

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.:** 2008-1398-IHW-E    **TCEQ ID:** RN102535077    **CASE NO.:** 36444

**RESPONDENT NAME:** BP Products North America Inc.

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input checked="" type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> BP Products North America, 2401 Fifth Avenue South, Texas City, Galveston County</p> <p><b>TYPE OF OPERATION:</b> Petroleum refining facility</p> <p><b>SMALL BUSINESS:</b>    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is one additional pending enforcement action regarding this facility location, Docket No. 2007-1919-IHW-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on May 4, 2009. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> None  <b>TCEQ Enforcement Coordinator:</b> Mr. Clinton Sims, Enforcement Division, Enforcement Team 7, MC 128, (512) 239-6933; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387  <b>Respondent:</b> Mr. Keith Casey, Business Unit Leader, BP Products North America Inc., P.O. Box 401, Texas City, Texas 77592-0401  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> May 1, 2008</p> <p><b>Date of NOV/NOE Relating to this Case:</b> July 16, 2008 (NOE)</p> <p><b>Background Facts:</b> This was a routine investigation.</p> <p><b>WASTE</b></p> <p>Failure to prevent the shipment of industrial hazardous waste to an unauthorized facility. Specifically, the Respondent shipped the hazardous waste stream 9022603H, EPA Code F038, stored in a vacuum box VB 1029 to the Coastal Plains nonhazardous waste landfill, MSW permit 1721A on December 21, 2007 [30 TEX. ADMIN. CODE § 335.2(b)].</p>	<p><b>Total Assessed:</b> \$12,650</p> <p><b>Total Deferred:</b> \$2,530  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$10,120</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that on May 9, 2008, the shipment of industrial hazardous waste to the Coastal Plains landfill was adequately recovered and shipped to an authorized hazardous waste landfill for proper disposal.</p> <p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, develop and implement procedures to ensure that all wastes generated at the Facility are transported only to facilities authorized to accept them; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p>

Additional ID No(s): 50255 and SWR 30139



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

<b>DATES</b>	Assigned	21-Jul-2008			
	PCW	19-Aug-2008	Screening	18-Aug-2008	EPA Due

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	BP Products North America Inc.		
Reg. Ent. Ref. No.	RN102535077		
Facility/Site Region	12-Houston	Major/Minor Source	Major

<b>CASE INFORMATION</b>			
Enf./Case ID No.	36444	No. of Violations	1
Docket No.	2008-1398-IHW-E	Order Type	1660
Media Program(s)	Industrial and Hazardous Waste	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Clinton Sims
		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<i>Subtotal 1:</i>	\$2,500
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<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>		
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>		
Compliance History	406.0% Enhancement	<i>Subtotals 2, 3, &amp; 7:</i> \$10,150

Notes: The Respondent received adjustments for 11 Findings Orders, two 1660 Orders, 73 NOV's without same or similar violations, 39 audits and eight disclosures of violations.

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

Good Faith Effort to Comply Total Adjustments	<i>Subtotal 5:</i>	\$0
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Economic Benefit	0.0% Enhancement*	<i>Subtotal 6:</i>	\$0
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Total EB Amounts \$55  
Approx. Cost of Compliance \$6,000  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<i>Final Subtotal:</i>	\$12,650
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<i>Adjustment:</i>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<i>Final Penalty Amount:</i>	\$12,650
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<i>Final Assessed Penalty:</i>	\$12,650
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<b>DEFERRAL</b>	20.0% Reduction	<i>Adjustment:</i>	-\$2,530
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$10,120
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Screening Date 18-Aug-2008

Docket No. 2008-1398-IHW-E

PCW

Respondent BP Products North America Inc.

Policy Revision 2 (September 2002)

Case ID No. 36444

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN102535077

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Clinton Sims

## Compliance History Worksheet

## &gt;&gt; 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)	0	0%
	Other written NOVs	73	146%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	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	11	275%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	39	-39%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	8	-16%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 406%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

## Compliance History Notes

The Respondent received adjustments for 11 Findings Orders, two 1660 Orders, 73 NOVs without same or similar violations, 39 audits and eight disclosures of violations.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 406%

<b>Screening Date</b> 18-Aug-2008	<b>Docket No.</b> 2008-1398-IHW-E	<b>PCW</b>				
<b>Respondent</b> BP Products North America Inc.	<i>Policy Revision 2 (September 2002)</i>					
<b>Case ID No.</b> 36444	<i>PCW Revision June 12, 2008</i>					
<b>Reg. Ent. Reference No.</b> RN102535077						
<b>Media [Statute]</b> Industrial and Hazardous Waste						
<b>Enf. Coordinator</b> Clinton Sims						
<b>Violation Number</b>	1					
<b>Rule Cite(s)</b>	30 Tex. Admin. Code § 335.2(b)					
<b>Violation Description</b>	Failed to prevent the shipment of industrial hazardous waste to an unauthorized facility. Specifically, the Respondent shipped the hazardous waste stream 9022603H, EPA Code F038, stored in a vacuum box VB 1029 to the Coastal Plains nonhazardous waste landfill, MSW permit 1721A on December 21, 2007.					
<b>Base Penalty</b>	\$10,000					
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>						
OR	<b>Harm</b>					
	Release	Major	Moderate	Minor		
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>		
Potential	<input type="text"/>	x	<input type="text"/>	<b>Percent</b>	25%	
<b>&gt;&gt; Programmatic Matrix</b>						
Falsification	Major	Moderate	Minor	<b>Percent</b>	0%	
Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed protective levels.					
<b>Adjustment</b>	\$7,500					
\$2,500						
<b>Violation Events</b>						
Number of Violation Events	1		Number of violation days	8		
mark only one with an x	daily	<input type="text"/>	monthly	<input type="text"/>	<b>Violation Base Penalty</b>	\$2,500
	quarterly	x	semiannual	<input type="text"/>		
	annual	<input type="text"/>	single event	<input type="text"/>		
One quarterly event is recommended from the May 1, 2008 investigation date to the May 9, 2008 date of compliance.						
<b>Good Faith Efforts to Comply</b>						
0.0% Reduction						
Before NOV    NOV to EDRP/Settlement Offer						
Extraordinary	<input type="text"/>	<input type="text"/>				
Ordinary	<input type="text"/>	<input type="text"/>				
N/A	x	(mark with x)				
Notes	The Respondent does not meet the good faith criteria for this violation.					
<b>Violation Subtotal</b>						\$2,500
<b>Economic Benefit (EB) for this violation</b>						
<b>Statutory Limit Test</b>						
Estimated EB Amount	\$55		Violation Final Penalty Total	\$12,650		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>						\$12,650

## Economic Benefit Worksheet

**Respondent** BP Products North America Inc.  
**Case ID No.** 36444  
**Reg. Ent. Reference No.** RN102535077  
**Media** Industrial and Hazardous Waste  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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**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	\$1,000	1-May-2008	28-Apr-2009	0.99	\$50	n/a	\$50
Remediation/Disposal	\$5,000	1-May-2008	9-May-2008	0.02	\$5	n/a	\$5
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**  
 Estimated cost to dispose of the hazardous waste at an authorized facility and the estimated cost to develop and implement procedures to ensure that all wastes generated at the Facility are transported only to facilities authorized to accept them. The Training/Sampling Date Required is the date of the investigation and the Final Date is the expected date of compliance. The Remediation/Disposal Date Required is the date of the investigation and the Final Date is the actual 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**

<b>Approx. Cost of Compliance</b>	\$6,000	<b>TOTAL</b>	\$55
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# Compliance History Report

Customer/Respondent/Owner-Operator: CN600866800 BP Products North America Inc. Classification: AVERAGE Rating: 2.05  
 Regulated Entity: RN102535077 BP PRODUCTS NORTH AMERICA Classification: AVERAGE Site Rating: 6.41

