

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.: 2008-0153-AIR-E TCEQ ID NO: RN102450756 CASE NOS: 34539, 35097 and 35305**

**RESPONDENT NAME: EXXONMOBIL OIL CORPORATION**

<b>ORDER TYPE:</b>		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL 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> 1795 Burt Street, Beaumont, Jefferson County</p> <p><b>TYPE OF OPERATION:</b> petroleum refinery</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There are three pending enforcement actions regarding this facility location (2005-0228-AIR-E; 2009-0153-AIR-E; 2009-0568-AIR-E).</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired July 27, 2009. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b></p> <p><b>TCEQ Attorney:</b> Ms. Kathleen C. Decker, Litigation Division, MC 175, (512) 239-6500 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019</p> <p><b>SEP Coordinator:</b> Ms. Sharon Blue, Litigation Division, MC 175, (512) 239-2223</p> <p><b>TCEQ Enforcement Coordinator:</b> Ms. Miriam Hall, Air Enforcement Section, MC 128, (512) 239-1044</p> <p><b>TCEQ Enforcement Coordinator:</b> Ms. Kimberly Morales, Air Enforcement Section, MC R-12, (713) 422-8938</p> <p><b>TCEQ Regional Contact:</b> Ms. Heather Ross, Beaumont Regional Office, MC R-10, (409) 898-3838</p> <p><b>Respondent:</b> Mr. Daniel Risso, ExxonMobil Corporation, Agent and Attorney-in-Fact, 800 Bell Street, Suite. 1805F, Houston, Texas 77002</p> <p><b>Respondent's Attorney:</b> Mr. Matthew G. Paulson and Mr. Matthew Kuryla, Baker Botts, L.L.P., 1500 San Jacinto Center 98 San Jacinto Boulevard, Austin, Texas 78701. Mr. George Rizzo, ExxonMobil Corporation, Counsel, 800 Bell Street, Suite 1805F, Houston, Texas 77002</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b></p> <p><input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b> None</p> <p><b>Dates of Investigation Relating to this Case:</b>                      May 30 through June 5, 2007; September 28 and 29, 2007; and December 4 and 5, 2007</p> <p><b>Dates of NOEs Relating to this Case:</b>                      July 21, 2007; November 24, 2007 and January 11, 2008</p> <p><b>Background Facts:</b>                      This Order combines 3 cases into one Order. Multiple EDRPs were filed and the matter was at SOAH. A signed Agreed Order was received on June 1, 2009.</p> <p><b>Current Compliance Status:</b>                      Corrective actions have all been implemented.</p> <p><b>AIR:</b></p> <p>1. Failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR_004) and the Fluid Catalytic Cracking Unit Scrubber (EPN 06STK_00) during an emissions event that began on January 12, 2007 and lasted 31 hours, releasing 45.55 tons of SO<sub>2</sub>, 3,490 lbs of VOC, 307 lbs of NO<sub>x</sub>, 990 lbs of H<sub>2</sub>S, and 2,219 lbs of CO from the Coker Flare and 26.29 tons of CO from the Fluid Catalytic Cracking Unit Scrubber. Since these emissions were avoidable, the Respondent failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Permit Nos: 19566/PSD-TX-768M1/PSD-TX-932 and 46534/PSD-TX-992, Special Condition (SC) No. 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>2. Failed to prevent unauthorized emissions from the Coker Flare during an emissions event that began on May 6, 2007 and lasted 34 hours and 15 minutes, releasing 83.127 tons of SO<sub>2</sub>, 7,873 lbs of VOC, 906 lbs of NO<sub>x</sub>, 1,806 lbs of H<sub>2</sub>S, and 6,544 lbs of CO. Since these emissions were avoidable, the Respondent failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), and 116.115(c), Permit No. 19566/PSD-TX-768M1/PSD-TX-932, SC No. 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p>	<p><b>Total Assessed:</b> \$106,600</p> <p><b>Total Deferred:</b> \$53,300  <input type="checkbox"/> Expedited Order  <input type="checkbox"/> Financial Inability to Pay  <input checked="" type="checkbox"/> SEP Conditional Offset</p> <p><b>Total Paid to General Revenue:</b>                      \$53,300</p> <p>The Respondent paid \$53,300 of the administrative penalty. The remainder of the administrative penalty shall be conditionally offset by the completion of a Supplemental Environmental Project (SEP).</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>Findings Order Justification:</b>                      Three repeated enforcement actions over the prior five year period for the same violation or a substantial history of the same violation entity-wide.</p>	<p><b>Corrective Actions Taken:</b>                      The Executive Director recognizes that ExxonMobil implemented the following corrective measures at the Plant:</p> <ol style="list-style-type: none"> <li>By May 15, 2007, in connection with the emissions event occurring on April 27, 2007, ExxonMobil installed a software alarm for a Tk594 radar gauge to alert the console when a power outage occurs and checked other radar gauges to properly configure software alarms.</li> <li>By June 14, 2008, in connection with the emissions event occurring on April 27, 2007, ExxonMobil investigated and considered use of independence low level alarms for SHE critical services.</li> <li>By July 31, 2007, in connection with the emissions event occurring on May 6, 2007, ExxonMobil repaired drum cracks during the Coker Unit turnaround.</li> <li>By January 31, 2007, in connection with the emissions event occurring on May 6, 2007, ExxonMobil developed a coke drum equipment strategy to plan to pro-actively manage coke drum cycles to minimize thoughwall cracks.</li> <li>By December 1, 2007, in connection with the emissions event occurring on January 12, 2007, ExxonMobil identified transfer trip scheme applications and labeled applications with appropriate visual cues.</li> <li>By June 1, 2007, in connection with the emissions event occurring on January 12, 2007, ExxonMobil modified the procedure for disabling and testing pilot wire relay systems to pull pins at both ends, developed Reliability Spotlight to communicate the incident and importance of detailed procedures, reemphasized with design engineers and technicians the importance of developing detailed written procedures for special activities and updating procedures as conditions change.</li> <li>By July 1, 2007, in connection with an emissions event occurring on January 12, 2007, ExxonMobil reviewed the abandonment procedure to test the procedure's ability to effectively disable systems to minimize the chance of future incidents, identified high risk abandoned equipment and reviewed abandonment to determine if equipment was left in a safe condition.</li> <li>By February 28, 2008, in connection with an emissions event occurring on August 14, 2007, ExxonMobil evaluated abnormal conditions for loss of vacuum and tower high levels.</li> </ol>

