

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-1621-AIR-E TCEQ ID: RN100211879 CASE NO.: 36651

RESPONDENT NAME: Shell Oil 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: Shell Oil Deer Park, 5900 Highway 225 East, Deer Park, Harris County</p> <p>TYPE OF OPERATION: Petroleum refinery</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. 2008-1092-AIR-E and 2008-1925-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 May 18, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Mr. Bryan Elliott, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-6162; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Mr. Steve Hansen, Manager, Environmental Affairs, Shell Oil Company, 5900 Highway 225 East, Deer Park, Texas 77536 Mr. Aamir Farid, General Manager, Shell Oil Company, 5900 Highway 225 East, Deer Park, Texas 77536 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: August 5 and August 20, 2008</p> <p>Date of NOV/NOE Relating to this Case: September 3 and October 8, 2008 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>1) Failure to submit the annual permit compliance certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the November 22, 2006 through November 21, 2007 period was submitted on January 30, 2008, which was 40 days late [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), Federal Operating Permit No. O-01669, General Terms & Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, an emissions event occurred due to tripping of the wet gas compressor C-6800, ultimately from the malfunction of the resistance temperature detector, on June 10, 2008, at the North Property Flare (Emission Point No. FLAREN P) that lasted for three hours and five minutes resulting in the release of 6,803.90 pounds ("lbs") of volatile organic compounds, 187.40 lbs of hydrogen sulfide, 2,979.70 lbs of carbon monoxide, 412.60 lbs of nitrogen oxides, 17,286.80 lbs of sulfur dioxide, and 35.60 lbs of particulate matter. Since this emissions event could have been avoided by better maintenance practices, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$21,275</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$10,637</p> <p>Total Paid to General Revenue: \$10,638</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: Environmental receptors have been exposed to pollutants which exceed levels that are protective.</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 60 days after the effective date of this Agreed Order, implement improvements to designs, operations, and/or maintenance practices to address the June 10, 2008 emissions event and that are designed to prevent recurrence of same or similar incidents;</p> <p>b. Within 60 days after the effective date of this Agreed Order, implement improvements to reporting practices that address the late submittal of the November 22, 2006 through November 21, 2007 PCC and that are designed to prevent recurrence of same or similar incidents; and</p> <p>c. Within 75 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions Nos. 2.a. and 2.b.</p>

Attachment A
Docket Number: 2008-1621-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents: Shell Oil Company

Payable Penalty Amount: Twenty-One Thousand Two Hundred Seventy-Five Dollars (\$21,275)

SEP Amount: Ten Thousand Six Hundred Thirty-Seven Dollars (\$10,637)

Type of SEP: Pre-approved

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

Location of SEP: Harris County

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

The Respondents certify 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 of buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondents 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 Respondents must contribute the SEP Amount to the Third-Party Recipient. The Respondents 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 Respondents 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 Respondents 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 Respondents does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

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

Shell Oil Company
Agreed Order – Attachment A

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

The Respondents 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 Respondents 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 Respondents shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondents 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 Respondents under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

DATES	Assigned	2-Sep-2008			
	PCW	10-Sep-2008	Screening	10-Sep-2008	EPA Due 2-Jun-2009

RESPONDENT/FACILITY INFORMATION	
Respondent	Shell Oil Company
Reg. Ent. Ref. No.	RN100211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	36651	No. of Violations	2
Docket No.	2008-1621-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Bryan Elliott
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1:	\$12,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	351.0% Enhancement	Subtotals 2, 3, & 7:	\$43,875
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Notes: Penalty enhancement due to 26 NOVs for same or similar violations, 36 NOVs for unrelated violations, four 1660 style orders, four findings orders, and one court order with a denial of liability. Penalty reduction due to 36 NOAs, five DOVs, one EMS, and participation in a voluntary pollution reduction program.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5:	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6:	\$0
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Total EB Amounts: \$79
 Approx. Cost of Compliance: \$1,500
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal:	\$56,375
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment:	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: [Empty box]

Final Penalty Amount	\$56,375
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty:	\$21,275
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DEFERRAL	0.0% Reduction	Adjustment:	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral offered for Findings Order.

PAYABLE PENALTY	\$21,275
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Screening Date	10-Sep-2008	Docket No.	2008-1621-AIR-E	PCW
Respondent	Shell Oil Company	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	36651	<i>PCW Revision June 12, 2008</i>		
Reg. Ent. Reference No.	RN100211879			
Media (Statute)	Air			
Enf. Coordinator	Bryan Elliott			

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)	26	130%
	Other written NOVs	36	72%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4	100%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	36	-36%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	5	-10%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	Yes	-5%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 351%

>> **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 26 NOVs for same or similar violations, 36 NOVs for unrelated violations, four 1660 style orders, four findings orders, and one court order with a denial of liability. Penalty reduction due to 36 NOAs, five DOVs, one EMS, and participation in a voluntary pollution reduction program.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 351%

Screening Date 10-Sep-2008 **Docket No.** 2008-1621-AIR-E **PCW**
Respondent Shell Oil Company *Policy Revision 2 (September 2002)*
Case ID No. 36651 *PCW Revision June 12, 2008*
Reg. Ent. Reference No. RN100211879
Media [Statute] Air
Enf. Coordinator Bryan Elliott

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.146(2), Federal Operating Permit No. O-01669, General Terms & Conditions, and Tex. Health & Safety Code § 382.085(b)
Violation Description Failed to submit the annual permit compliance certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the November 22, 2006 through November 21, 2007 period was submitted on January 30, 2008, which was 40 days late.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm			Percent
	Major	Moderate	Minor	
	Actual			
Potential				

>> Programmatic Matrix

				Percent
Falsification	Major	Moderate	Minor	
	X			25%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 40 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$2,500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$34

Violation Final Penalty Total \$11,275

This violation Final Assessed Penalty (adjusted for limits) \$11,275

Economic Benefit Worksheet

Respondent: Shell Oil Company
 Case ID No. 36651
 Reg. Ent. Reference No. RN100211879
 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
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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	\$500	21-Dec-2007	1-May-2009	1.36	\$34	n/a	\$34
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper reporting practices are followed. Date Required is the due date of the report and Final Date is the prospective date of compliance.

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

\$34

Screening Date 10-Sep-2008	Docket No. 2008-1621-AIR-E	PCW
Respondent Shell Oil Company		<i>Policy Revision 2 (September 2002)</i>
Case ID No. 36651		<i>PCW Revision June 12, 2008</i>
Reg. Ent. Reference No. RN100211879		
Media [Statute] Air		
Enf. Coordinator Bryan Elliott		
Violation Number 2		
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to prevent unauthorized emissions, as documented during an investigation conducted on August 20, 2008. Specifically, an emissions event occurred due to tripping of the wet gas compressor C-6800, ultimately from the malfunction of the resistance temperature detector, on June 10, 2008, at the North Property Flare (Emission Point No. FLARENP) that lasted for three hours and five minutes resulting in the release of 6,803.90 pounds ("lbs") of volatile organic compounds, 187.40 lbs of hydrogen sulfide, 2,979.70 lbs of carbon monoxide, 412.60 lbs of nitrogen oxides, 17,286.80 lbs of sulfur dioxide, and 35.60 lbs of particulate matter. Since this emissions event could have been avoided by better maintenance practices, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.	
	Base Penalty	\$10,000
>> Environmental, Property and Human Health Matrix		
OR	Harm	
	Release Major Moderate Minor	
	Actual	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Potential	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Percent	100%
>> Programmatic Matrix		
	Falsification Major Moderate Minor	
		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Percent	0%
Matrix Notes	Human health or the environment was exposed to significant amounts of pollutants which did exceed levels protective of human health or environmental receptors as a result of the violation.	
	Adjustment	\$0
		\$10,000
Violation Events		
	Number of Violation Events	1
		1
	Number of violation days	
<i>mark only one with an x</i>	daily	<input checked="" type="checkbox"/>
	monthly	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>
	Violation Base Penalty	\$10,000
One daily event is recommended.		
Good Faith Efforts to Comply	0.0% Reduction	\$0
	Before NOV NOV to EDRP/Settlement Offer	
Extraordinary	<input type="checkbox"/> <input type="checkbox"/>	
Ordinary	<input type="checkbox"/> <input type="checkbox"/>	
N/A	<input checked="" type="checkbox"/> (mark with x)	
Notes	The Respondent does not meet the good faith criteria for this violation.	
	Violation Subtotal	\$10,000
Economic Benefit (EB) for this violation		
	Statutory Limit Test	
Estimated EB Amount	\$45	Violation Final Penalty Total \$45,100
		This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent: Shell Oil Company
 Case ID No. 36651
 Reg. Ent. Reference No. RN100211879
 Media: Air
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$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	10-Jun-2008	1-May-2009	0.89	\$45	n/a	\$45

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is based on the date of the emissions event and Final Date is the prospective date of compliance.