ID Number(s):	AIR NEW SOURCE PERMITS	PERMIT	1940
	AIR NEW SOURCE PERMITS	PERMIT	2231
	AIR NEW SOURCE PERMITS	PERMIT	2315
	AIR NEW SOURCE PERMITS	PERMIT	2529
	AIR NEW SOURCE PERMITS	PERMIT	2608
	AIR NEW SOURCE PERMITS	PERMIT	2612
	AIR NEW SOURCE PERMITS	PERMIT	2938
	AIR NEW SOURCE PERMITS	PERMIT	3758
	AIR NEW SOURCE PERMITS	PERMIT	4714
	AIR NEW SOURCE PERMITS	PERMIT	6488
	AIR NEW SOURCE PERMITS	PERMIT	6592
	AIR NEW SOURCE PERMITS	PERMIT	6600
	AIR NEW SOURCE PERMITS	PERMIT	7085
	AIR NEW SOURCE PERMITS	PERMIT	9606
	AIR NEW SOURCE PERMITS	PERMIT	10060
	AIR NEW SOURCE PERMITS	PERMIT	10129
	AIR NEW SOURCE PERMITS	PERMIT	10156
	AIR NEW SOURCE PERMITS	PERMIT	10212
	AIR NEW SOURCE PERMITS	PERMIT	10597
	AIR NEW SOURCE PERMITS	PERMIT	11173
	AIR NEW SOURCE PERMITS	PERMIT	11175
	AIR NEW SOURCE PERMITS	PERMIT	11176
	AIR NEW SOURCE PERMITS	PERMIT	11787
	AIR NEW SOURCE PERMITS	PERMIT	13666
	AIR NEW SOURCE PERMITS	PERMIT	13667
	AIR NEW SOURCE PERMITS	PERMIT	15163
	AIR NEW SOURCE PERMITS	PERMIT	15271
	AIR NEW SOURCE PERMITS	PERMIT	15378
	AIR NEW SOURCE PERMITS	PERMIT	15436
	AIR NEW SOURCE PERMITS	PERMIT	15458
	AIR NEW SOURCE PERMITS	PERMIT	15497
	AIR NEW SOURCE PERMITS	PERMIT	15766
	AIR NEW SOURCE PERMITS	PERMIT	18506
	AIR NEW SOURCE PERMITS	PERMIT	19297
	AIR NEW SOURCE PERMITS	PERMIT	19599
	AIR NEW SOURCE PERMITS	PERMIT	20850
	AIR NEW SOURCE PERMITS	PERMIT	22107
	AIR NEW SOURCE PERMITS	PERMIT	24608
	AIR NEW SOURCE PERMITS	PERMIT	24936
	AIR NEW SOURCE PERMITS	PERMIT	38048
	AIR NEW SOURCE PERMITS	PERMIT	39093
	AIR NEW SOURCE PERMITS	PERMIT	41275
	AIR NEW SOURCE PERMITS	PERMIT	46052
	AIR NEW SOURCE PERMITS	PERMIT	46255
	AIR NEW SOURCE PERMITS	PERMIT	46725
	AIR NEW SOURCE PERMITS	PERMIT	46724
	AIR NEW SOURCE PERMITS	PERMIT	47256
	AIR NEW SOURCE PERMITS	PERMIT	47563
	AIR NEW SOURCE PERMITS	PERMIT	47695
	AIR NEW SOURCE PERMITS	PERMIT	47696
	AIR NEW SOURCE PERMITS	PERMIT	47956
	AIR NEW SOURCE PERMITS	PERMIT	47955
	AIR NEW SOURCE PERMITS	PERMIT	47954
	AIR NEW SOURCE PERMITS	PERMIT	48412
	AIR NEW SOURCE PERMITS	PERMIT	49200
	AIR NEW SOURCE PERMITS	PERMIT	49771
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	GB0004L
	AIR NEW SOURCE PERMITS	REGISTRATION	84210
	AIR NEW SOURCE PERMITS	PERMIT	51875
	AIR NEW SOURCE PERMITS	REGISTRATION	75507
	AIR NEW SOURCE PERMITS	PERMIT	56136

AIR NEW SOURCE PERMITS	AFS NUM	4816700001
AIR NEW SOURCE PERMITS	REGISTRATION	56657
AIR NEW SOURCE PERMITS	PERMIT	49128
AIR NEW SOURCE PERMITS	PERMIT	70427
AIR NEW SOURCE PERMITS	PERMIT	50798
AIR NEW SOURCE PERMITS	REGISTRATION	72163
AIR NEW SOURCE PERMITS	PERMIT	54051
AIR NEW SOURCE PERMITS	PERMIT	52467
AIR NEW SOURCE PERMITS	PERMIT	71839
AIR NEW SOURCE PERMITS	PERMIT	53892
AIR NEW SOURCE PERMITS	PERMIT	54721
AIR NEW SOURCE PERMITS	PERMIT	55478
AIR NEW SOURCE PERMITS	REGISTRATION	87463
AIR NEW SOURCE PERMITS	PERMIT	PSDTX402
AIR NEW SOURCE PERMITS	EPA ID	PSDTX402
AIR NEW SOURCE PERMITS	REGISTRATION	76550
AIR NEW SOURCE PERMITS	REGISTRATION	78059
AIR NEW SOURCE PERMITS	REGISTRATION	78060
AIR NEW SOURCE PERMITS	REGISTRATION	78120
AIR NEW SOURCE PERMITS	REGISTRATION	77811
AIR NEW SOURCE PERMITS	REGISTRATION	78051
AIR NEW SOURCE PERMITS	REGISTRATION	79522
AIR NEW SOURCE PERMITS	REGISTRATION	81516
AIR NEW SOURCE PERMITS	REGISTRATION	81757
AIR NEW SOURCE PERMITS	REGISTRATION	82308
AIR NEW SOURCE PERMITS	REGISTRATION	87193
AIR NEW SOURCE PERMITS	REGISTRATION	87883
AIR NEW SOURCE PERMITS	REGISTRATION	84396
AIR NEW SOURCE PERMITS	REGISTRATION	84567
AIR NEW SOURCE PERMITS	REGISTRATION	85681
AIR NEW SOURCE PERMITS	REGISTRATION	88241
AIR NEW SOURCE PERMITS	REGISTRATION	84394
AIR NEW SOURCE PERMITS	REGISTRATION	87825
AIR NEW SOURCE PERMITS	REGISTRATION	86558
AIR NEW SOURCE PERMITS	REGISTRATION	84668
AIR NEW SOURCE PERMITS	REGISTRATION	84658
AIR NEW SOURCE PERMITS	REGISTRATION	85670
AIR NEW SOURCE PERMITS	REGISTRATION	83759
AIR NEW SOURCE PERMITS	REGISTRATION	84454
AIR NEW SOURCE PERMITS	REGISTRATION	86677
AIR NEW SOURCE PERMITS	REGISTRATION	83422
AIR NEW SOURCE PERMITS	REGISTRATION	87823
AIR NEW SOURCE PERMITS	REGISTRATION	83424
AIR NEW SOURCE PERMITS	REGISTRATION	83941
AIR NEW SOURCE PERMITS	REGISTRATION	87296
UNDERGROUND INJECTION CONTROL	PERMIT	WDW080
UNDERGROUND INJECTION CONTROL	PERMIT	WDW127
UNDERGROUND INJECTION CONTROL	PERMIT	WDW128
UNDERGROUND INJECTION CONTROL	PERMIT	WDW214
UNDERGROUND INJECTION CONTROL	PERMIT	WDW215
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008080533
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30139
WASTE WATER GENERAL PERMIT	PERMIT	TXG670029
AIR OPERATING PERMITS	PERMIT	2657
AIR OPERATING PERMITS	ACCOUNT NUMBER	GB0004L
AIR OPERATING PERMITS	PERMIT	1541
AIR OPERATING PERMITS	PERMIT	2328
WASTEWATER	PERMIT	WQ0000443000
WASTEWATER	PERMIT	TPDES0003522
WASTEWATER	PERMIT	TX0003522
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50255
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50255
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30139

Location: STORMWATER PERMIT TXR15NV94  
 STORMWATER PERMIT TXR15NT05  
 2401 5TH AVE S, TEXAS CITY, TX, 77590

TCEQ Region: REGION 12 - HOUSTON  
 Date Compliance History Prepared: May 14, 2009  
 Agency Decision Requiring Compliance History: Enforcement  
 Compliance Period: August 26, 2003 to August 26, 2008  
 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
 Name: Clinton Sims Phone: 239 - 6933

**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/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator?
 

N/A	
OWNOPR	BP Products North America Inc.
OWNOPR	BP Amoco Texas City Business Unit
OWNOPR	BP Pipelines (North America) Inc.
4. If Yes, who was/were the prior owner(s)/operator(s) ?
 

OPR	BP Amoco Chemical Company
	N/A
5. When did the change(s) in owner or operator occur?
 

06/19/2007	N/A
	OPR BP Amoco Chemical Company
6. Rating Date: 9/1/2008 Repeat Violator: NO

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

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
- |     |  |                            |
|-----|--|----------------------------|
| N/A | Effective Date: 07/15/2005   | ADMINORDER 2004-1532-AIR-E |
|     | Classification: Moderate   |                            |
|     | Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THC Chapter 382, SubChapter A 382.085(b)   |                            |
|     | Rqmt Prov: Special Condition No. 2 PERMIT  |                            |
|     | Description: Failed to prevent the unauthorized emission of volatile organic compounds (VOCs) exceeding the maximum allowable emission rate from the Ultraformer No. 4 Unit during a period of 2 hours and 55 minutes on March 30, 2004. |                            |
|     | Classification: Minor  |                            |
|     | Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)<br>5C THC Chapter 382, SubChapter A 382.085(b)  |                            |
|     | Description: Failed to submit an administratively complete final emissions event report with the preconstruction authorization number and the authorized emission limits.  |                            |
|     | Effective Date: 08/29/2005   | ADMINORDER 2005-0284-AIR-E |
|     | Classification: Moderate   |                            |
|     | Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)<br>30 TAC Chapter 116, SubChapter B 116.110(a)   |                            |
|     | 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)<br>5C THC Chapter 382, SubChapter A 382.085(b)   |                            |
|     | Rqmt Prov: No. 2315 Special Condition #1, PERMIT<br>Special Condition 7 PERMIT   |                            |
|     | Description: Failed to comply with permitted emissions limits and allowed unauthorized emissions.  |                            |
|     | Effective Date: 11/06/2005   | ADMINORDER 2004-2128-AIR-E |

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 A 382.085(b)

Rqmt Prov: TCEQ Air Permit #8810, SC #1 PERMIT  
Description: Failed to comply with permitted emissions limits.

