description: Failure to maintain an adequate free chlorine residual.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(A)(iii)

Description: Failure to calibrate the online pH meter according to manufacturer's specifications at least once every 30 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(A)(iv)

Description: Failure to check the calibration of the online pH meter at least once each week with a primary standard or by comparing the results from the online unit with the results from a properly calibrated benchtop unit.

Date: 08/02/2007 (645510)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(f)(2)

Description: BACT - NONACUTE MCL (5% OR >1)

Date: 08/31/2007 (567177)

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 9176, Special Condition 3E
OP O-02001, Special Condition 1A
OP O-02001, Special Condition 8

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service as reported in the Deviation Report for FOP O-02001 covering the reporting period of April 11, 2006, to October 10, 2006.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-02001, Special Condition 1A

Description: Failure to monitor a pressure relief device (PRD) within 24 hours after the PRD has failed as reported in the Deviation Report for FOP O-02001 covering the reporting period of April 11, 2006, to October 10, 2006.

Date: 09/01/2007 (645773)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(1)(A)

Description: PUBLIC NOTICE

Date: 12/31/2007 (607569)

Self Report? YES Classification: Moderate

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

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

Date: 01/11/2008 (598658)

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 49076, Special Condition 5A
OP O-01901, General Terms and Conditions
OP O-01901, Special Condition 1A
OP O-01901, Special Condition 7

Description: Failure to conduct daily opacity inspections of filters required by TCEQ Permit

49076 Special Condition 5 as reported in the Deviation Reports for FOP O-01901 covering the reporting periods of October 11, 2006, to April 10, 2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 1A
OP O-02074, Special Condition 1H

Description: Failure to conduct the initial monitoring of 1455 connecters located in the Ethylene Area as reported in the Deviation Report for FOP O-02074 covering the reporting period of October 11, 2006, through April 10, 2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.520
30 TAC Chapter 113, SubChapter E 113.3050
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 UU 63.1033(b)
40 CFR Chapter 65, SubChapter C, PT 65, SubPT E 65.114(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT 914, Special Condition 10E
OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 15
OP O-02074, Special Condition 1A
OP O-02074, Special Condition 1H
OP O-02074, Special Condition 1I

Description: Failure to install a cap, blind flange, plug or second valve on 28 open-ended lines in the Ethylene Unit as reported in the Deviation Report for FOP O-02074 covering the reporting period of October 11, 2006, to April 10, 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: PERMIT 914, Special Condition 14B(2)
OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 15
OP O-02074, Special Condition 1A

Description: Failure to perform Cylinder Gas Audits (CGA) at Cracking Header BA-99 (EPN PK-14) for the second, third, and fourth quarters of 2006, and the first quarter of 2007 as reported in the Deviation Report for FOP O-02074 covering the reporting period of October 11, 2006, to April 10, 2007.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(B)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(e)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(11)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 1A

Description: Failure to comply with the percent limit as reported in the Deviation Report for FOP O-02074 covering the reporting period of October 11, 2006, to April 10, 2007.

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 THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02074, General Terms and Conditions
OP O-02074, Special Condition 1A

Description: Failure to report a deviation in the submitted Deviation Report for the reporting periods of April 11, 2006, through October 10, 2006, and October 11, 2006, through April 10, 2007.

Date: 02/29/2008 (672084)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 03/31/2008 (672085)

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 05/16/2008 (657011)

Self Report? NO Classification: Moderate
Rqmt Prov: PERMIT PC1c
Description: Failure by E. I. Dupont De Nemours and Company-Sabine River Works to respond to a Notice of Violation dated 05/26/2006.
Date: 05/19/2008 (646399)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT 20204, Special Condition 3E
OP O-02055, General Terms and Conditions
OP O-02055, Special Condition 1A
OP O-02055, Special Condition 8
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service as reported in the Deviation Reports for FOP O-02055 covering the reporting periods of July 15, 2006, through January 14, 2007; January 15, 2007, through July 14, 2007; and July 15, 2007, through January 14, 2008.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-02055, General Terms and Conditions
OP O-02055, Special Condition 1A
Description: Failure to monitor a relief valve within 24 hours after a release as reported in the Deviation Reports for FOP O-02055 covering the reporting periods of July 15, 2006, through January 14, 2007, and January 15, 2007, through July, 14, 2007.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.130(d)(7)
30 TAC Chapter 117, SubChapter G 117.8140(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP O-02055, General Terms and Conditions
OP O-02055, Special Condition 1A
Description: Failure to perform quarterly Nitrogen Oxide (NOx) monitoring for D1 Recycle as reported in the Deviation Report for FOP O-02055 covering the reporting period of July 15, 2006, through January 14, 2007.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: PERMIT 20204, Special Condition 13
OP O-02055, General Terms and Conditions
OP O-02055, Special Condition 1A
OP O-02055, Special Condition 8
Description: Failure to maintain the Regenerative Thermoxidizer (RTO) Exhaust temperature equal to or greater than 1500 degrees Fahrenheit when waste gas is directed to the RTO as reported in the Deviation Reports for FOP O-02055 covering the reporting periods of January 15, 2007, through July 14, 2007 and July 15, 2007, through January 14, 2008.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)(iii)
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 O-02055, General Terms and Conditions

OP O-02055, Special Condition 1A
OP O-02055, Special Condition 4B(v)

Description: Failure to maintain records of the last leak testing of each tank-truck as reported in the Deviation Report for FOP O-02055 covering the reporting period of January 15, 2007, through July 14, 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: PERMIT 20204, Special Condition 6D
OP O-02055, General Terms and Conditions
OP O-02055, Special Condition 1A
OP O-02055, Special Condition 8

Description: Failure to record the average hourly values for the analyzer on the C/D/G Flare as reported in the Deviation Report for FOP O-02055 covering the reporting period of January 15, 2007, through July 14, 2007.