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

\$45

Compliance History Report

Customer/Respondent/Owner-Operator:	CN601542012 Shell Oil Company	Classification: AVERAGE	Rating: 2.77
Regulated Entity:	RN100211879 SHELL OIL DEER PARK	Classification: AVERAGE	Site Rating: 2.80

ID Number(s):	ACCOUNT NUMBER	HG0659W
AIR OPERATING PERMITS	PERMIT	1669
AIR OPERATING PERMITS	PERMIT	1668
AIR OPERATING PERMITS	PERMIT	1943
AIR OPERATING PERMITS	PERMIT	1945
AIR OPERATING PERMITS	PERMIT	1946
AIR OPERATING PERMITS	PERMIT	1947
AIR OPERATING PERMITS	PERMIT	1948
AIR OPERATING PERMITS	PERMIT	2108
AIR OPERATING PERMITS	PERMIT	1940
AIR OPERATING PERMITS	PERMIT	1942
AIR OPERATING PERMITS	PERMIT	3179
WASTEWATER	PERMIT	WQ0000402000
WASTEWATER	PERMIT	TPDES0004863
WASTEWATER	PERMIT	TX0004863
WASTEWATER	PERMIT	WQ0000403000
WASTEWATER	PERMIT	TPDES0004871
WASTEWATER	EPA ID	TX0004871
AIR NEW SOURCE PERMITS	PERMIT	21262
AIR NEW SOURCE PERMITS	REGISTRATION	54895
AIR NEW SOURCE PERMITS	REGISTRATION	55312
AIR NEW SOURCE PERMITS	REGISTRATION	76382
AIR NEW SOURCE PERMITS	REGISTRATION	75524
AIR NEW SOURCE PERMITS	REGISTRATION	55730
AIR NEW SOURCE PERMITS	REGISTRATION	55869
AIR NEW SOURCE PERMITS	REGISTRATION	76315
AIR NEW SOURCE PERMITS	PERMIT	7855
AIR NEW SOURCE PERMITS	PERMIT	9856
AIR NEW SOURCE PERMITS	PERMIT	11177
AIR NEW SOURCE PERMITS	PERMIT	12152
AIR NEW SOURCE PERMITS	PERMIT	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	PERMIT	13713
AIR NEW SOURCE PERMITS	PERMIT	16429
AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	7621
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	PERMIT	10888
AIR NEW SOURCE PERMITS	PERMIT	11096
AIR NEW SOURCE PERMITS	PERMIT	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	PERMIT	12829
AIR NEW SOURCE PERMITS	PERMIT	13678
AIR NEW SOURCE PERMITS	PERMIT	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	PERMIT	9505
AIR NEW SOURCE PERMITS	PERMIT	15262
AIR NEW SOURCE PERMITS	PERMIT	15365
AIR NEW SOURCE PERMITS	PERMIT	15499
AIR NEW SOURCE PERMITS	PERMIT	15940
AIR NEW SOURCE PERMITS	PERMIT	18209
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	18768
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	PERMIT	24096
AIR NEW SOURCE PERMITS	PERMIT	24874
AIR NEW SOURCE PERMITS	PERMIT	26368
AIR NEW SOURCE PERMITS	PERMIT	27598
AIR NEW SOURCE PERMITS	PERMIT	29597
AIR NEW SOURCE PERMITS	PERMIT	32282
AIR NEW SOURCE PERMITS	PERMIT	33524
AIR NEW SOURCE PERMITS	PERMIT	34230
AIR NEW SOURCE PERMITS	PERMIT	34358

AIR NEW SOURCE PERMITS	PERMIT	35243
AIR NEW SOURCE PERMITS	PERMIT	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	747
AIR NEW SOURCE PERMITS	PERMIT	748
AIR NEW SOURCE PERMITS	PERMIT	920
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4406
AIR NEW SOURCE PERMITS	PERMIT	4596
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	PERMIT	41920
AIR NEW SOURCE PERMITS	PERMIT	41875
AIR NEW SOURCE PERMITS	PERMIT	42221
AIR NEW SOURCE PERMITS	PERMIT	42573
AIR NEW SOURCE PERMITS	PERMIT	42512
AIR NEW SOURCE PERMITS	PERMIT	43605
AIR NEW SOURCE PERMITS	PERMIT	42118
AIR NEW SOURCE PERMITS	PERMIT	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	PERMIT	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	PERMIT	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	PERMIT	70903
AIR NEW SOURCE PERMITS	PERMIT	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	PERMIT	54061
AIR NEW SOURCE PERMITS	PERMIT	50548
AIR NEW SOURCE PERMITS	PERMIT	52565
AIR NEW SOURCE PERMITS	PERMIT	52089
AIR NEW SOURCE PERMITS	PERMIT	52088
AIR NEW SOURCE PERMITS	PERMIT	50388
AIR NEW SOURCE PERMITS	PERMIT	50423
AIR NEW SOURCE PERMITS	PERMIT	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	84538
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007

INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK	REGISTRATION	32780
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

Location: 5900 HWY 225 E, DEER PARK, TX, 77536 Rating Date: 9/1/2008 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: October 15, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: October 09, 2003 to October 09, 2008

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

Name: Bryan Elliott Phone: 239 - 6162

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? Yes
3. If Yes, who is the current owner?
 - Shell Deer Park Refining Company
 - Shell Chemical LP
 - Shell Oil Company
 - Deer Park Refining Limited Partnership
4. If Yes, who was/were the prior owner(s)? Equilon Enterprises LLC
5. When did the change(s) in ownership occur? 06/10/2004

Components (Multimedia) for the Site :

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

Effective Date: 08/30/2004 ADMINORDER 2003-1321-AIR-E
 Classification: Major
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAERT PERMIT
 Description: Failed to comply with the permitted limit established in the MAERT of Air Permit No. 9334 for benzene. Specifically, Shell failed to prevent the unauthorized emission of benzene at the ACU Tank Farm, Tank D-371, for a period of 58 minutes on April 28, 2003. The permitted benzene limit for Tank D-371 is 0.45 lbs/hour.

Effective Date: 08/20/2005 ADMINORDER 2004-0867-IHW-E
 Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter H 335.224(11)
 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(c)

Description: Failure to conduct compliance testing for the PHenol-3 BIF and submit recertification of compliance within three years of the previous certification.

Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter H 335.224(14)
 Description: Failure to cease the burning of waste in the Phenol-3 BIF on October 12, 2003.

Effective Date: 02/20/2006

ADMINORDER 2005-0765-AIR-E

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.721(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to obtain control emissions from an emissions event that occurred on December 21, 2000 at the Coker Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)

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

Description: Failed to submit a complete final report for a reportable emissions event which occurred at the Coker Unit on December 21, 2000.