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>3. Failed to prevent unauthorized emissions from the Effluent Water Treatment System (EPN 47FUG_001) and Tank 594 (EPN 49 TIF_0594) during an emissions event that began on April 27, 2007 and lasted 27 hours and 30 minutes, releasing 48.4 lbs of benzene, a VOC, from the Effluent Water Treatment System and 633.66 lbs of VOC were released from Tank 594. Since these emissions were avoidable, the Respondent failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), Permit No. 49146, SC No. 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>4. Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR_004, in the Coker Unit during an emissions event (Incident No. 95371) that occurred on August 2, 2007 and lasted three hours and 50 minutes, releasing 13,796.40 lbs of SO<sub>2</sub>, 419.20 lbs of CO, 149.90 lbs of H<sub>2</sub>S, 57.70 lbs of NO<sub>x</sub>, and 644 lbs of VOC. Since these emissions were avoidable, the Respondent failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 19566, SC 1, Federal Operating Permit ("FOP") No. O-01871, SC 7 and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>5. Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR_004, in the Coker Unit during an emissions event (Incident No. 95960) that occurred on August 14, 2007 and lasted 12 hours and 41 minutes, releasing 33,632.20 lbs of SO<sub>2</sub>, 1,062.60 lbs of CO, 365.50 lbs of H<sub>2</sub>S, 147.10 lbs of NO<sub>x</sub>, and 1,548.35 lbs of VOC. Since these emissions were avoidable, the Respondent failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 19566, SC 1, FOP No. O-01871, SC 7 and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>6. Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR_004 during an emissions event that began on September 18, 2007 and lasted for 72 hours and 34 minutes, releasing 79,666 lbs of SO<sub>2</sub>, 3,750 lbs of VOC, 2,438 lbs of CO, and 865 lbs of H<sub>2</sub>S. Since these emissions were avoidable, the Respondent failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), FOP O-01871, SC 7, and NSR Permit 19566, SC 1.].</p>		<p>9. By December 20, 2007, in connection with an emissions event occurring on August 14, 2007, ExxonMobil evaluated utilizing a status switch for the vacuum tower jet that indicates how many jets are in service.</p> <p>10. By September 1, 2007, in connection with an emissions event occurring on August 14, 2007, ExxonMobil updated the unit strategy to include managing loss of vacuum and tower high levels.</p> <p>11. By April 1, 2008, in connection with an emissions event occurring on August 2, 2007, ExxonMobil developed a procedure for performing online adjustments and maintenance to auxiliary compressor systems that included proper bypassing of the auxiliary and compressor control shutdown systems, and trained personnel regarding the new procedures.</p> <p>12. By November 30, 2007, in connection with an emissions event occurring on August 2, 2007, ExxonMobil updated the wet gas compressor startup procedure to include proper line up of the reference gas line.</p> <p>13. By December 31, 2008, in connection with an emissions event occurring on September 18, 2007, ExxonMobil incorporated Equipment Isolation and Preparation performance testing into the Process Trainee Progression.</p> <p>14. By March 31, 2008, in connection with an emissions event occurring on September 18, 2007, ExxonMobil developed Equipment Isolation and Preparation standard and conducted training for personnel.</p> <p>15. By October 4, 2007, in connection with an emissions event occurring on September 18, 2007, ExxonMobil trained affected employees on the importance of rendering motor operated valves safe prior to preparing equipment for opening</p> <p>16. By September 30, 2008, in connection with an emissions event occurring on September 18, 2007, ExxonMobil identified and labeled Safety Critical Devices on Crude Unit "B."</p> <p>17. By July 31, 2008, in connection with an emissions event occurring on September 18, 2007, ExxonMobil verified that the Safety Critical Device testing procedure was adequate for the CUB Hot Oil Booster Pump.</p> <p><b>Ordering Provision(s):</b>  The Respondent shall implement and complete a Supplemental Project (SEP) (See SEP Attachment A).</p>