Classification: Moderate

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

Rqmt Prov: No. 19599, Special Condition No.1, PERMIT  
Description: Allowed unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)  
30 TAC Chapter 101, SubChapter F 101.211(a)

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

Description: Failed to submit a proper emission event report for an emission event that occurred from October 29, 2003 to November 14, 2003 in the fugitive components (EPN F-380-SRU-FUG) in the Sulfur Recovery Unit.

Effective Date: 12/30/2005

ADMINORDER 2005-0818-AIR-E

Classification: Moderate

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

Rqmt Prov: #18706, Special Condition No.1 PERMIT  
Description: Failed to comply with permitted emissions limits.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT  
Description: Failed to comply with permitted emissions limits.

Classification: Minor

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

Description: Failed to report an emission event.

Effective Date: 03/06/2006

ADMINORDER 2005-0706-AIR-E

Classification: Moderate

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

Description: Allowed unauthorized emissions.

Effective Date: 06/15/2006

ADMINORDER 2005-0224-AIR-E

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit #8810, SC1 PERMIT  
Description: Failed to comply with permitted emissions limits for Flare 381, SRU Incinerator Stack 384, and Flare 383.

Classification: Moderate

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

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

Rqmt Prov: General Conditions F and G PERMIT

No.18707, Special Condition #1 PERMIT

Description: Failed to comply with permitted emission limits for the Fluid Catalytic Cracking Unit (EPN 334).

Classification: Moderate

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

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

Rqmt Prov: General Conditions F and G PERMIT  
TCEQ Air Permit No.18707, SC #1 PERMIT

Description: Failed to comply with permitted emission limits for the Fluid Catalytic Cracking Unit (EPN 321).

Classification: Moderate

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

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

Rqmt Prov: 20982,Special Condition 1 PERMIT  
General Condition G PERMIT

Description: Failed to comply with permitted emission limits for the Coker Resid De-Asphalting Unit and Cooling Tower (EPN 412).

Classification: Moderate

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

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

Rqmt Prov: General Conditions F and G and SC 1 PERMIT

Description: Failed to comply with permitted emission limits for Flare # 3 (EPN F-200) in the Ultracracker Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 8810 Special Condition 1 PERMIT  
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the SRU (EPN 384).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 8810 Special Condition 1 PERMIT  
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the SRU (EPN 384).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 8810 Special Condition 1 PERMIT  
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the SRU (EPN 384).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

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

Rqmt Prov: 8810 Special Condition 1 PERMIT  
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the SRU (EPN 384).

Classification: Moderate

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

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

Rqmt Prov: Air Permit No. 8810, SC #1, PERMIT  
General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the RHU 200 Reactor Train (EPN 501).

Classification: Moderate

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

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

Rqmt Prov: 2612 Special Condition #1 PERMIT  
General Condition F PERMIT

Description: Failed to comply with permitted emission limits for the Aromatics Recovery Unit 2 (EPN 611).

Classification: Moderate

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

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

Rqmt Prov: General Conditions F and G PERMIT  
No. 8810 Special Condition #1, PERMIT

Description: Failed to comply with permitted emission limits for the RHU 200 Reactor Train (EPN 501).

Classification: Moderate

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

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

Rqmt Prov: General Conditions F and G PERMIT  
No. 8810 Special Condition #1, PERMIT

Description: Failed to comply with permitted emission limits for the RHU 200 Reactor Train (EPN 501).

Classification: Moderate

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

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

Rqmt Prov: General Conditions F and G PERMIT

Description: Failed to comply with permitted emission limits for the 400 Reactor Train (EPN 501).

Classification: Moderate

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

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

Description: BP Products failed to notify the TCEQ within 24 hours of an emissions event.

Classification: Major

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

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

Rqmt Prov: General Conditions F and G PERMIT  
TCEQ Air Permit No. 8810, SC No. 1 PERMIT

Description: Failed to comply with permitted emission limits for the RHU 300 Reactor Train (EPN 501).

Classification: Major

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

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

Rqmt Prov: General Conditions F and G PERMIT  
Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emission limits for the Ultracracker Flare (EPN 351) and the Ultraformer Unit (EPN F-160).

Classification: Moderate

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

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

Rqmt Prov: TCEQ Permit No. 8810, SC #1 PERMIT

Description: Failed to comply with permitted emissions limits for the CFH/RHU Flare.

Classification: Minor

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

Description: Failed to timely submit the final notification for a shutdown event.

Classification: Moderate

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

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

Rqmt Prov: No. 8810 and PSD-TX-402M2, S.C. No. 1 PERMIT

Description: Failed to comply with permitted emissions limits for the CFH/RHU Flare.

Classification: Moderate

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

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

Rqmt Prov: No. 8810, Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emissions limits for the CPR II Flare.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)

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

Description: Failed to submit a complete emissions event report for an emissions event that occurred on September 25, 2004.

Classification: Minor

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

Description: Failed to properly report an emissions event that occurred on February 8, 2003.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: No. 8810, Special Provision No. 1 PERMIT  
Description: Failed to comply with permitted emissions limits for the CRP II Flare.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.142(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Compliance Plan and Schedule OP  
Description: Failed to perform an applicability determination and compliance review.

Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.142(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: Compliance Plan and Schedule OP  
Description: Failure to install monitoring equipment or obtain an alternate means of compliance.

Classification: Minor

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

Rqmt Prov: General Terms and Conditions OP  
Description: Failed to submit a complete semiannual deviation report.

Effective Date: 07/22/2006

ADMINORDER 2005-1027-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to prevent the emission of unauthorized air contaminants during Incident No. 20972.

Classification: Moderate

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

Rqmt Prov: No. 8810, Special Condition No. 1 PERMIT  
Description: Failed to maintain emission rates of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) below the Maximum Allowable Emission Rates (MAER; 0.2 pounds per hour (lbs/hr) for SO<sub>2</sub>, 0.8 lbs/hr for NO<sub>x</sub>) during Incident No. 48135.

Classification: Minor

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

Description: Failed to determine if an emissions event was reportable, and failed to submit the initial emissions event report, within 24 hours after discovery (Incident No. 48847).

Classification: Moderate

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

Rqmt Prov: No. 8810, Special Condition No. 1 PERMIT  
Description: Failed to maintain emission rates of SO<sub>2</sub> below the Maximum Allowable Emission Rates (MAER; 0.2 lbs/hr) during Incident No. 48847.

Effective Date: 08/28/2006

ADMINORDER 2006-0196-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Allowed unauthorized emissions.

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: No. 47256, Special Condition No. 1 PERMIT  
Description: Failed to comply with permitted emissions limits.

Classification: Major

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: NSR Permit #47256, SC #1 PA  
Special Condition 15 PERMIT

Description: Failed to comply with permitted emissions limits  
Classification: Major

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: NSR Permit #47256, Special Condition #1 PA  
Special Condition 15 PERMIT

Description: Failed to comply with permitted emissions limits.

Effective Date: 09/21/2006 ADMINORDER 2006-0262-AIR-E

Classification: Moderate

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

5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 8810 & PSD-TX-402M2, Special Condition 1 PERMIT  
Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
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: 19599, Special Condition No. 1 PERMIT  
Description: Failed to comply with permitted emissions representations.

Effective Date: 09/21/2006 ADMINORDER 2006-0310-AIR-E

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)  
Description: BP Products allowed unauthorized emissions

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: Flexible Permit #47256, SC#1 PERMIT  
Description: BP Products failed to comply with permitted emissions limits

Effective Date: 10/19/2006 ADMINORDER 2006-0400-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 6488, SC2 PERMIT  
Description: failed to comply with permitted emissions limits. Specifically, the emissions limit for VOCs is 1.5 lbs/hr, and beginning September 8, 2003, the cooling tower (EPN 422) emitted 69,063 pounds of VOCs over a 702 hour period.

Effective Date: 12/02/2006

ADMINORDER 2006-0099-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.0518(a)

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

Description: Allowed unauthorized emissions.