Effective Date: 02/20/2006

ADMINORDER 2005-0734-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)

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

Rqmt Prov: Also No. 3219, GC #8 PERMIT

Description: Failed to maintain steam pressure on the Olefins 2 Unit and operated the Propylene Refrigerator Compressor with a faulty suction/pressure indicating controller resulting in the flaring of off-specification products at the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on September 13, 2004.

Classification: Minor

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

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

Rqmt Prov: NSR Permit #3173, Special Condition #1 PA

Description: Failed to comply with the maximum allowable emission rates for carbon monoxide, volatile organic compounds ("VOC"), and nitrogen oxides and varied from permit representations for VOC emissions from the IPA Purge Line on September 6, 2004

Classification: Minor

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

Description: Failed to submit initial notification of a reportable emissions event at the Isopropyl Alcohol (IPA) Unit which occurred on September 6, 2004 within 24 hours of discovery.

Effective Date: 05/12/2006

ADMINORDER 2005-1614-AIR-E

Classification: Moderate

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

Description: Failed to report the December 25, 2004 emissions event within 24 hours of discovery.

Classification: Moderate

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

Rqmt Prov: Permit No 3214, Gen Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 241 lbs of 1, 3-Butadiene, 322 lbs of Butene, 1,299 lbs of Pentane, 2,182 lbs of Ethylene, 68 lbs of Benzene and 1,018 lbs of Propylene during a 10 hour and 30 minute emissions event that occurred on December 25, 2004 in the OP3 Unit.

Classification: Moderate

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

Rqmt Prov: General Condition #8 PERMIT

Description: Failed to prevent unauthorized emissions of 686 lbs of 1, 3-Butadiene, 949 lbs of Butene, 1,299 lbs of Pentane, 4,059 lbs of Ethylene and 2,044 lbs of Propylene during a 23 minute emissions event that occurred on February 17, 2005 in the Olefins No. 3 Unit ("OP3").

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Max. Allow. Em. Rate Ta PERMIT

Description: Failed to prevent unauthorized emissions of 1847.7 lbs of Ethylene, 680.70 lbs of Carbon Monoxide, and 87.3 lbs of Nitrogen Monoxide during a 3-hour emissions event that occurred on February 24, 2005 at the Acetylene Converters in the Olefins #2 Unit.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Gen. Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 404 lbs of volatile organic compounds ("VOC") in one hour on January 13, 2005 in the OP2 Unit Elevated Flare. Specifically, 868 lbs of VOCs were released and the VOC maximum allowable emission rate for the flare is 464 lbs per hour.

Effective Date: 08/29/2006

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of low sulfur diesel fuel and heavy crude oil sludge in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of natural gas in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

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

Rqmt Prov: mact rates PERMIT

Description: Exceeded maximum allowable emission rates for hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
Description: Discharged approximately 327 pounds of unspciated VOC resulting in air contaminants in such concentration and duration so as to interfere with the normal use and enjoyment of property in teh area.

Effective Date: 08/15/2008

ADMINORDER 2008-0079-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 3179, SC 6 PERMIT

Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342., in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Effective Date: 09/22/2008

ADMINORDER 2007-1789-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Shell failed to prevent an avoidable emissions event.

Classification: Moderate

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

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

Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

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

Description: Failure to keep a flame present at a flare at all times.

Classification: Moderate

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

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

Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008

ADMINORDER 2007-1472-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: No.1968, Special Condition #1, MAERT PERMIT
Description: Shell failed to prevent an avoidable emissions event that resulted in the release of a large quantity of VOCs.

Classification: Moderate

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

Rqmt Prov: Permit No.3214, Special Condition #1 PERMIT
Description: failed to comply with permitted emissions limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)

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

Description: Failure to list the compound descriptive type for the emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

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

Rqmt Prov: Permit No. 3219, Gen Condition 8 PERMIT
Description: failed to comply with permitted emissions limits

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	10/22/2003	(249626)
2	10/23/2003	(295219)
3	10/27/2003	(295237)
4	11/21/2003	(295220)
5	11/26/2003	(295238)
6	11/30/2003	(248256)
7	12/17/2003	(295221)

8	12/23/2003	(295239)
9	01/04/2004	(251319)
10	01/14/2004	(254260)
11	01/21/2004	(252556)
12	01/22/2004	(295240)
13	01/26/2004	(295222)
14	01/28/2004	(261052)
15	02/23/2004	(248995)
16	02/23/2004	(432673)
17	02/27/2004	(295223)
18	03/16/2004	(295208)
19	03/24/2004	(295225)
20	04/16/2004	(256199)
21	04/21/2004	(295209)
22	04/23/2004	(295226)
23	05/19/2004	(256196)
24	05/19/2004	(295206)
25	05/19/2004	(295211)
26	05/25/2004	(268601)
27	05/25/2004	(295228)
28	06/03/2004	(270210)
29	06/18/2004	(270854)
30	06/18/2004	(271341)
31	06/21/2004	(295213)
32	06/23/2004	(352010)
33	07/22/2004	(352011)
34	07/26/2004	(352004)
35	08/11/2004	(287399)
36	08/11/2004	(287418)
37	08/11/2004	(288458)
38	08/11/2004	(288745)
39	08/16/2004	(279239)
40	08/16/2004	(279252)
41	08/23/2004	(352012)
42	08/24/2004	(352003)
43	08/24/2004	(352005)
44	08/31/2004	(267451)
45	08/31/2004	(268068)
46	08/31/2004	(292677)
47	09/07/2004	(292099)
48	09/22/2004	(352013)
49	10/04/2004	(352006)
50	10/18/2004	(335028)
51	10/20/2004	(352007)
52	10/20/2004	(352014)
53	11/11/2004	(289756)
54	11/22/2004	(352015)
55	11/23/2004	(352008)
56	11/29/2004	(339553)
57	12/05/2004	(268602)
58	12/11/2004	(341292)
59	12/14/2004	(341177)
60	12/15/2004	(340217)
61	12/20/2004	(352016)
62	12/27/2004	(352009)
63	12/30/2004	(344374)
64	12/30/2004	(344491)
65	01/06/2005	(344370)
66	01/06/2005	(344373)
67	01/10/2005	(279219)
68	01/20/2005	(381814)
69	01/24/2005	(381811)
70	02/22/2005	(350798)
71	02/22/2005	(381812)
72	03/22/2005	(381813)
73	03/23/2005	(381809)
74	03/28/2005	(381810)
75	04/01/2005	(346780)
76	04/22/2005	(419640)

77	04/22/2005	(419642)
78	04/22/2005	(575179)
79	04/29/2005	(344372)
80	05/09/2005	(378729)
81	05/18/2005	(575182)
82	06/20/2005	(575185)
83	06/21/2005	(419641)
84	06/21/2005	(419643)
85	07/13/2005	(374690)
86	07/18/2005	(379933)
87	07/18/2005	(379934)
88	07/18/2005	(575188)
89	07/20/2005	(400891)
90	07/21/2005	(400399)
91	07/28/2005	(379300)
92	08/02/2005	(400361)
93	08/03/2005	(399624)
94	08/05/2005	(341194)
95	08/05/2005	(341195)
96	08/05/2005	(341198)
97	08/05/2005	(341200)
98	08/05/2005	(341201)
99	08/15/2005	(453221)
100	08/16/2005	(404327)
101	08/16/2005	(404329)
102	08/18/2005	(404406)
103	08/22/2005	(400922)
104	08/22/2005	(575191)
105	08/23/2005	(401945)
106	08/23/2005	(404915)
107	08/25/2005	(405926)
108	08/30/2005	(401403)
109	09/23/2005	(440775)
110	09/23/2005	(440776)
111	09/27/2005	(575193)
112	09/28/2005	(431096)
113	10/04/2005	(405964)
114	10/05/2005	(406803)
115	10/05/2005	(407310)
116	10/05/2005	(431095)
117	10/05/2005	(431097)
118	10/10/2005	(406428)
119	10/24/2005	(468331)
120	10/24/2005	(575195)
121	10/26/2005	(433389)
122	10/28/2005	(405406)
123	11/03/2005	(431819)
124	11/04/2005	(431796)