Attachment A  
Docket Number: 2008-0153-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	ExxonMobil Oil Corporation
Penalty Amount:	One hundred six thousand six hundred dollars (\$106,600)
SEP Offset Amount:	Fifty-three thousand three hundred dollars (\$53,300)
Type of SEP:	Pre-approved SEP
Third-Party Recipient:	Jefferson County <i>Retrofit/Replace Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles</i>
Location of SEP:	Jefferson County

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

I. Project Description

A. Project

Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to Jefferson County *Retrofit/Replace Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles* in Jefferson County as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, SEP funds will be used to pay for the incremental costs to purchase alternative fueled equipment such as propane or electric powered lawn mowers, propane-powered light duty and heavy equipment, and alternative-fueled vehicles, and retire diesel- and gasoline-powered equipment and vehicles. The retired vehicles and equipment will not be resold as working vehicles, but will only be sold for scrap. This project will be administered in accordance with federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations. The Respondent certifies that it has no prior commitment to do make this contribution and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by retiring high-emission vehicles and equipment from service. The project will reduce air emissions generated by gasoline and diesel powered lawnmowers, heavy equipment, and vehicles in the Beaumont/Port Arthur ozone non-attainment area. Such emissions contribute to ozone pollution in this state.

C. Minimum Expenditure

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

2. **Performance Schedule**

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

The Honorable Ron Walker  
Jefferson County Judge  
1149 Pearl Avenue, 7<sup>th</sup> Floor  
Beaumont, TX 77701

3. **Records and Reporting**

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

Litigation Division  
Attention: SEP Coordinator, MC 175  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

4. **Failure to Fully Perform**

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

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Texas Commission on Environmental Quality  
Office of Legal Services  
Attention: SEP Coordinator, MC 175  
P.O. Box 13088  
Austin, Texas 78711-3088

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	30-Jul-2007			
	<b>PCW</b>	31-Jul-2008	<b>Screening</b>	30-Aug-2007	<b>EPA Due</b> 20-Apr-2008

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	ExxonMobil Oil Corporation
<b>Reg. Ent. Ref. No.</b>	RN102450756
<b>Facility/Site Region</b>	10-Beaumont
<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	34539	<b>No. of Violations</b>	3
<b>Docket No.</b>	2008-0153-AIR-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Air	<b>Enf. Coordinator</b>	Miriam Hall
<b>Multi-Media</b>		<b>EC's Team</b>	EnforcementTeam 4
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

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

**ADJUSTMENTS (+/-) TO SUBTOTAL 1**

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

**Compliance History**  Enhancement **Subtotals 2, 3, & 7**

**Notes**

**Culpability**   Enhancement **Subtotal 4**

**Notes**

**Good Faith Effort to Comply**  Reduction **Subtotal 5**

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

**Notes**

**Total EB Amounts**  **0% Enhancement\*** **Subtotal 6**   
 Approx. Cost of Compliance  \*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal**

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

**Notes**

**Final Penalty Amount**

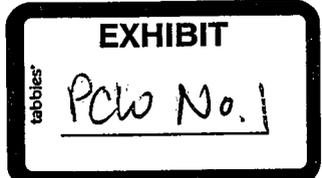
**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL**  Reduction **Adjustment**

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