Effective Date: 05/11/2007

ADMINORDER 2005-1839-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: Spec. Cond No. 1 PERMIT  
Spec. Cond. No. 1 PERMIT

Description: Failed to prevent the unauthorized release of air contaminants into the atmosphere, and failed to maintain opacity at 30% averaged over a six-minute period.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 115, SubChapter D 115.352(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

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

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

Classification: Moderate

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

Description: Failed to prevent the unauthorized release of air contaminants into the atmosphere.

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

N/A

C. Chronic excessive emissions events.

N/A

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

N/A	1	09/05/2003	(148573)
	2	09/11/2003	(247707)
	3	09/11/2003	(247715)
	4	09/11/2003	(247716)
	5	09/15/2003	(248772)
	6	09/23/2003	(294633)
	7	10/21/2003	(294635)
	8	11/04/2003	(248163)
	9	11/10/2003	(254108)
	10	11/24/2003	(294636)
	11	12/08/2003	(255379)
	12	12/08/2003	(255385)
	13	12/19/2003	(294637)
	14	12/31/2003	(250496)
	15	01/02/2004	(250803)
	16	01/07/2004	(259035)
	17	01/22/2004	(294638)
	18	01/28/2004	(257477)
	19	02/23/2004	(294620)
	20	02/24/2004	(261244)
	21	03/01/2004	(435191)
	22	03/04/2004	(263712)

23	03/04/2004	(263718)
24	03/10/2004	(263897)
25	03/16/2004	(294622)
26	03/18/2004	(253458)
27	04/06/2004	(252241)
28	04/09/2004	(268950)
29	04/13/2004	(294623)
30	04/24/2004	(254305)
31	04/24/2004	(254307)
32	04/26/2004	(251990)
33	05/17/2004	(294625)
34	05/19/2004	(271621)
35	05/19/2004	(271625)
36	05/19/2004	(271629)
37	05/26/2004	(268395)
38	05/27/2004	(272823)
39	05/27/2004	(272970)
40	05/27/2004	(273717)
41	05/27/2004	(273737)
42	05/27/2004	(273749)
43	05/27/2004	(273891)
44	06/02/2004	(268755)
45	06/03/2004	(268798)
46	06/04/2004	(270179)
47	06/10/2004	(451226)
48	06/18/2004	(266747)
49	06/21/2004	(294627)
50	07/12/2004	(294629)
51	07/15/2004	(261949)
52	07/19/2004	(281796)
53	07/27/2004	(259089)
54	08/13/2004	(274408)
55	08/13/2004	(274430)
56	08/13/2004	(274627)
57	08/13/2004	(274792)
58	08/16/2004	(276410)
59	08/19/2004	(289922)
60	08/24/2004	(351823)
61	08/31/2004	(268075)
62	08/31/2004	(272768)
63	08/31/2004	(278218)
64	08/31/2004	(280950)
65	08/31/2004	(283681)
66	08/31/2004	(283738)
67	08/31/2004	(283764)
68	08/31/2004	(285140)
69	08/31/2004	(287046)
70	09/01/2004	(286037)
71	09/01/2004	(286055)
72	09/01/2004	(288979)
73	09/01/2004	(291083)
74	09/01/2004	(291363)
75	09/01/2004	(291452)
76	09/23/2004	(351824)
77	09/30/2004	(280208)
78	09/30/2004	(286067)

79	09/30/2004	(286082)
80	09/30/2004	(286092)
81	10/01/2004	(289600)
82	10/01/2004	(293097)
83	10/19/2004	(290690)
84	10/19/2004	(291164)
85	10/25/2004	(351825)
86	10/25/2004	(351827)
87	11/04/2004	(339482)
88	11/05/2004	(339757)
89	11/05/2004	(339795)
90	11/05/2004	(339803)
91	11/11/2004	(281947)
92	11/11/2004	(282297)
93	11/16/2004	(340113)
94	11/16/2004	(351826)
95	11/18/2004	(341134)
96	11/18/2004	(341140)
97	11/19/2004	(339079)
98	11/19/2004	(339082)
99	11/19/2004	(339371)
100	11/19/2004	(340338)
101	11/19/2004	(341137)
102	11/22/2004	(282861)
103	11/23/2004	(333630)
104	11/26/2004	(267345)
105	11/29/2004	(339078)
106	11/29/2004	(339366)
107	11/29/2004	(340062)
108	11/29/2004	(340125)
109	11/29/2004	(340626)
110	11/29/2004	(340639)
111	12/08/2004	(335444)
112	12/09/2004	(338894)
113	12/09/2004	(340574)
114	12/09/2004	(340663)
115	12/10/2004	(338900)
116	12/13/2004	(282146)
117	12/13/2004	(336747)
118	12/13/2004	(336751)
119	12/13/2004	(339031)
120	12/13/2004	(339102)
121	12/13/2004	(339270)
122	12/13/2004	(340541)
123	12/14/2004	(338108)
124	12/14/2004	(338125)
125	12/14/2004	(338239)
126	12/14/2004	(338914)
127	12/14/2004	(339099)
128	12/14/2004	(339128)
129	12/14/2004	(339131)
130	12/14/2004	(339132)
131	12/14/2004	(340622)
132	12/14/2004	(340656)
133	12/16/2004	(338890)
134	12/16/2004	(338891)

135	12/16/2004	(338892)
136	12/16/2004	(338936)
137	12/16/2004	(339023)
138	12/16/2004	(340555)
139	12/17/2004	(340853)
140	12/20/2004	(338583)
141	12/20/2004	(339027)
142	12/20/2004	(339263)
143	12/20/2004	(339872)
144	12/20/2004	(344329)
145	12/20/2004	(344346)
146	12/22/2004	(344971)
147	12/27/2004	(274786)
148	12/27/2004	(283778)
149	12/27/2004	(283882)
150	12/27/2004	(344688)
151	12/27/2004	(381705)
152	12/28/2004	(281660)
153	12/28/2004	(291446)
154	12/28/2004	(339638)
155	12/28/2004	(340682)
156	12/28/2004	(344613)
157	12/29/2004	(288544)
158	12/29/2004	(338297)
159	12/29/2004	(339794)
160	12/29/2004	(344652)
161	12/30/2004	(284317)
162	12/31/2004	(284156)
163	12/31/2004	(289229)
164	12/31/2004	(344475)
165	12/31/2004	(345043)
166	01/03/2005	(284492)
167	01/03/2005	(284816)
168	01/03/2005	(338765)
169	01/04/2005	(289427)
170	01/04/2005	(339567)
171	01/06/2005	(284616)
172	01/06/2005	(288366)
173	01/06/2005	(288634)
174	01/06/2005	(292125)
175	01/06/2005	(341553)
176	01/07/2005	(291517)
177	01/07/2005	(341103)
178	01/10/2005	(339436)
179	01/10/2005	(340723)
180	01/18/2005	(268595)
181	01/18/2005	(347417)
182	01/19/2005	(337942)
183	01/19/2005	(337943)
184	02/10/2005	(282617)
185	02/14/2005	(341146)
186	02/18/2005	(343652)
187	02/22/2005	(381703)
188	02/22/2005	(436125)
189	02/23/2005	(350616)
190	02/23/2005	(350617)

191	02/23/2005	(350619)
192	03/03/2005	(372375)
193	03/03/2005	(373069)
194	03/10/2005	(371700)
195	03/21/2005	(381704)
196	03/22/2005	(372568)
197	03/22/2005	(373360)
198	04/01/2005	(345035)
199	04/07/2005	(344347)
200	04/08/2005	(345065)
201	04/18/2005	(419497)
202	04/20/2005	(252264)
203	04/20/2005	(373601)
204	04/22/2005	(377248)
205	04/25/2005	(377471)
206	04/25/2005	(377472)
207	04/25/2005	(377475)
208	04/25/2005	(419500)
209	04/28/2005	(378515)
210	05/09/2005	(379955)
211	05/11/2005	(373962)
212	05/11/2005	(374665)
213	05/20/2005	(377045)
214	05/20/2005	(379096)
215	05/20/2005	(419498)
216	05/25/2005	(379936)
217	05/25/2005	(392490)
218	05/26/2005	(282424)
219	05/26/2005	(341932)
220	05/26/2005	(345468)
221	06/17/2005	(419499)
222	06/23/2005	(350406)
223	06/28/2005	(392489)
224	06/29/2005	(348404)
225	07/18/2005	(380177)
226	07/22/2005	(345720)
227	07/26/2005	(397181)
228	08/02/2005	(397176)
229	08/08/2005	(274224)
230	08/08/2005	(336477)
231	08/08/2005	(398880)
232	08/08/2005	(400685)
233	08/12/2005	(401566)
234	08/15/2005	(404281)
235	08/16/2005	(403465)
236	08/18/2005	(404903)
237	08/19/2005	(394676)
238	08/19/2005	(402082)
239	08/19/2005	(402460)
240	08/22/2005	(402317)
241	08/22/2005	(440652)
242	08/23/2005	(400386)
243	08/24/2005	(404560)
244	08/24/2005	(404566)
245	08/24/2005	(404569)
246	08/29/2005	(400410)