125	11/04/2005	(431865)
126	11/14/2005	(371956)
127	11/23/2005	(575197)
128	11/28/2005	(468332)
129	12/08/2005	(418800)
130	12/16/2005	(451110)
131	12/21/2005	(575199)
132	12/22/2005	(575200)
133	12/27/2005	(468333)
134	01/24/2006	(451885)
135	01/24/2006	(468334)
136	01/24/2006	(575201)
137	02/16/2006	(454090)
138	02/21/2006	(455170)
139	02/21/2006	(575174)
140	02/23/2006	(455872)
141	02/23/2006	(455897)
142	02/24/2006	(438342)
143	02/24/2006	(468329)
144	02/25/2006	(456944)
145	02/25/2006	(457085)

146	02/27/2006	(456661)
147	02/27/2006	(457162)
148	02/28/2006	(457143)
149	02/28/2006	(457152)
150	03/03/2006	(455540)
151	03/09/2006	(457675)
152	03/17/2006	(451544)
153	03/20/2006	(431859)
154	03/20/2006	(571632)
155	03/21/2006	(575176)
156	03/23/2006	(290016)
157	03/23/2006	(468330)
158	03/28/2006	(405965)
159	04/03/2006	(455004)
160	04/21/2006	(575180)
161	04/24/2006	(449499)
162	04/24/2006	(498125)
163	04/26/2006	(455005)
164	04/27/2006	(440023)
165	04/28/2006	(462216)
166	05/10/2006	(266908)
167	05/10/2006	(268067)
168	05/12/2006	(461088)
169	05/17/2006	(461235)
170	05/17/2006	(466235)
171	05/22/2006	(498126)
172	05/22/2006	(575183)
173	05/26/2006	(460095)
174	05/26/2006	(460156)
175	05/26/2006	(460174)
176	05/26/2006	(460637)
177	05/30/2006	(459416)
178	05/30/2006	(460198)
179	05/31/2006	(455293)
180	06/12/2006	(455296)
181	06/13/2006	(457735)
182	06/14/2006	(480612)
183	06/15/2006	(449850)
184	06/16/2006	(575186)
185	06/20/2006	(498127)
186	06/30/2006	(463111)
187	06/30/2006	(466661)
188	07/10/2006	(482757)
189	07/11/2006	(482407)
190	07/11/2006	(482755)
191	07/11/2006	(482760)
192	07/24/2006	(520133)
193	07/24/2006	(575189)
194	07/26/2006	(487301)
195	07/27/2006	(486448)
196	07/31/2006	(482753)
197	08/08/2006	(482747)
198	08/14/2006	(480383)
199	08/18/2006	(457259)
200	08/22/2006	(575192)
201	08/23/2006	(457432)
202	08/25/2006	(510170)
203	08/28/2006	(479997)
204	08/29/2006	(479999)
205	08/29/2006	(509957)
206	08/30/2006	(509636)
207	08/31/2006	(457283)
208	09/22/2006	(575194)
209	09/25/2006	(520134)
210	09/29/2006	(487313)
211	10/04/2006	(510017)
212	10/04/2006	(512388)
213	10/05/2006	(510021)
214	10/05/2006	(512392)

215	10/05/2006	(512393)
216	10/13/2006	(510023)
217	10/23/2006	(575196)
218	10/24/2006	(544406)
219	10/26/2006	(512394)
220	10/27/2006	(515112)
221	10/31/2006	(343595)
222	10/31/2006	(509694)
223	11/06/2006	(515706)
224	11/16/2006	(512687)
225	11/16/2006	(514711)
226	11/21/2006	(517284)
227	11/22/2006	(575198)
228	11/27/2006	(544407)
229	12/07/2006	(487985)
230	12/07/2006	(488004)
231	12/07/2006	(488023)
232	12/07/2006	(488025)
233	12/21/2006	(534053)
234	12/27/2006	(544408)
235	12/27/2006	(544409)
236	01/19/2007	(531892)
237	01/22/2007	(575202)
238	01/31/2007	(537439)
239	01/31/2007	(538238)
240	01/31/2007	(538659)
241	02/17/2007	(532455)
242	02/22/2007	(575167)

243	02/22/2007	(575175)
244	02/23/2007	(532452)
245	02/23/2007	(532463)
246	02/27/2007	(532471)
247	03/01/2007	(509707)
248	03/05/2007	(406521)
249	03/21/2007	(575177)
250	03/23/2007	(575168)
251	04/12/2007	(554202)
252	04/19/2007	(575169)
253	04/23/2007	(575181)
254	04/25/2007	(532459)
255	04/25/2007	(542681)
256	04/30/2007	(542592)
257	04/30/2007	(542683)
258	05/07/2007	(537121)
259	05/08/2007	(542690)
260	05/14/2007	(542697)
261	05/16/2007	(575170)
262	05/18/2007	(542652)
263	05/22/2007	(575184)
264	05/29/2007	(559183)
265	05/30/2007	(560809)
266	06/20/2007	(575171)
267	06/22/2007	(575187)
268	06/25/2007	(563779)
269	06/25/2007	(564308)
270	06/27/2007	(564822)
271	06/27/2007	(564828)
272	07/06/2007	(565610)
273	07/10/2007	(565422)
274	07/20/2007	(575172)
275	07/20/2007	(575173)
276	07/23/2007	(575178)
277	07/23/2007	(575190)
278	08/01/2007	(567841)
279	08/13/2007	(571026)
280	08/14/2007	(567884)
281	08/15/2007	(571883)
282	08/17/2007	(571025)
283	08/22/2007	(607528)

284	09/18/2007	(571877)
285	09/20/2007	(601572)
286	09/24/2007	(607529)
287	10/12/2007	(560777)
288	10/16/2007	(593594)
289	10/18/2007	(601573)
290	10/25/2007	(596852)
291	11/06/2007	(565492)
292	11/06/2007	(593367)
293	11/20/2007	(619483)
294	11/30/2007	(601276)
295	11/30/2007	(608138)
296	12/20/2007	(610419)
297	12/20/2007	(619484)
298	01/17/2008	(600635)
299	01/17/2008	(619485)
300	01/22/2008	(613355)
301	02/01/2008	(607448)

302	02/01/2008	(613923)
303	02/01/2008	(615075)
304	02/05/2008	(610680)
305	02/13/2008	(616505)
306	02/14/2008	(616503)
307	02/19/2008	(671990)
308	02/28/2008	(637020)
309	03/24/2008	(638443)
310	03/28/2008	(600448)
311	03/31/2008	(610634)
312	04/09/2008	(610636)
313	04/11/2008	(610638)
314	04/11/2008	(637073)
315	04/17/2008	(671992)
316	04/21/2008	(639674)
317	04/22/2008	(653495)
318	04/24/2008	(671991)
319	05/20/2008	(654015)
320	05/20/2008	(654943)
321	05/20/2008	(689907)
322	05/23/2008	(637956)
323	05/23/2008	(638051)
324	06/01/2008	(640777)
325	06/06/2008	(654842)
326	06/10/2008	(671393)
327	06/17/2008	(682693)
328	06/18/2008	(683279)
329	06/20/2008	(689908)
330	06/27/2008	(659663)
331	06/30/2008	(600450)
332	07/11/2008	(685564)
333	07/17/2008	(656863)
334	07/17/2008	(686593)
335	07/17/2008	(689909)
336	07/23/2008	(683726)
337	07/24/2008	(682501)
338	07/24/2008	(685354)
339	08/14/2008	(686729)
340	08/19/2008	(689497)
341	08/20/2008	(685355)
342	08/22/2008	(699629)
343	08/31/2008	(637068)
344	08/31/2008	(637076)
345	09/05/2008	(700024)
346	09/10/2008	(702237)
347	09/10/2008	(702256)
348	10/09/2008	(703510)