**Notes**

**PAYABLE PENALTY**



**Screening Date** 30-Aug-2007

**Docket No.** 2008-0153-AIR-E

**PCW**

**Respondent** ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

**Case ID No.** 34539

PCW Revision June 26, 2007

**Reg. Ent. Reference No.** RN102450756

**Media [Statute]** Air

**Enf. Coordinator** Miriam Hall

**Compliance History Worksheet**

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	7	35%
	Other written NOVs	6	12%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%

Please Enter Yes or No

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

**Adjustment Percentage (Subtotal 2)** 164%

>> **Repeat Violator (Subtotal 3)**

No

**Adjustment Percentage (Subtotal 3)** 0%

>> **Compliance History Person Classification (Subtotal 7)**

Average Performer

**Adjustment Percentage (Subtotal 7)** 0%

>> **Compliance History Summary**

**Compliance History Notes**

The penalty was enhanced for seven same or similar NOVs, six unrelated NOVs and six 1660 orders. The penalty was reduced for one Notice of Audit and one Disclosure of Violations.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 164%

<b>Screening Date</b> 30-Aug-2007	<b>Docket No.</b> 2008-0153-AIR-E	<b>PCW</b>		
<b>Respondent</b> ExxonMobil Oil Corporation		<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b> 34539		<i>PCW Revision June 26, 2007</i>		
<b>Reg. Ent. Reference No.</b> RN102450756				
<b>Media [Statute]</b> Air				
<b>Enf. Coordinator</b> Miriam Hall				
<b>Violation Number</b> <input type="text" value="1"/>				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), Permit Nos. 19566/PSD-TX-768M1/PSD-TX-932, and 46534/PSD-TX-992, Special Condition ("SC") No. 1, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to control unauthorized emissions of on January 12-13, 2007. During the emissions event, which lasted 31 hours, the following unauthorized emissions were released from the Coker Flare (EPN: 60FLR_004): 45.55 tons of sulfur dioxide (SO <sub>2</sub> ), 3,490 pounds (lbs) of volatile organic compounds (VOC), 307 lbs of nitrogen oxides (NO <sub>x</sub> ), 990 lbs of hydrogen sulfide (H <sub>2</sub> S), and 2,219 lbs of carbon monoxide (CO). Also, 26.29 tons of unauthorized CO were released by the Fluid Catalytic Cracking Unit ("FCC") Scrubber (EPN: 06STK_00). Because these emissions were avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.			
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	<b>Release</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>
	Actual	<input type="text" value="x"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="100%"/>	
<b>&gt;&gt; Programmatic Matrix</b>				
	<b>Falsification</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="0%"/>	
<b>Matrix Notes</b>	Human health or the environment has been exposed to significant emissions which exceed levels that are protective of human health or environmental receptors as a result of this violation.			
	<b>Adjustment</b>	<input type="text" value="\$0"/>		
		<input type="text" value="\$10,000"/>		
<b>Violation Events</b>				
	<b>Number of Violation Events</b>	<input type="text" value="2"/>	<b>Number of violation days</b>	<input type="text" value="2"/>
	<i>mark only one with an x</i>	daily	<input type="text" value="x"/>	<b>Violation Base Penalty</b> <input type="text" value="\$20,000"/>
		monthly	<input type="text"/>	
		quarterly	<input type="text"/>	
		semiannual	<input type="text"/>	
		annual	<input type="text"/>	
		single event	<input type="text"/>	
	Two daily events are recommended for January 12-13, 2007.			
<b>Economic Benefit (EB) for this violation</b>			<b>Statutory Limit Test</b>	
	<b>Estimated EB Amount</b>	<input type="text" value="\$65"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$52,800"/>
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>			<input type="text" value="\$20,000"/>