247	08/29/2005	(403471)
248	08/30/2005	(403600)
249	08/30/2005	(405036)
250	08/30/2005	(418478)
251	08/31/2005	(406160)
252	09/01/2005	(400327)
253	09/06/2005	(399764)
254	09/14/2005	(403367)
255	09/14/2005	(406870)
256	09/15/2005	(260589)
257	09/15/2005	(377149)
258	09/15/2005	(418585)
259	09/16/2005	(285680)
260	09/16/2005	(380788)
261	09/16/2005	(406970)
262	09/19/2005	(404902)
263	09/19/2005	(440653)
264	09/22/2005	(440654)
265	09/22/2005	(440655)
266	09/23/2005	(432666)
267	09/27/2005	(394338)
268	10/07/2005	(393826)
269	10/11/2005	(432303)
270	10/12/2005	(252191)
271	10/12/2005	(433061)
272	10/12/2005	(433072)
273	11/15/2005	(432968)
274	11/17/2005	(407011)
275	11/21/2005	(468150)
276	11/21/2005	(468152)
277	12/05/2005	(432348)
278	12/05/2005	(434122)
279	12/08/2005	(438708)
280	12/15/2005	(436991)
281	12/19/2005	(468151)
282	01/20/2006	(433636)
283	01/24/2006	(451779)
284	01/24/2006	(451782)
285	01/24/2006	(451783)
286	01/30/2006	(453068)
287	02/15/2006	(436815)
288	02/16/2006	(436510)
289	02/16/2006	(436874)
290	02/16/2006	(450859)
291	02/17/2006	(450896)
292	02/21/2006	(438502)
293	02/22/2006	(406484)
294	02/22/2006	(431649)
295	02/22/2006	(436096)
296	02/22/2006	(468147)
297	02/23/2006	(438893)
298	02/27/2006	(431613)
299	02/27/2006	(431717)
300	02/28/2006	(280636)
301	02/28/2006	(405531)
302	03/13/2006	(405832)

303	03/16/2006	(450739)
304	03/16/2006	(498014)
305	03/21/2006	(259596)
306	04/17/2006	(468148)
307	04/17/2006	(468149)
308	05/05/2006	(345041)
309	05/12/2006	(463181)
310	05/12/2006	(463184)
311	05/12/2006	(463185)
312	05/15/2006	(498015)
313	05/16/2006	(465072)
314	05/16/2006	(465202)
315	05/16/2006	(465220)
316	05/17/2006	(400694)
317	05/18/2006	(264757)
318	05/18/2006	(264800)
319	05/31/2006	(464272)
320	05/31/2006	(480291)
321	06/15/2006	(481429)
322	06/16/2006	(480900)
323	06/19/2006	(498016)
324	06/28/2006	(464246)
325	06/30/2006	(481539)
326	07/07/2006	(437544)
327	07/07/2006	(464259)
328	07/07/2006	(467173)
329	07/18/2006	(467291)
330	07/19/2006	(480929)
331	07/20/2006	(486378)
332	07/20/2006	(486387)
333	07/20/2006	(486394)
334	07/27/2006	(483807)
335	08/15/2006	(281937)
336	08/18/2006	(482275)
337	08/21/2006	(520031)
338	08/25/2006	(463821)
339	08/25/2006	(488981)
340	08/27/2006	(510161)
341	08/31/2006	(497518)
342	08/31/2006	(497522)
343	08/31/2006	(497527)
344	09/01/2006	(481204)
345	09/05/2006	(509936)
346	09/12/2006	(680415)
347	09/15/2006	(520032)
348	09/21/2006	(530965)
349	09/25/2006	(512306)
350	09/28/2006	(512567)
351	10/24/2006	(544278)
352	11/15/2006	(517680)
353	11/21/2006	(518972)
354	11/21/2006	(518980)
355	11/21/2006	(518985)
356	11/21/2006	(544279)
357	12/08/2006	(517101)
358	12/19/2006	(532956)

359	12/19/2006	(544280)
360	01/05/2007	(531855)
361	01/16/2007	(534109)
362	01/22/2007	(544281)
363	01/26/2007	(534737)
364	01/31/2007	(457489)
365	01/31/2007	(513272)
366	02/09/2007	(509890)
367	02/14/2007	(434925)
368	02/22/2007	(431850)
369	02/22/2007	(512189)
370	02/22/2007	(512275)
371	02/22/2007	(512341)
372	02/22/2007	(512368)
373	02/22/2007	(512649)
374	03/12/2007	(540407)
375	03/12/2007	(540416)
376	03/12/2007	(540503)
377	03/15/2007	(535022)
378	03/19/2007	(574931)
379	03/28/2007	(540156)
380	03/29/2007	(542920)
381	04/04/2007	(555509)
382	04/10/2007	(542873)
383	04/12/2007	(543042)
384	04/12/2007	(574935)
385	04/16/2007	(542550)
386	04/16/2007	(574932)
387	04/20/2007	(556064)
388	04/25/2007	(543054)
389	04/25/2007	(543058)
390	04/30/2007	(555878)
391	05/03/2007	(542590)
392	05/07/2007	(574930)
393	05/14/2007	(559594)
394	05/18/2007	(574933)
395	05/30/2007	(556477)
396	05/31/2007	(560748)
397	05/31/2007	(560801)
398	05/31/2007	(561276)
399	06/20/2007	(574934)
400	06/22/2007	(467312)
401	06/22/2007	(539374)
402	06/26/2007	(558937)
403	06/27/2007	(561521)
404	07/12/2007	(512520)
405	07/27/2007	(565839)
406	08/06/2007	(568015)
407	08/14/2007	(571495)
408	08/21/2007	(601492)
409	08/22/2007	(561466)
410	08/27/2007	(532445)
411	08/27/2007	(568067)
412	08/29/2007	(543546)
413	09/07/2007	(573536)
414	09/14/2007	(573872)

415	09/20/2007	(601493)
416	10/03/2007	(564678)
417	10/03/2007	(564748)
418	10/05/2007	(568241)
419	10/05/2007	(574185)
420	10/11/2007	(595853)
421	10/16/2007	(596020)
422	10/19/2007	(566489)
423	10/19/2007	(566868)
424	10/23/2007	(595678)
425	10/23/2007	(619401)
426	10/24/2007	(596361)
427	10/24/2007	(597474)
428	10/25/2007	(594097)
429	11/01/2007	(599071)
430	11/01/2007	(599075)
431	11/01/2007	(599076)
432	11/06/2007	(599895)
433	11/06/2007	(599985)
434	11/14/2007	(600505)
435	11/15/2007	(593887)
436	11/16/2007	(594283)
437	11/16/2007	(598008)
438	11/19/2007	(600420)
439	11/19/2007	(608773)
440	11/19/2007	(619402)
441	11/30/2007	(608834)
442	12/07/2007	(609280)
443	12/17/2007	(619403)
444	12/20/2007	(610597)
445	12/21/2007	(612894)
446	01/03/2008	(612953)
447	01/03/2008	(613255)
448	01/04/2008	(609291)
449	01/04/2008	(610827)
450	01/17/2008	(619404)
451	01/18/2008	(601145)
452	01/23/2008	(609396)
453	01/23/2008	(612932)
454	01/23/2008	(613789)
455	01/23/2008	(613792)
456	01/24/2008	(612090)
457	01/25/2008	(609655)
458	01/25/2008	(615812)
459	01/28/2008	(612767)
460	02/11/2008	(612306)
461	02/14/2008	(616998)
462	02/15/2008	(617082)
463	02/20/2008	(671906)
464	03/04/2008	(636480)
465	03/13/2008	(616996)
466	03/15/2008	(671907)
467	04/04/2008	(636235)
468	04/04/2008	(636332)
469	04/15/2008	(671908)
470	04/15/2008	(671909)

471 04/24/2008 (610067)  
 472 04/29/2008 (640424)  
 473 04/29/2008 (640429)  
 474 04/29/2008 (640435)  
 475 04/29/2008 (725873)  
 476 05/12/2008 (689828)  
 477 05/16/2008 (641377)  
 478 05/20/2008 (671335)  
 479 05/21/2008 (654255)  
 480 06/04/2008 (612170)  
 481 06/04/2008 (653423)  
 482 06/18/2008 (646534)  
 483 06/19/2008 (670897)  
 484 06/19/2008 (689829)  
 485 06/20/2008 (682345)  
 486 06/27/2008 (671461)  
 487 07/02/2008 (680463)  
 488 07/02/2008 (683124)  
 489 07/10/2008 (684674)  
 490 07/11/2008 (685538)  
 491 07/16/2008 (686166)  
 492 07/17/2008 (646655)  
 493 07/17/2008 (683313)  
 494 07/17/2008 (684942)  
 495 07/18/2008 (686361)  
 496 07/23/2008 (685661)  
 497 07/25/2008 (683807)  
 498 07/25/2008 (686908)  
 499 08/11/2008 (687364)  
 500 08/13/2008 (710588)  
 501 08/19/2008 (688028)  
 502 08/26/2008 (688278)  
 503 08/26/2008 (700873)

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

Date: 09/05/2003 (148573)

N/A

Self NO Classification: Moderate

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

Description: BP failed to control emissions during a caustic dumping operation.