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

Date: 11/30/2003 (295239)

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:	01/04/2004 (251319)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:	PERMIT TCEQ AIR PERMIT #19849, SC #1		
Description:	Shell allowed 237 lbs of unauthorized emissions of mesityl oxide (a highly irritating ketone, which overflowed Tank T-40-16 due to an inaccurate level		
Date:	01/14/2004 (254260)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:	PERMIT TCEQ AIR PERMIT #3219, SC #4		
Description:	Main induced-draft fan on Boiler H-8610 shut down when governor seized due to dirty oil (inadequate attention to the status of the oil). The (large) boiler tripped on loss of the fan. Two olefin plants were shut down due to insufficient steam supply to the steam turbines driving the large critical compressors.		
Date:	01/21/2004 (252556)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a)		
Rqmt Prov:	PERMIT TCEQ AIR PERMIT #21262, SC #1		
Description:	Shell damaged the lube oil pump for the Recycle Gas Compr. Either possible root cause (failure to prime the pump or improperly installing the new motive screws) avoidably damaged those screws. Shell failed to control SO2 emissions during a startup activity.		
Date:	04/30/2004 (295228)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	06/30/2004 (352011)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2004 (267451)		
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 No. 21262 and PSD-TX-928		
Description:	Failure to prevent unauthorized emissions.		
Date:	09/22/2004 (335028)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:	Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.		
Date:	09/30/2004 (352007)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	11/30/2004 (352009)		
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:	12/14/2004 (340217)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(4) 30 TAC Chapter 305, SubChapter F 305.125(5) TWC Chapter 26 26.121(a)(1)		
Description:	Failure to prevent the unauthorized discharge of untreated or partially treated process, sanitary, balast, and utility wastewaters through outfall 008. The permittee is authorized to discharge storm water and fire water only to outfall 008. See attached Table 1.		
Date:	12/30/2004 (344491)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		

Rqmt Prov:	PA Permit #21262/PSD-TX-928, SC#1		
Description:	Failure to control emissions.		
Date:	12/30/2004	(344374)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA Permit #:21262,PSD-TX-928, SC #1		
Description:	Failure to Control Emissions		
Date:	03/31/2005	(419640)	
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:	04/29/2005	(344372)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to control emissions.		
Date:	05/31/2005	(575185)	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2005	(419643)	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2005	(575191)	
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/17/2005	(404327)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
Description:	Failure to maintain ammonia emissions below 10ppm on furnace 110.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
Description:	Failure to maintain ammonia emissions below 10ppm on furnace 150.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
Description:	Failure to maintain ammonia emissions below 10ppm on furnace 180.		
Date:	09/30/2005	(468331)	
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:	10/10/2005	(406428)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to control emissions.		
Date:	11/30/2005	(575199)	
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:	12/08/2005	(418800)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to maintain compliance with the effluent permit limits. Effluent violations were reported for ammonia-nitrogen at outfall 104 in 07/05 and for calcium, nickel		
Date:	02/27/2006	(438342)	
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failed to control unauthorized emissions.		

Date: 04/04/2006 (455004)

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: PA NSR Permit #3173, Special Condition #1

Description: Failure to control unauthorized emissions for Incident #64365.

Date: 05/17/2006 (461235)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1946, Special Condition 15H
OP 1946, Special Condition 1A

Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA

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 1668, Special Condition 1A

Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1668, Special Condition 1A
PERMIT 3219, Special Conditions 5 and 6

Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions .

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1946, Special Condition 1A
OP 1946, Special Condition 21
PERMIT 3216, Special Condition 6E
PERMIT 3218, Special Condition 8E
Nine OELs in HT2; 2 OELs in CIPX

Description: Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 18576, Special Condition 7E
OP 1946, Special Condition 1A
OP 1946, Special Condition 21

Description: Failure to seal 18 OELs in IRU.

Self Report? NO Classification: Minor

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

Rqmt Prov: 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)(2)
OP 1946, Special Condition 1A
OP 1946, Special Condition 21
PERMIT 3217, Special Condition 3E

Description: Failure to seal OELs in BD3.

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: OP 1946, Special Condition 21
PERMIT 3216, Special Condition 1
PERMIT 3216, Special Condition 5

Description: Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.

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:	OP 1946, Special Condition 21 PERMIT 3216, Special Conditions 1 and 4		
Description:	The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.		
Date:	05/31/2006	(455293)	
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 No. 3219 and PSD-TX-974 MAERT		
Description:	Failure to prevent an operator error resulting in unauthorized emissions.		
Date:	06/15/2006	(457735)	
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 9334 MAERT		
Description:	Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.		
Date:	06/16/2006	(510170)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT Self-reporting Requirements		
Description:	Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.		
Date:	06/30/2006	(520133)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2006	(440775)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2006	(575192)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/18/2006	(457259)	
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 A 382.085(b)		
Rqmt Prov:	PERMIT 266, SC 7E PERMIT 3985A, SC 7E OP O-01947, Special Condition 13 OP O-01947, Special Condition 1A		
Description:	3 OELs in SITEFE and 1 OEL in WRACKFE		
Date:	08/23/2006	(457432)	
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 63.162(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1948, Special Condition 1A		
Description:	Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.		
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)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1948, Special Condition 13 OP 1948, Special Condition 1A PERMIT 19849, Special Condition 11E		
Description:	10 OELs in MPLANTFE		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4)		

Rqmt Prov:		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 A 382.085(b) OP 1948, Special Condition 13 OP 1948, Special Condition 1A PERMIT 1968, Special Condition 3E PERMIT 19849, Special Condition 11E PERMIT 3173, Special Condition 6E	
Description:		5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFU; 1 OEL in HPLANTFE	
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) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:		OP 1948, Special Condition 13 OP 1948, Special Condition 1A PERMIT 3173, Special Condition 6F	
Description:		Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 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:		OP 1948, Special Condition 13 PERMIT 19849, Special Condition 7D	
Description:		Failure to inspect Tank T667B by the due date of March 2005	
Self Report?	NO		Classification: Moderate
Citation:		30 TAC Chapter 106, SubChapter K 106.261(a)(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:		OP 1948, Special Condition 13 PERMIT 3173, Special Condition 1	
Description:		VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.	
Self Report?	NO		Classification: Moderate
Citation:		30 TAC Chapter 115, SubChapter H 115.782(b)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:		OP 1948, Special Condition 1H(iv)	
Description:		Failure to repair Component No. 200706 in IPACRUFU within seven days	
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 A 382.085(b)	
Rqmt Prov:		OP 1948, Special Condition 1A	
Description:		Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere (479997)	
Date:	08/28/2006		
Self Report?	NO		Classification: Moderate
Citation:		30 TAC Chapter 115, SubChapter H 115.782(b)(2) 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 3219, Special Condition 2I OP O-1668, Special Condition 15 OP O-1668, Special Condition 1H(v)	
Description:		Failure to repair Component No. 64110.P in OP2FUG within 15 days	
Self Report?	NO		Classification: Minor
Citation:		30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)	
Rqmt Prov:		PERMIT 3219, Special Condition 2E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A	
Description:		Forty-nine incidences of open-ended lines in OP2FUG	
Self Report?	NO		Classification: Minor
Citation:		30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)	

Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b) PERMIT 3214, Special Condition 5E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A		
Description:	26 OELs in OL3FUG and 4 OELs in PYR3FUG		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3214, Special Condition 5E PERMIT 3219, Special Condition 2E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A		
Description:	28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3219, Maximum Allowable Emission Rates OP O-1668, Special Condition 15		
Description:	Exceedance of VOC MAER in tpy for the Olefins Flare System		
Date:	08/29/2006 (479999)		
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)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 15E OP O-1943, Special Condition 17 OP O-1943, Special Condition 1A		
Description:	One OEL in ACUFUG and one OEL in FUGOXU		
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 9334, Special Condition 7 OP O-1943, Special Condition 17		
Description:	Incomplete records of furnace firing rates for the ACU furnace, EPN H902		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-1943, Special Condition 1A		
Description:	Failure to conduct internal inspection of Tank F-361 by the due date of May 2005		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 8 OP O-1943, Special Condition 17		
Description:	Operation of the East Property Flare with visible emissions		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to visually inspect Tank G-359 by the due date of August 16, 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 A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 10D OP O-1943, Special Condition 17		
Description:	Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(2) 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 9334, Special Condition 10D OP O-1943, Special Condition 17		

Description: OP O-1943, Special Condition 1A
 Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.