## Economic Benefit Worksheet

**Respondent** ExxonMobil Oil Corporation  
**Case ID No.** 34539  
**Reg. Ent. Reference No.** RN102450756  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	12-Jan-2007	30-Apr-2008	1.3	\$65	n/a	\$65

Notes for DELAYED costs

The estimated cost of taking corrective actions from the first day of violation to projected completion date.

**Avoided Costs**

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$65

<b>Screening Date</b> 30-Aug-2007	<b>Docket No.</b> 2008-0153-AIR-E	<b>PCW</b>	
<b>Respondent</b> ExxonMobil Oil Corporation		<i>Policy Revision 2 (September 2002)</i>	
<b>Case ID No.</b> 34539		<i>PCW Revision June 26, 2007</i>	
<b>Reg. Ent. Reference No.</b> RN102450756			
<b>Media [Statute]</b> Air			
<b>Enf. Coordinator</b> Miriam Hall			
<b>Violation Number</b> <input type="text" value="2"/>			
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(c), Permit No. 19566/PSD-TX-768M1/PSD-TX-932, SC No. 1, and Tex. Health & Safety Code § 382.085(b)		
<b>Violation Description</b>	Failed to control unauthorized emissions on May 6-7, 2007. During the emissions event, which lasted 34 hours and 15 minutes, the following unauthorized emissions were released from the Coker Flare: 83.127 tons of SO2, 7,873 lbs of VOC, 906 lbs of NOx, 1,806 lbs of H2S, and 6,544 lbs of CO. Because these emissions were avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.		
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>	
<b>&gt;&gt; Environmental, Property and Human Health Matrix:</b>			
<b>OR</b>	<b>Release</b>	<b>Harm</b>	
		Major      Moderate      Minor	
	Actual	<input type="text" value="x"/>	
	Potential		<b>Percent</b> <input type="text" value="100%"/>
<b>&gt;&gt; Programmatic Matrix</b>			
	Falsification	Major      Moderate      Minor	
	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text" value="0%"/>
<b>Matrix Notes</b>	Human health or the environment has been exposed to significant emissions which exceed levels that are protective of human health or environmental receptors as a result of this violation.		
	<b>Adjustment</b>	<input type="text" value="\$0"/>	
		<input type="text" value="\$10,000"/>	
<b>Violation Events</b>			
	<b>Number of Violation Events</b> <input type="text" value="2"/>	<input type="text" value="2"/> <b>Number of violation days</b>	
<i>mark only one with an x</i>	daily	<input type="text" value="x"/>	<b>Violation Base Penalty</b> <input type="text" value="\$20,000"/>
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	
	Two daily events are recommended for May 6-7, 2007.		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b> <input type="text" value="\$49"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$52,800"/>		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		<input type="text" value="\$20,000"/>	

## Economic Benefit Worksheet

**Respondent** ExxonMobil Oil Corporation  
**Case ID No.** 34539  
**Reg. Ent. Reference No.** RN102450756  
**Media** Air  
**Violation No.** 2

<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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No commas or \$

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	6-May-2007	30-Apr-2008	1.0	\$49	n/a	\$49

Notes for DELAYED costs

The estimated cost of taking corrective actions from the first day of violation to projected completion date.