Date: 12/31/2003 (250496)

Self NO Classification: Moderate

Citation: 2315; Special Condition No. 1 PERMIT

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Description: BP failed to properly control VOC and H2S emissions during a shutdown operation.

Date: 01/02/2004 (250803)

Self NO Classification: Moderate

Citation: 2315; Special Condition No. 1 PERMIT

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Description: BP failed to properly control VOC, H2S, and CO emissions during a Coker C Drum cooldown cycle.

Date: 04/06/2004 (252241)

Self NO Classification: Moderate

Citation: 2612 Special Condition 1 PERMIT

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Description: Exceeded a permit limit during an emissions event.

Date: 04/24/2004 (254305)  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
 5C THC Chapter 382, SubChapter A 382.085(a)  
 Description: Failed to properly report an emissions event.  
 Date: 04/24/2004 (254307)  
 Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failed to properly report an emissions event.  
 Date: 06/09/2004 (269846)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4  
 Description: Facility failed to prevent a nuisance violation.  
 Date: 07/15/2004 (261949)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(B)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to prevent VOC leaks during a transfer operation.  
 Date: 07/27/2004 (259089)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 8810 Special Condition 1 PERMIT  
 Description: Exceeded permit limit during an avoidable emissions event.  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)  
 Description: Failure to submit final report via STEERS  
 Date: 08/30/2004 (268075)  
 Self Report? NO Classification: Moderate

Citation: 2231 Special Condition 1 PERMIT  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Exceeded VOC permit limit.  
 Self Report? NO Classification: Moderate

Citation: 2231 Special Condition 1 PERMIT  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Exceeded VOC limits.  
 Date: 11/22/2004 (282861)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Avoidable upset which caused visible emissions with opacity over 30% for more than six minutes.  
 Date: 11/30/2004 (381705) CN600866800  
 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: 12/15/2004 (282146)  
 Self Report? NO Classification: Moderate

Citation: 21191 Special Condition 1 PERMIT  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to prevent the premature failure of the SO2 analyzer and the pH analyzer.  
 Date: 12/21/2004 (344971)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: BP maintenance personnel failed to lockout the switch to the UPS output static switch and they failed to prevent a precipitator trip that resulted in an opacity of 73% (averaged over two (2) six-minute periods).  
 Date: 12/27/2004 (283882)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No.18707, Special Condition #1 PERMIT  
 Description: Exceeded permit limits during an avoidable emissions event.  
 Date: 12/28/2004 (291446)

Self Report? NO Classification: Moderate  
 Citation: 2384A Special Condition 1 PERMIT  
 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to prevent the J4 air blower surge.  
 Date: 12/29/2004 (288544)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 20982, Special Condition No. 1, PERMIT  
 Description: BP representatives failed to properly maintain or operate the 10 ft. K-ray level detector on the F-301B coke drum. BP failed to repair the 10 ft. K-ray level detector on the F-301B coke drum for a extended period of time, which in-turn caused the turbine to trip.  
 Date: 01/03/2005 (284492)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 TCEQ Air Permit No. 19599, SC #1 PERMIT  
 Description: Exceeded permit limit during an avoidalbe emissions event.  
 Date: 01/03/2005 (284816)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Exceeded opacity limits during an avoidable emissions event.  
 Date: 01/06/2005 (288366)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 20982, Special Condition No. 1, PERMIT  
 Description: BP Products North America, Texas City, failed to properly maintain and operate the J-475 wet gas compressor. BP failed to repair the power piston to prevent sticking in the 38% - 42% position for extended periods of time, which in-turn caused the turbine to trip.  
 Date: 01/06/2005 (284616)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 30 TAC Chapter 101, SubChapter F 101.201(c)  
 Description: BP failed to submit initial and final notifications in a timely manner.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 19599, Special Condition No. 1, PERMIT  
 Description: Failure to prevent the overpressure of the 401E overhead tower  
 Date: 01/06/2005 (292125)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 8810 & PSD-TX-402M2, Special Condition1, PERMIT  
 Description: Failure to prevent the H3566 relief valve from leaking to the CRPII Flare (501).  
 Date: 01/07/2005 (341103)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to an unscheduled shutdown.  
 Date: 02/18/2005 (343652)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: BP failed to properly control the air flow in the ESP Stack resulting in an opacity of 57%, averaged over a six-minute period, for 30 minutes.  
 Date: 05/26/2005 (345468)  
 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 prevent an avoidable emissions event.  
 Failure to avoid leak in the system.  
 Date: 05/26/2005 (341932)  
 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 prevent the release of Freon emissions to the atmosphere.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 Description: Failure to report in a timely manner.  
 Date: 05/31/2005 (419499) CN600866800  
 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 (440652) CN600866800  
 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: 08/19/2005 (394676)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 18707, Special Condition No. 1, PERMIT  
 Description: BP failed to prevent an avoidable emissions event.  
 Date: 08/23/2005 (402317)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 SP 7 PERMIT  
 Description: Failure to prevent an avoidable emissions event.  
 Date: 09/14/2005 (406870)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Special Condition 7 PERMIT  
 Description: Failure to maintain steady catalyst circulation rates while the unit was operating at reduced throughput.  
 Date: 09/14/2005 (403367)  
 Self Report? NO Classification: Moderate  
 Citation: 2610, Special Condition No. 1 PERMIT  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to prevent an avoidable emissions event.  
 Date: 09/15/2005 (418585)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 6488, Special Condition No. 2 PERMIT  
 Description: BP failed to prevent a leak from the short loop in the regeneration system.  
 Date: 09/16/2005 (406970)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to maintain proper catalyst aeration and catalyst circulation.  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)  
 Description: BP failed to submit a written Initial Notification for Incident # 55146 to the TCEQ within 24 hours of discovery of the incident.  
 Date: 12/05/2005 (434122)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 47256, Special Condition No. 1, PERMIT  
 Description: BP failed to prevent an avoidable emissions event.  
 Date: 12/05/2005 (432348)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 2612, Special Condition No. 1 PERMIT  
 Description: BP failed to prevent an AU2 Flare shutdown and benzene release to the atmosphere.  
 Date: 12/15/2005 (437544)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
 Description: BP Products North America Texas City failed to prevent the electrostatic precipitator trip which resulted in an opacity greater than 20%.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 47256, Special Condition No. 1 PERMIT  
 Description: BP Products North America Texas City failed to prevent the electrostatic precipitator trip.  
 Date: 12/15/2005 (436991)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 No. 47256, Special Condition No. 1 PERMIT  
 Description: BP failed to prevent an avoidable emissions event.  
 Date: 06/16/2006 (510161) CN600866800  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.121  
 Self-reporting Requirements PERMIT  
 Description: Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.  
 Date: 06/28/2006 (464246)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 No. 47256, Special Condition No. 1 PERMIT  
 Description: BP failed to prevent a malfunction of pressure relief valve (RV811M).  
 Date: 07/07/2006 (467173)  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: BP failed to submit a CAP in a timely manner.  
 Date: 07/07/2006 (464259)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 47256 Special Condition 48 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: BP failed to conduct an extended dry out procedure in the B-302 furnace before starting up the unit.  
 Date: 08/29/2006 (463821)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 No. 47256, Special Condition No. 1 PERMIT  
 Description: BP failed to prevent a release from pressure relief valve (RV828).  
 Date: 09/21/2006 (530965) CN600866800  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Date: 03/28/2007 (540156)  
 Self Report? NO Classification: Moderate