F. Environmental audits.

Notice of Intent Date: 05/25/2005 (281209)
No DOV Associated

Notice of Intent Date: 06/28/2005 (403043)
No DOV Associated

Notice of Intent Date: 03/21/2006 (461674)
Disclosure Date: 06/16/2006

Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)

Description: Failure to complete annual monitoring for fixed-roof.

Notice of Intent Date: 03/28/2006 (462849)
Disclosure Date: 09/01/2006

Viol. Classification: Moderate
Rqmt Prov: PERMIT Operating Permit 02074

Description: Failure to use certified opacity reader and meet all requirements of Test Method 9.

Viol. Classification: Moderate
Rqmt Prov: PERMIT NSR Permit 49076

Description: Failure to monitor air filter vents daily.

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

Description: Failure to monitor valves quarterly.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(vi)

Description: Failure to monitor and record filter backwash used.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.14(c)
30 TAC Chapter 335, SubChapter F 335.152(a)(1)

Description: Failure to post "Danger-Unathorized Personnel Keep Out" signs at 4 permitted facilities.

Viol. Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.6
30 TAC Chapter 335, SubChapter C 335.69(a)
30 TAC Chapter 335, SubChapter C 335.69(d)

Description: Failure to update NOR.

Viol. Classification: Minor
Citation: 40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(2)
30 TAC Chapter 335, SubChapter O 335.431(c)(1)

Description: Failure to properly complete land disposal restriction forms

Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)
30 TAC Chapter 335, SubChapter C 335.69(a)
30 TAC Chapter 335, SubChapter C 335.69(d)

Description: Failure to timely transport hazardous waste from satellite accumulation location to approved NOR location.

Viol. Classification: Moderate
Rqmt Prov: PERMIT RCRA Permit HW-50230-001

Description: Failure to update waste characterization forms.

Viol. Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.6
30 TAC Chapter 335, SubChapter C 335.69(a)
Description: Failure to dispose of one dumpster hazardous waste within 90 days.

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	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	**TEXAS COMMISSION ON**
E. I. DU PONT DE NEMOURS AND	§	
COMPANY	§	
RN100542711	§	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2008-0971-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding E. I. du Pont de Nemours and 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 appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petrochemical plant at 3055 Farm-to-Market Road 1006 in Orange, Orange County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in the TEX. HEALTH & SAFETY CODE § 382.003(12).

3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.

4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about June 8, 2008.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Twelve Thousand Eight Hundred Fifty-Nine Dollars ($12,859) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Ten Thousand Two Hundred Eighty-Eight Dollars ($10,288) of the administrative penalty and Two Thousand Five Hundred Seventy-One Dollars ($2,571) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with

the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.

9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:

   a. Completed inspections and repairs of all same or similar electrical junction boxes on April 30, 2008 (Incident Number 102860);

   b. Completed training to ensure similar line-up errors are prevented at the relief valve EPN PL-CRV1 on May 22, 2008 (Incident Number 103221); and

   c. Completed training to ensure emissions events are properly reported on June 26, 2008.

10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

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

1. Failed to prevent unauthorized emissions (Incident Number 102860), in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review Permit ("NSR") 914, Special Condition ("SC") 1, and Federal Operating Permit ("FOP") O-02074, General Terms and Conditions ("GTC"), SC 15, as documented during an investigation conducted on April 7, 2008. Specifically, 7,550 pounds ("lbs") of ethylene was released from the Ethylene Unit Fractionator Relief Valve on January 25, 2008, for 4 hours and 14 minutes. The event was caused by water intrusion into an electrical junction box which resulted in the shutdown of an ethylene reflux pump. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

2. Failed to prevent unauthorized emissions (Incident Number 103221), in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR Permit 9176, SC 1, and FOP O-02001, GTC, SC 8, as documented during and investigation conducted on April 7, 2008. Specifically, 467 lbs of ethylene was released without authorization from relief valve (EPN PL-CRV1) on February 2, 2008, for 4 minutes. The cause of the emissions event was due to valve alignment error in the Purge Compressor unit resulting in the 4th Stage Discharge Relief Valve to open. Since this emissions event was avoidable and reported late, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

3. Failed to properly report an emissions event (Incident Number 103221), in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B), TEX. HEALTH & SAFETY CODE § 382.085(b), NSR 914, SC 8, FOP O-02001, GTC, SC 1, as documented during an investigation conducted on April 7, 2008. Specifically, the reportable event report for the February 2, 2008, emissions event was not submitted 24 hours after the discovery of the event.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: E. I. du Pont de Nemours and Company, Docket No. 2008-0971-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 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.

3. 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.

4. 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.

5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

Date 3/25/2009

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

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

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

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

Signature

Date 10/28/2008

M. N. SANCHEZ
Name (Printed or typed)
Authorized Representative of
E. I. du Pont de Nemours and Company

Site Manager
Title

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