**Avoided Costs**

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

**TOTAL**

\$49

**Screening Date** 30-Aug-2007  
**Respondent** ExxonMobil Oil Corporation  
**Case ID No.** 34539  
**Reg. Ent. Reference No.** RN102450756  
**Media [Statute]** Air  
**Enf. Coordinator** Miriam Hall

**Docket No.** 2008-0153-AIR-E

**PCW**

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

**Violation Number**   
**Rule Cite(s)** 30 Tex. Admin. Code § 116.115(c), Permit No. 49146, SC No. 1, and Tex. Health & Safety Code § 382.085(b)  
**Violation Description** Failed to control unauthorized emissions of VOC on April 27-28, 2007. During the emissions event, which lasted 27 hours and 30 minutes, 48.4 lbs of unauthorized benzene, a VOC, were released from the Effluent Water Treatment System (EPN: 47FUG\_001) and 633.66 lbs of unauthorized VOC were released from Tank 594 (EPN: 49 TIF\_0594). Because these emissions were avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

**Base Penalty**

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text" value="25%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**>> Programmatic Matrix**

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

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

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

One quarterly event is recommended for April 27-28, 2007.

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent** ExxonMobil Oil Corporation  
**Case ID No.** 34539  
**Reg. Ent. Reference No.** RN102450756  
**Media** Air  
**Violation No.** 3

<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
<b>Delayed Costs</b>							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,000	27-Apr-2007	30-Apr-2008	1.0	\$51	n/a	\$51

Notes for DELAYED costs

The estimated cost of taking corrective actions from the first day of violation to projected completion date.

**Avoided Costs**

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

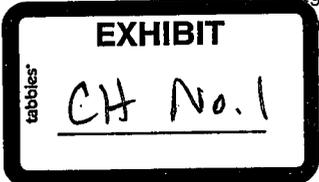
\$51

# Compliance History

Customer/Respondent/Owner-Operator:	CN600920748 ExxonMobil Oil Corporation	Classification: AVERAGE	Rating: 2.67
Regulated Entity:	RN102450756 EXXONMOBIL BEAUMONT REFINERY	Classification: AVERAGE	Site Rating: 15.38

ID Number(s):

AIR NEW SOURCE PERMITS	PERMIT	655
AIR NEW SOURCE PERMITS	PERMIT	1202
AIR NEW SOURCE PERMITS	PERMIT	1519
AIR NEW SOURCE PERMITS	PERMIT	3913
AIR NEW SOURCE PERMITS	PERMIT	7018
AIR NEW SOURCE PERMITS	PERMIT	7208
AIR NEW SOURCE PERMITS	PERMIT	7760
AIR NEW SOURCE PERMITS	PERMIT	10291
AIR NEW SOURCE PERMITS	PERMIT	11306
AIR NEW SOURCE PERMITS	PERMIT	12139
AIR NEW SOURCE PERMITS	PERMIT	12817
AIR NEW SOURCE PERMITS	PERMIT	13120
AIR NEW SOURCE PERMITS	PERMIT	15261
AIR NEW SOURCE PERMITS	PERMIT	18276
AIR NEW SOURCE PERMITS	PERMIT	18277
AIR NEW SOURCE PERMITS	PERMIT	18424
AIR NEW SOURCE PERMITS	PERMIT	19566
AIR NEW SOURCE PERMITS	PERMIT	20862
AIR NEW SOURCE PERMITS	PERMIT	22999
AIR NEW SOURCE PERMITS	PERMIT	24159
AIR NEW SOURCE PERMITS	PERMIT	26121
AIR NEW SOURCE PERMITS	PERMIT	27000
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AIR NEW SOURCE PERMITS	PERMIT	26859
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AIR NEW SOURCE PERMITS	PERMIT	31227
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AIR NEW SOURCE PERMITS	PERMIT	33907
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AIR NEW SOURCE PERMITS	PERMIT	34963
AIR NEW SOURCE PERMITS	PERMIT	37234
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AIR NEW SOURCE PERMITS	PERMIT	596