Citation: 2612, Special Condition No. 1 PERMIT  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: BP failed to meet the affirmative defense for the emissions event.  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)  
 Description: BP failed to provide requested information by the deadline.  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
 Description: BP failed to identify the authorization number of the standard permit governing the facilities involved in the emissions event.  
 Date: 03/30/2007 (542920)  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)  
 Description: BP Products North America Texas City failed to provide an analysis of the probable causes of emissions event No. 82575 in a timely manner.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 No. 47256, Special Condition No. 1 PERMIT  
 Description: BP Products North America Texas City failed to prevent a pipeline leak at Tank Storage No. 105.  
 Date: 04/20/2007 (556064)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)  
 Description: BP Products North America Texas City failed to provide an analysis of the probable causes of Incident No. 85818 by March 12, 2007.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 47256 SC 1 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: BP Products North America Texas City failed to prevent a heat exchanger leak.  
 Date: 04/30/2007 (574933) CN600866800  
 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 (574934) CN600866800  
 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 (556477)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 No. 47256, Special Condition No. 38 PERMIT  
 Description: BP Products North America Texas City failed to prevent a circuit breaker trip causing a temporary shutdown in the Fluid Catalyst Cracking Unit No. 3, electrostatic precipitator (ESP).  
 Date: 06/06/2007 (556814)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4  
 Description: Release of catalyst adversely affecting human health and property  
 Date: 08/29/2007 (543546)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: Failure to include a deviation on the deviation report within its certification period.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.213(c)(1)(G)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.147(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
FOP O-02328 Special Condition 16 OP  
FOP O-02328 Special Condition 1A OP  
NSR 47256 Special Condition 63 PERMIT  
NSR 47256 Special Condition 63C PERMIT  
Description: Failure to install NOx CEMS on thermal oxidizers.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Failure to include the applicable requirements for CEMS on thermal oxidizer in Title V O-02328.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart VV 60.482-6  
5C THC Chapter 382, SubChapter D 382.085(b)  
FOP O-02328 Special Condition 16 OP  
FOP O-02328 Special Condition 1A OP  
NSR 47256 Special Condition 17E PERMIT  
Description: Failure to close open-ended lines containing VOCs. (Category C10)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Failure to include NESHAP subpart FF requirements for dock sumps in Title V Permit O-02328.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Failure to include NSPS subpart J requirements in Title V Permit O-02328.  
Date: 08/31/2007 (601493) CN600866800

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 (619401) CN600866800

Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 10/23/2007 (596361)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)  
No. 2231, Special Condition No. 1 PERMIT  
Description: BP failed to prevent a corrosion leak in line 166 of Tank 30 which resulted in the release of 18 pounds (lbs.) of un authorized air contaminants to the atmosphere.  
Date: 10/24/2007 (597474)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
No. 47256, Special Condition #1 PERMIT  
Description: BP failed to prevent non condensable vapors from collecting in the overhead space of the F-630 reflux drum causing a release in Aromatics Unit No.2, at Flare No.2.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
Description: BP failed to submit the initial notification within 24 hours after the discovery of the emissions event.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
Description: BP failed to include the authorization number or permit in the final notification submitted to the TCEQ.

Date: 10/31/2007 (619402) CN600866800  
 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: 12/31/2007 (619404) CN600866800  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 01/31/2008 (671906) CN600866800  
 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: 02/15/2008 (617082)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THSC Chapter 382 382.085(b)  
 TCEQ Air Flexible Permit #47256, SC#1 PA  
 Description: failed to prevent a leak on a tubing connection to the process piping.  
 Date: 02/29/2008 (671907) CN600866800  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 03/13/2008 (616996)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 TCEQ Air Permit No. 2231, SC #1 PERMIT  
 Description: BP failed to prevent a transfer line leak due to overpressuring.  
 Date: 03/31/2008 (671908) CN600866800  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 05/19/2008 (654255)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)  
 Description: BP Products failed to submit a CAP in a timely manner.  
 Date: 05/30/2008 (612170)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715  
 5C THSC Chapter 382 382.085(b)  
 No. 47256, Special Condition No. 1 PERMIT  
 Description: BP failed to prevent a trip of the J-425 compressor.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 Description: BP failed to submit the initial notification within 24 hours of discovery.  
 Date: 06/02/2008 (641430)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.4  
 Description: Violation of 30 TAC 101.4, which states that no person shall discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.  
 Date: 06/25/2008 (654767)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.4  
 Description: This constitutes a violation of 30 TAC 101.4, which states that no person shall discharge from any source whatsoever one or more air contaminants or

combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.

Date: 06/27/2008 (671461)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
No. 47256, Special Condition No. 38 PERMIT  
Description: BP Products North America Texas City failed to prevent a malfunction of an air blower vent valve in the FCCU No. 1, electrostatic precipitator, resulting in an opacity of 86.30 percent (%) for a duration of 12 minutes.

Date: 07/02/2008 (683124)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
No. 47256, Special Condition No. 38 PERMIT  
Description: BP failed to prevent a malfunction of the electrostatic precipitator in the FCCU No. 1, resulting in an opacity of 68 percent (%) for a duration of 2 hours.

Date: 07/17/2008 (684942)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
No. 47256, Special Condition No. 38 PERMIT  
Description: BP failed to prevent a power glitch in the electrostatic precipitator of FCCU No. 1.  
Date: 07/17/2008 (686166) CN600866800  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to maintain compliance with the Outfall 001 permit limits for fecal coliform.

Self Report? NO Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
2D TWC Chapter 26, SubChapter A 26.121(a)(1)  
2D TWC Chapter 26, SubChapter A 26.121(a)(3)  
2D TWC Chapter 26, SubChapter A 26.121(b)  
2D TWC Chapter 26, SubChapter A 26.121(c)  
2D TWC Chapter 26, SubChapter A 26.121(d)  
2D TWC Chapter 26, SubChapter A 26.121(e)  
30 TAC Chapter 305, SubChapter F 305.125(4)  
30 TAC Chapter 305, SubChapter F 305.125(5)  
TWC Chapter 26 26.121  
TWC Chapter 26 26.121(a)(2)  
Description: Failure to prevent the unauthorized discharge of partially treated wastewater.

Date: 08/19/2008 (688028)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 2 PERMIT  
Description: BP representatives failed to prevent tube erosion and leaks in the Overhead Fin Fan (C405-4-North).

Date: 08/26/2008 (688278)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
47256, Special Condition 1 PERMIT  
5C THSC Chapter 382 382.085(b)  
Description: Failure to ensure proper performance of the exchanger bundle prior to its replacement and use.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to submit the initial notification within 24 hours of the start of the incident.

F. Environmental audits.

Notice of Intent Date: 04/01/2003 (33746)  
Disclosure Date: 11/13/2003

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.112  
Description: Failed to provide emissions controls on tanks 608 and 609 in the Aromatics Recovery Unit.  
Notice of Intent Date: 06/17/2003 (251315)  
Disclosure Date: 12/16/2003

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt PERMIT 2610  
Description: Failure to comply with permit special condition by allowing emissions from atmospheric vents Nos. 1 and 2 emit to the atmosphere instead of first going to the flare.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.127(a)(2)  
Description: Emissions from the short loop vents exceeded the exemption criteria level on an intermittent basis.  
Notice of Intent Date: 10/31/2003 (263051)  
No DOV Associated

Notice of Intent Date: 02/04/2004 (263375)  
Disclosure Date: 12/07/2004

Viol. Classification: Major  
Rqmt PERMIT EPN 611  
Description: FLARE EXCEEDED BZ EMISSION LIMITS

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.110(a)  
Description: OVERLOOKED REFLUX DRUM VENT IN HON EVALUATION

Viol. Classification: Moderate  
Rqmt PERMIT EPN 341  
Description: ARU FLARE ABOVE VOC EMISSION LIMIT

Viol. Classification: Major  
Rqmt PERMIT SC 2  
Description: HEATERS EXCEEDED NOX EMISSION FACTORS

Notice of Intent Date: 05/06/2004 (274518)  
No DOV Associated

Notice of Intent Date: 02/02/2005 (371578)  
Disclosure Date: 08/05/2005

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)  
30 TAC Chapter 122, SubChapter B 122.132(e)(3)  
Description: Failed to include 31 engines in the refinery's Federal Operating Permit Application.

Viol. Classification: Major  
Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)  
Description: Failure to maintain records to document authorization to operate per PBR requirements.

Viol. Classification: Major  
Citation: 30 TAC Chapter 106, SubChapter W 106.512  
Description: Failed to submit PI-7 forms for several engines.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)  
Description: Failure to include several engines in the annual emission inventory (EI).

Notice of Intent Date: 02/24/2005 (374219)  
Disclosure Date: 08/17/2005

Viol. Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)  
30 TAC Chapter 115, SubChapter D 115.356(2)(F)  
Description: Failure to maintain component records. Specifically, 8,170 previously unidentified components were discovered during this audit. This represents an error rate of 48% based on 17,015 total components for the Oil Movements division.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(C)  
Description: Failure to repair agitators as soon as practicable after a leak was detected.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
Description: Valves have been installed or operated at the end of a pipe or line containing VOC without the pipe or line being sealed with a second valve, a blind flange, or a tightly fitting plug or cap.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.357(11)

Description: Failure to secure exemption from sampling connection systems.

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

Description: Failure to quarterly monitor accessible pressure relief valves in gaseous service.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)

Description: Failure to monitor emissions from relief valve which has vented to the atmosphere within 24 hours.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)

Description: Failure to document on the delay of repair from the emission disbenefit of shutting down in lieu of delaying repair as required in the rule.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(g)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)

Description: Failure to have a written plan to ensure that unsafe to monitor valves are monitored during safe to monitor times and difficult to monitor valves are monitored at least once per calendar year.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)

Description: The refinery unsafe to monitor lists do not provide justification that the listed components are indeed unsafe to monitor.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 115, SubChapter D 115.356(2)(F)

Description: Failure to stop leaking components within 15 calendar days.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)

Description: Failure to check all new connectors for leaks within 30 days of being placed in VOC service.