Date: 08/31/2006 (457283)

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 48912, Special Condition 5
 OP O-2108, Special Condition 15

Description: Failure to analyze wastewater for isobutylaldehyde

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-2108, Special Condition 1A

Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-2108, Special Condition 1A

Description: Failure to obtain vapor pressure sample from T-1318

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-2108, Special Condition 1A

Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301

Date: 11/14/2006 (512687)

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 FOP #O-01669, Special Condition #1A

Description: Failure to record the daily visual observations of flare per 30 TAC 111.111(a)(4)(A)(ii).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP #O-01669, Special Condition #1A
 OP FOP #O-01669, Special Condition #1D

Description: Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).

Self Report? NO Classification: Minor

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

Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).

Date: 11/30/2006 (544408)

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: 12/31/2006 (544409)

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: 02/23/2007 (532452)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 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)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1A

OP FOP O-01946, Special Condition 1M(iv)
 OP FOP O-01946, Special Condition 21
 PA NSR #18576, Special Condition 7H
 PA NSR #3216, Special Condition 6H
 PA NSR #3217, Special Condition 3H
 Description: Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).

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 61.242-1(d)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP # O-01946, Special Condition 1A
 OP FOP #O-01946, Special Condition 21
 PA NSR 3216, Special Condition 2
 PA NSR 3218, Special Condition 2
 Description: Failure to maintain 94 LDAR components with identification tags as required by 40 CFR 61.242-1(d) as well NSR Permits #3216 and #3218.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
 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-01946, Special Condition 1A
 OP FOP O-01946, Special Condition 1M(iv)
 OP FOP O-01946, Special Condition 21
 PA NSR Permit 3215, Special Condition 2E
 PA NSR Permit 3216, Special Condition 2
 PA NSR Permit 3216, Special Condition 6E
 PA NSR Permit 3217, Special Condition 3E
 PA NSR Permit 3218, Special Condition 2
 PA NSR Permit 3218, Special Condition 8E
 Description: Failure to cap 57 open-ended valves/lines per 30 TAC 115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

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: OP FOP O-01946, Special Condition 21
 PA NSR Permit 3216, Special Condition 5
 Description: Failure to monitor the firing rate of the FOL-601 furnace for 213 hours as required by NSR Permit #3216, Special Condition #5.

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(f)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1A
 OP FOP O-01946, Special Condition 21
 PA NSR Permit 3219, Special Condition 4
 Description: Failure to continuously monitor for the presence of a flare pilot light on the OP3ELFLA unit, on two separate occasions for a total of 156 hours, as required by 40 CFR 60.18(f)(2), 40 CFR 63.11(b)(5), and NSR #3219, SC#4.

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: OP FOP O-01946, Special Condition 21
 PA NSR Permit 3216, Special Condition 1
 Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1M(ii)
 Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately

eight hours
on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30
TAC

Self Report?	NO	115.725(a)(1)(B).	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 A 382.085(b)		
Rqmt Prov:		OP FOP O-01946, Special Condition 1M(ii)		
Description:		Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).		
Self Report?	NO		Classification:	Minor
Citation:		30 TAC Chapter 115, SubChapter B 115.114(a)(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		OP FOP O-01946, Special Condition 1A		
Description:		Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		OP FOP O-01946, Special Condition 28		
Description:		Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).		
Date:	02/27/2007	(532471)		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		OP FOP #O-01947, General Terms & Conditions		
Description:		Failure to submit PCC within 30 days as required.		
Self Report?	NO		Classification:	Minor
Citation:		30 TAC Chapter 122, SubChapter B 122.145(2)(C) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		OP FOP #O-01947, General Terms & Conditions		
Description:		Failure to submit a Deviation report within 30 days as required.		
Date:	02/28/2007	(575168)		
Self Report?	YES		Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date:	02/28/2007	(575177)		
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:	03/31/2007	(575169)		
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:	04/30/2007	(575170)		
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:	05/14/2007	(542697)		
Self Report?	NO		Classification:	Minor
Citation:		30 TAC Chapter 101, SubChapter F 101.211(a)		
Description:		Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.		
Date:	05/31/2007	(575171)		
Self Report?	YES		Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date:	05/31/2007	(575187)		

Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	06/30/2007 (575172)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2007 (575173)		
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/29/2007 (543555)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V O-01669, General Terms/Condition		
Description:	failed to submit a permit compliance certification and a deviation report in a timely manner.		
Date:	08/31/2007 (601572)		
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	09/30/2007 (601573)		
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:	02/05/2008 (610680)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 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) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 18576, Special Condition 7H PERMIT NSR 3217, Special Condition 3H OP O-01946 Special Conditions 1M(iv) OP O-01946 Special Conditions 1A		
Description:	Failure to affix and maintain leaking component tags on Leak Detection and Repair components.		
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 61.242-1(d) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3216, Special Condition 2 PERMIT NSR 3218, Special Condition 2 OP O-01946 Special Condition 1A OP O-01946 Special Condition 21		
Description:	Failure to affix permanent identification tags on 76 LDAR components.		
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)		
Rqmt Prov:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THSC Chapter 382 382.085(b) PERMIT NSR 18576, Special Condition 7E PERMIT NSR 3216, Special Condition 6E PERMIT NSR 3217, Special Condition 3E PERMIT NSR 3218, Special Condition 8E OP O-01946 Special Condition 1A OP O-01946 Special Condition 1M(iv) OP O-01946 Special Condition 21		
Description:	Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a second valve. (CATEGORY C10 violation)		

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 THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01946 Special Condition 1M(ii)		
Description:	Failure to stay below the maximum operating limit for vents in HRVOC service.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01946 Special Condition 1M(ii)		
Description:	Failure to meet HRVOC monitoring/recordkeeping requirements.		
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 3216, Special Condition 11C OP O-01946 Special Condition 21		
Description:	Failure to continuously monitor and record the H2S concentration on the fuel gas on analyzer AI104 at the OP-2 fuel blend drum.		
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 O-01946 Special Condition 21 PERMIT Special Condition 11B		
Description:	Failure to continuously monitor the Gross Heating Value (GHV) measurement of the fuel gas.		
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 3216, Special Condition 5 OP O-01946 Special Condition 21		
Description:	Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007.		
Date:	04/01/2008		(610634)
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 61, SubChapter C, PT 61, SubPT I 61.112(a) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3214, SC 5(E) PERMIT NSR 3214, SC 6(E) PERMIT NSR 3219, SC 2(E) PERMIT NSR 3219, SC 8 OP O-01668, SC 1(A) OP O-01668, SC 1(H)(v) OP O-01668, SC 15(A)		
Description:	Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 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) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3214, SC 5(H) PERMIT NSR 3214, SC 6(H) PERMIT NSR 3219, SC 2(H) PERMIT NSR 3219, SC 8 OP O-01668, SC 1(A) OP O-01668, SC 1(H)(v) OP O-01668, SC 15(A)		
Description:	Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.782(b)(1) 30 TAC Chapter 122, SubChapter B 122.143(4)		