Notice of Intent Date: 08/11/2005 (434113)  
Disclosure Date: 11/21/2005

Viol. Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter F 115.546

Description: Failure to have records readily available at the facility as required.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter F 115.543  
30 TAC Chapter 115, SubChapter F 115.546(2)

Description: Failure to determine whether combustion engines used by a contractor of BP would be considered approved "vapor control systems" under rule or are subject to an alternative control method.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)

Description: Failure, per permit by rule, to submit notice to the Executive Director within 10 days following the installation of a replacement facility.

Viol. Classification: Minor  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT K 60.110(a)

Description: Failure to retain records relating to the installation of floating roof for tank numbers 67, 72, 1024 and 1041.

Viol. Classification: Major  
Citation: 30 TAC Chapter 106, SubChapter A 106.4  
30 TAC Chapter 116, SubChapter B 116.110  
30 TAC Chapter 116, SubChapter B 116.119(a)(1)

Description: Failure to submit to TCEQ for authorization to operate a temporary for degassing operations.

Notice of Intent Date: 02/23/2006 (458564)  
No DOV Associated

Notice of Intent Date: 07/06/2006 (679898)  
No DOV Associated

Notice of Intent Date: 10/06/2006 (531596)  
No DOV Associated

Notice of Intent Date: 01/08/2007 (543500)  
Disclosure Date: 02/15/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to report accurate sampling results in several Discharge Monitoring Reports.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt PERMIT TPDES 00443  
Description: Failure to use all dissolved oxygen measurements to determine and report the daily average and maximum values in DMRS.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt PERMIT TPDES 00443  
Description: Failure to perform zinc analyses at the Method Analytical Limit (MAL) as low as required by permit.  
Disclosure Date: 01/09/2008  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 136, SubChapter D, PT 136 136.3(e)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt PERMIT TPDES 00443  
Description: Failure to initiate refinery outfall 001 biomonitoring analysis within 36-hours of the collection time of the final composite sample.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
30 TAC Chapter 319, SubChapter A 319.6  
30 TAC Chapter 319, SubChapter A 319.9(c)  
Rqmt IHWPERMTCP TPDES 0443  
Description: Failure to collect and analyze duplicate dissolved oxygen samples each day a sample was collected.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
30 TAC Chapter 319, SubChapter A 319.6  
30 TAC Chapter 319, SubChapter A 319.9(c)  
Rqmt PERMIT TPDES 00443  
Description: Failure to maintain records of the date/time of sampling and analysis and the name of the person performing the analysis for pH samples at Refinery Outfall 001.  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt PERMIT TPDES 00443  
Description: Failure to maintain documentation to demonstrate that the receiving water was unacceptable for biomonitoring testing and that synthetic dilution water was an acceptable alternative.  
Notice of Intent Date: 01/08/2007 (543516)  
Disclosure Date: 05/31/2007  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter A 335.6  
Description: Failure to include L-504 coal filters and sand filter tanks on the Notice of Registration.  
Viol. Classification: Major  
Citation: 30 TAC Chapter 335, SubChapter A 335.2  
30 TAC Chapter 335, SubChapter A 335.6  
30 TAC Chapter 335, SubChapter A 335.8  
Description: Failure to obtain a hazardous waste permit for the Sand Filter Tanks at Power 2 used to manage hazardous waste.  
Disclosure Date: 06/20/2007  
Viol. Classification: Major  
Citation: 30 TAC Chapter 335, SubChapter A 335.2  
30 TAC Chapter 335, SubChapter A 335.6  
30 TAC Chapter 335, SubChapter A 335.8  
Description: Failure to permit a Frac tank that handled KO50 waste from heat exchanger bundles and to the best of BP's knowledge the materials were not removed at the tank when the frac tank ceased operations.  
Notice of Intent Date: 01/08/2007 (543522)  
No DOV Associated  
Notice of Intent Date: 01/15/2007 (543479)  
No DOV Associated  
Notice of Intent Date: 01/15/2007 (543483)

No DOV Associated

Notice of Intent Date: 02/27/2007 (554846)  
No DOV Associated

Notice of Intent Date: 05/14/2007 (563478)  
No DOV Associated

Notice of Intent Date: 05/23/2007 (563481)  
No DOV Associated

Notice of Intent Date: 05/23/2007 (563537)  
No DOV Associated

Notice of Intent Date: 05/23/2007 (563568)  
No DOV Associated

Notice of Intent Date: 05/23/2007 (563575)  
No DOV Associated

Notice of Intent Date: 05/23/2007 (563584)  
No DOV Associated

Notice of Intent Date: 05/23/2007 (563639)  
No DOV Associated

Notice of Intent Date: 05/23/2007 (563643)  
No DOV Associated

Notice of Intent Date: 05/25/2007 (563649)  
No DOV Associated

Notice of Intent Date: 06/08/2007 (565946)  
No DOV Associated

Notice of Intent Date: 06/04/2007 (571646)  
No DOV Associated

Notice of Intent Date: 08/08/2007 (593445)  
No DOV Associated

Notice of Intent Date: 09/10/2007 (596466)  
Disclosure Date: 09/11/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 205, SubChapter A 205.2

Description: Failure to sign and/or implement a Storm Water Pollution and Prevention Plan at the Mowtown/Merville area until 10/01/2007, five months after the actual time required by the TPDES permit.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 205, SubChapter A 205.2(a)(5)(A)

Description: Failure to maintain records of inspections of controls in disturbed areas and associated maintenance controls during construction of the Employee Services Building (ESB).

Notice of Intent Date: 09/11/2007 (596501)  
No DOV Associated

Notice of Intent Date: 09/25/2007 (618188)  
No DOV Associated

Notice of Intent Date: 10/05/2007 (618157)  
No DOV Associated

Notice of Intent Date: 10/05/2007 (618172)  
No DOV Associated

Notice of Intent Date: 10/05/2007 (618195)  
No DOV Associated

Notice of Intent Date: 02/11/2008 (639339)  
No DOV Associated

Notice of Intent Date: 02/11/2008 (639343)  
No DOV Associated

Notice of Intent Date: 02/11/2008 (639356)  
No DOV Associated

Notice of Intent Date: 02/13/2008 (639357)  
No DOV Associated

Notice of Intent Date: 03/12/2008 (646267)  
No DOV Associated

Notice of Intent Date: 03/20/2008 (654992)  
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
BP PRODUCTS NORTH AMERICA  
INC.  
RN102535077

§  
§  
§  
§  
§  
§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER**  
**DOCKET NO. 2008-1398-IHW-E**

**I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding BP Products North America Inc. ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 361 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petroleum refining facility at 2401 Fifth Avenue South, in Texas City, Galveston County, Texas (the "Facility").
2. The Facility involves or involved the management of industrial hazardous waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about July 21, 2008.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Twelve Thousand Six Hundred Fifty Dollars (\$12,650) is assessed by the Commission in settlement of the violations alleged in Section II

("Allegations"). The Respondent has paid Ten Thousand One Hundred Twenty Dollars (\$10,120) of the administrative penalty and Two Thousand Five Hundred Thirty Dollars (\$2,530) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on May 9, 2008, the shipment of industrial hazardous waste to the Coastal Plains landfill was adequately recovered and shipped to an authorized hazardous waste landfill for proper disposal.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have failed to prevent the shipment of industrial hazardous waste to an unauthorized facility, in violation of 30 TEX. ADMIN. CODE § 335.2(b), as documented during an investigation conducted on May 1, 2008. Specifically, the Respondent shipped the hazardous waste stream 9022603H, EPA Code F038, stored in a vacuum box VB 1029 to the Coastal Plains nonhazardous waste landfill, MSW permit 1721A on December 21, 2007.

## III. DENIALS

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

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: BP Products North America Inc., Docket No. 2008-1398-IHW-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. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, develop and implement procedures to ensure that all wastes generated at the Facility are transported only to facilities authorized to accept them; and
  - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.

The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The 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.
6. 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.
7. 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.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

BP Products North America Inc.  
DOCKET NO. 2008-1398-IHW-E  
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**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

  
For the Executive Director

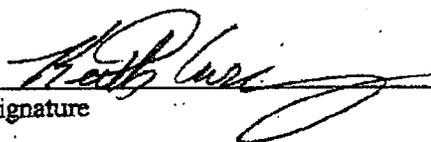
5/20/2009  
Date

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

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

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

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

  
Signature

2/27/09  
Date

Keith Casey  
Name (Printed or typed)  
Authorized Representative of  
BP Products North America Inc.

Business Unit Leader  
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.