Rqmt Prov:	5C THSC Chapter 382 382.085(b)		
Description:	OP O-01668, SC 1(H)(v)		
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 56496, GC 8 PERMIT NSR 56496, SC 1 OP O-01668, SC 15(A)		
Description:	Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx) and FOL-710 (22 block hrs for 25 lbs excess NOx).		
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 56496, SC 5 OP O-01668, SC 15(A)		
Description:	Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.136(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(A)		
Description:	Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.764(a)(6) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(iv)		
Description:	Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.		
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:	40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THSC Chapter 382 382.085(b)		
Description:	PERMIT NSR 3219, SC 16 PERMIT NSR 3219, SC 5 OP O-01668, SC 1(A) OP O-01668, SC 15(A)		
Description:	Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.		
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 O-01668, SC 1(H)(ii)		
Description:	Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.722(c)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(ii)		
Description:	Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(ii)		
Description:	Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%),		

OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter C 122.210(a) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 15(B)		
Description:	Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(A)		
Description:	Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.		
Date:	04/09/2008	(639062)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(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 Kb 60.113b(a)(2) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3173, SC 3 PERMIT NSR 3173, SC 8(D) PERMIT NSR 3985A, SC 8(D) PERMIT NSR19849, SC 7(D) OP O-01948, SC 1(A) OP O-01948, SC 13(A)		
Description:	Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4)		
Rqmt Prov:	30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THSC Chapter 382 382.085(b) PERMIT NSR 1968, SC 3(E) PERMIT NSR 19849, SC 11(E) PERMIT NSR 19849, SC 13 PERMIT NSR 19849, SC 14 PERMIT NSR 3173, SC 6(E) OP O-01948, 13(A) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv)		
Description:	Failure to seal open-ended lines.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(1)(A) 30 TAC Chapter 115, SubChapter H 115.782(b)(2) 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 3173, SC 6(I) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv) OP O-01948, SC 13(A)		
Description:	Failure to repair connector 702527 in IPACRUF6 (in HRVOC service) within 15 days		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 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 THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3173, SC 6(H) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv) OP O-01948, SC 13(A)		
Description:	Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01948, SC 1(H)(ii)		

Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).

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 O-01948, SC 1(H)(ii)

Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8 hours for the HIPA flare and the A&S flare.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01948, SC 1(H)(iii)

Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-01948, SC 1(H)(ii)

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.

Date: 04/11/2008 (637073)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01947, SC 1(H)(iii)

Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-01947, SC 1(H)(ii)

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.

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 O-01947, SC 1(H)(ii)

Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.

Date: 04/11/2008 (610638)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02108, SC 1(A)
OP O-02108, SC 15(A)
PERMIT Permit 19849, SC 11(E)

Description: Failure to seal three (3) open-ended lines (OEL's) from March 20, 2007 to March 30, 2007 in ENVSOFLR1 (tag nos. 188.P, 185, and 188).

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-02108, SC 1(A)

Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02108, SC 1(A)

Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.

Date: 05/31/2008 (689908)

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:	06/30/2008	(689909)		
Self Report?	YES		Classification:	Moderate
Citation:		2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:		Failure to meet the limit for one or more permit parameter		
Date:	08/20/2008	(685355)		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 335, SubChapter A 335.6(c)		
Rqmt Prov:		PERMIT Provision II.C.1.i.		
Description:		Failure to have an up-to-date Notice of Registration for waste streams and waste management units.		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)		
		30 TAC Chapter 335, SubChapter E 335.112(a) 30 TAC Chapter 335, SubChapter F 335.152(a)(1) 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i) 40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.15 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174		
Rqmt Prov:		PERMIT Provision II.D		
Description:		Failure to complete required inspections.		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 335, SubChapter F 335.173(a)(3) 40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)		
Rqmt Prov:		PERMIT Provision V.G.4.g		
Description:		Failure to maintain leachate levels below twelve inches in Site 104 Landfill.		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 335, SubChapter F 335.152(a)(12) 40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.303(c)(1)		
Rqmt Prov:		PERMIT Provision V.G.4.h		
Description:		Failure to record the amount of leachate being removed from the landfill.		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 335, SubChapter F 335.152(a)(4) 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73(b)(9)		
Rqmt Prov:		PERMIT Provision II.B.9		
Description:		Failure to have an Annual Waste Minimization Statement.		
Date:	09/02/2008	(637076)		
Self Report?	NO		Classification:	Minor
Citation:		30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:		OP FOP O-01945, General Terms & Conditions		
Description:		Failure to submit the Annual Compliance Certification (ACC) report for the certification period April 15, 2006 through October 15, 2007 within 30 days.		
Self Report?	NO		Classification:	Minor
Citation:		30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:		OP FOP O-01945, General Terms & Conditions		
Description:		Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007 within 30 days.		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.116(b)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:		OP FOP O-01945, SC 21 PERMIT NSR 3179, GC 1		
Description:		Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter B 116.116(b)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:		OP FOP O-01945, SC 21(A) PERMIT NSR 3179, GC 1 PERMIT NSR 3179, SC 10		
Description:		Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.		
Self Report?	NO		Classification:	Moderate
Citation:		30 TAC Chapter 115, SubChapter B 115.122(a)(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2) 5C THSC Chapter 382 382.085(b)		

Rqmt Prov: OP FOP O-01945, SC 1(A)
PERMIT NSR 3179, SC 2

Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007

at 1700.

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-01945, SC 21(A)
PERMIT NSR 3179, SC 13

Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to include in the Federal Operating Permit, vent gas stream collection vessel V8342.

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-01945, SC 1(H)(ii)

Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01945, SC 1(A)

Description: Failure to prevent an exceedance of 100 annual operating hours for P87921 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.

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 G 63.114(d)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01945, SC 1(A)
OP FOP O-01945, SC 21(A)
PERMIT NSR 3179, SC 2

Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.

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)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP FOP O-01945, SC 1(A)
OP FOP O-01945, SC 21(A)
PERMIT NSR 3179, SC 20E
PERMIT NSR 3179, SC 21E
PERMIT NSR 3179, SC 3(B)

Description: Failure to prevent four open-ended lines: Tag No. 4501333.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP FOP O-01945, SC 1(A)

Description: OP FOP O-01945, SC 21(A)
PERMIT NSR 3179, SC 21(H)
Failure to tag the following components: Tag No. 322769 in Phenol 3 on February 8,

2007, and tag no. 950522 in Phenol 3 on March 21, 2007, which constitutes the violation of NSR Permit 3179 SC 21H, 30 TAC 115.354(5), and 40 CFR 63.181(b)(10).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: OP FOP O-01945, SC 1(H)(iii)
Description: Failure to prevent a greater than 5% downtime for the East Property Flare CMS (HRVOC analyzer) for CY 2006.

F. Environmental audits.

Notice of Intent Date: 10/20/2003 (263020)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263024)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263025)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263029)
No DOV Associated

Notice of Intent Date: 10/20/2003 (263033)
Disclosure Date: 12/07/2004

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 115, SubChapter B 115.136(a)(4)

Description: records not available for daily sampling/analysis results for vapor pressure of the wastewater streams processed by the unit's API separator

Notice of Intent Date: 11/20/2003 (449697)
No DOV Associated

Notice of Intent Date: 08/06/2004 (334038)
Disclosure Date: 10/12/2004

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt PERMIT Compliance b. Operational Requirements 1
PERMIT General b.

Description: noncompliance with requirement to maintain all facilities and systems of treatment and control (and related appurtenances)

Notice of Intent Date: 08/06/2004 (334047)
Disclosure Date: 08/26/2004

Viol. Classification: Moderate
Citation: 40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.3(b)(2)
30 TAC Chapter 335, SubChapter A 335.1(59)

Description: Failure to characterize a process water stream from a leaking economizer, which contained K022 waste.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(b)

30 TAC Chapter 335, SubChapter R 335.504
30 TAC Chapter 335, SubChapter R 335.511
30 TAC Chapter 335, SubChapter R 335.513
30 TAC Chapter 335, SubChapter C 335.62

Description: Failure to characterize wastewater treatment plant residues carrying the K022 waste code.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.2(b)

Description: Improper disposal of K022 WWTP residual solids at a Class 1 non-hazardous waste landfill.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter D 305.62

Description: Failure to amend RCRA permit to reflect management of K022 waste.

Viol. Classification: Moderate

Rqmt PERMIT 1. General b.

Description: discharge of process water to storm water impoundment basins

Notice of Intent Date: 10/12/2004 (349555)
No DOV Associated

Notice of Intent Date: 10/28/2004 (263123)
No DOV Associated

Notice of Intent Date: 11/11/2004 (349565)

No DOV Associated
Notice of Intent Date: 01/04/2005 (349867)
Disclosure Date: 06/17/2005
Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.320
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(d)(5)
Description: documentation was not readily available to fully demonstrate that a formal refinery maximum achievable control technology applicability determination (ie >5% HAPS) had been made for equipment in light crude service

Viol. Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)
Description: one New Source Performance Standard (NSPS) notification for Start of Construction and Start of Operation for the CGHT unit could not be located

Viol. Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)
Description: documentation was not readily available to fully demonstrate that the process to determine if a project triggered NSPS "Modification" was being completed for NSPS Subpart GGG compliance

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)
30 TAC Chapter 101, SubChapter A 101.10(c)
30 TAC Chapter 101, SubChapter A 101.10(d)
30 TAC Chapter 101, SubChapter A 101.10(e)
40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30(a)
Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required

Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.100
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)
Description: documentation was not readily available to demonstrate the development of a formal startup, shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual report was submitted

Viol. Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.320
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(l)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(f)(1)(ii)
Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability determination for miscellaneous process vents

Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.110
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(6)
Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no leaks were detected, it is unclear whether there was complete compliance with HON requirements

Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)
Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not been performed as required by benzene waste NESHAP regulations

Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(b)
Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access hatches and other openings are properly closed and gasketed had not been performed as required by the benzene waste NESHAP regulations

Notice of Intent Date: 01/06/2005 (349868)
No DOV Associated
Notice of Intent Date: 01/27/2005 (350721)
Disclosure Date: 03/23/2005
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(d)

Description: failed to meet requirements for maintenance/start-up/shutdown related activities

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110

Description: incorporation by reference of 40 CFR 63 Subpart F (SOCMI MACT standard)

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

Description: incorporation by reference of 40 CFR 63 Subpart G.(SOCMI for Process Vents, Storage Vessels, Transfer Operations, and Wastewater MACT standard)

Notice of Intent Date:	03/02/2005	(375030)
No DOV Associated		
Notice of Intent Date:	08/22/2005	(434090)
No DOV Associated		
Notice of Intent Date:	08/22/2005	(434095)
No DOV Associated		
Notice of Intent Date:	11/04/2005	(438422)
No DOV Associated		
Notice of Intent Date:	12/02/2005	(451075)
No DOV Associated		
Notice of Intent Date:	01/05/2006	(452942)
No DOV Associated		
Notice of Intent Date:	01/05/2006	(452952)
No DOV Associated		
Notice of Intent Date:	05/22/2006	(454159)
No DOV Associated		
Notice of Intent Date:	04/18/2007	(562595)
No DOV Associated		
Notice of Intent Date:	08/03/2007	(593493)
No DOV Associated		
Notice of Intent Date:	08/24/2007	(594238)
No DOV Associated		
Notice of Intent Date:	09/24/2007	(596731)
No DOV Associated		
Notice of Intent Date:	10/16/2007	(599701)
No DOV Associated		
Notice of Intent Date:	10/15/2007	(599713)
No DOV Associated		
Notice of Intent Date:	01/11/2008	(616239)
No DOV Associated		
Notice of Intent Date:	02/19/2008	(639389)
No DOV Associated		
Notice of Intent Date:	04/08/2008	(654698)
No DOV Associated		
Notice of Intent Date:	04/18/2008	(654683)
No DOV Associated		
Notice of Intent Date:	05/23/2008	(682189)
No DOV Associated		
Notice of Intent Date:	06/17/2008	(686667)
No DOV Associated		
Notice of Intent Date:	08/18/2008	(701440)

No DOV Associated

Notice of Intent Date: 09/08/2008 (704658)

No DOV Associated

G. Type of environmental management systems (EMSs).

Non 30 TAC CH 90
Certified, ISO 14001:2004,
installed 1/12/2005,
certified 1/19/2006

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

Type	Tier	Certification Date
CLEAN TEXAS PROGRAM		12/20/2004

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SHELL OIL COMPANY
RN100211879

§
§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2008-1621-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 Shell Oil 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 operates a petroleum refinery at 5900 Highway 225 East in Deer Park, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation conducted on August 5, 2008, TCEQ staff documented that the Respondent failed to submit the annual permit compliance certification ("PCC") within 30 days after the end of the certification period. Specifically, the PCC for the November 22, 2006 through November 21, 2007 period was submitted on January 30, 2008, which was 40 days late.
4. During an investigation conducted on August 20, 2008, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, an emissions event occurred due to tripping of the wet gas compressor C-6800, ultimately from the malfunction of the resistance temperature detector, on June 10, 2008, at the North Property Flare (Emission Point No. FLARENPN) that lasted for three hours and five minutes resulting in the release of 6,803.90 pounds ("lbs") of volatile organic compounds, 187.40 lbs of hydrogen sulfide, 2,979.70 lbs of carbon monoxide, 412.60 lbs of nitrogen oxides, 17,286.80 lbs of sulfur dioxide, and 35.60 lbs of particulate matter. Since this emissions event could have been avoided by better maintenance practices, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
5. The Respondent received notices of the violations on September 8 and October 13, 2008.

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 submit the annual PCC within 30 days after the end of the certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), Federal Operating Permit No. O-01669, General Terms & Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. 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.
5. An administrative penalty in the amount of Twenty-One Thousand Two Hundred Seventy-Five Dollars (\$21,275) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Ten Thousand Six Hundred Thirty-Eight Dollars (\$10,638) of the administrative penalty. Ten Thousand Six

Hundred Thirty-Seven Dollars (\$10,637) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project.

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Twenty-One Thousand Two Hundred Seventy-Five Dollars (\$21,275) as set forth in Section II, Paragraph 5 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: Shell Oil Company, Docket No. 2008-1621-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 Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 5 above, Ten Thousand Six Hundred Thirty-Seven Dollars (\$10,637) of the assessed administrative penalty shall be offset with the condition that the Respondent implements the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The Respondent shall undertake the following technical requirements:
 - a. Within 60 days after the effective date of this Agreed Order, implement improvements to designs, operations, and/or maintenance practices to address the June 10, 2008 emissions event and that are designed to prevent recurrence of same or similar incidents;
 - b. Within 60 days after the effective date of this Agreed Order, implement improvements to reporting practices that address the late submittal of the November 22, 2006 through November 21, 2007 PCC and that are designed to prevent recurrence of same or similar incidents; and
 - c. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including

photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions Nos. 3.a. and 3.b. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date 4/17/2009

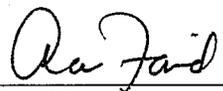
I, the undersigned, have read and understand the attached Agreed Order in the matter of Shell Oil Company. I am authorized to agree to the attached Agreed Order on behalf of the entity below my signature, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting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

I understand that by entering into this Agreed Order, Shell Oil 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.



Signature

MARCH 16 2009

Date

AMIR FARID

Name (Printed or typed)
Authorized Representative of
Shell Oil Company

GENERAL MGR

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: 2008-1621-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents: Shell Oil Company

Payable Penalty Amount: Twenty-One Thousand Two Hundred Seventy-Five Dollars (\$21,275)

SEP Amount: Ten Thousand Six Hundred Thirty-Seven Dollars (\$10,637)

Type of SEP: Pre-approved

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

Location of SEP: Harris County

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

The Respondents certify 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 of buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondents 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 Respondents must contribute the SEP Amount to the Third-Party Recipient. The Respondents 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 Respondents 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 Respondents 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 Respondents 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:

Shell Oil Company
Agreed Order B Attachment A

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

The Respondents 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 Respondents 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 Respondents shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondents 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 Respondents under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