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AIR NEW SOURCE PERMITS	REGISTRATION	74241
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WASTEWATER	PERMIT	TPDES0118737
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AIR OPERATING PERMITS	PERMIT	2042
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AIR OPERATING PERMITS	PERMIT	2049
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	SOLID WASTE REGISTRATION # (SWR)	30587

STORMWATER	PERMIT	TXR05K942
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30587
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30587
Location: 1795 BURT ST, BEAUMONT, TX, 77701		Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 29, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 29, 2002 to August 29, 2007

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

Name: Miriam Hall Phone: (512) 239-1044

**Site Compliance History Components**

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

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

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

1. Effective Date: 09/26/2004 1660 ADMINORDER 2002-0722-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions 8 and 10 PERMIT

Description: Failed to repair Valve 3005 while the Hydrocracker facility was shutdown.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT  
Special Conditions 1.F. & 8 PERMIT

Description: Failed to perform monthly monitoring of accessible valves following installation or discovery in order to establish two consecutive months of leak-free operation.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT

Description: Failed to report Valve 5922 in the 40 CFR Subpart VV semi-annual equipment leaks report for the period from July 1, 2000, through December 31, 2000,

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to record daily notations for 24 days in the flare log for Process Flares (Emission Point Nos. 60FLR#003 and 60FLR#005) from January 1, 2001, through December 31, 2001

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER PERMIT

Description: Failed to limit sulfur dioxide (SO<sub>2</sub>) emissions of Crude B Vacuum Heater H-3102 Stack (Emission Point No. 05STK\_002) on August 14, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 35 PERMIT

Description: Failed to limit emissions of carbon monoxide (CO), particulate matter of ten microns or greater (PM<sub>10</sub>), and oxides of nitrogen (NO<sub>x</sub>) from the HDC Second Stage Furnace H-3303 Stack.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER PERMIT

Description: Failed to limit the hourly CO emissions from the HDC Stabilizer Reboiler Heater H-3304 Stack (Emission Point No. 20STK\_004) during a two-hour event which began on December 12, 2001, at 0800 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
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: 18277/PSD-TX-802 PERMIT

19566/PSD-TX-768M1 PERMIT  
Special Condition 6.B. and 8 PERMIT  
Special Condition No. 5 PERMIT  
Special Condition No. 7 PERMIT

Description: Failed to limit the SO<sub>2</sub> emissions from 14 emission points during events which occurred on 7/22, 12/20/2001, and 01/21/2002. Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H<sub>2</sub>S) to less than 150 parts per million by volume (ppmv) during events which occurred on 07/22, 12/20/2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Description: Failed to limit hourly SO<sub>2</sub> emissions from Boiler 22 (Emission Point No. 033S01) to the applicable Permitted MAER limits during an event which occurred at 1800 hours on June 15, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Special Condition No. 2 PERMIT

Description: Failed to limit the H<sub>2</sub>S concentration in the fuel gas to 150 ppmv during an event which occurred at 1715 hours on June 15, 2001, and was caused by the infrequent purging of the dryer treater beds.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to monitor Pressure Relief Valve 2435 within 24 hours after it vented to the atmosphere on April 9, 2002, at 1845 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valves 3595, 6027, 6071, 1537, and 5227 within 15 days after the leaks were detected during monitoring conducted on February 28, 2002.

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. 14 PERMIT

Description: Failed to provide a carbon absorption system (CAS) which consists of at least two activated carbon canisters connected in series for Tank 764.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valve 1249 in OMCC Unit 1 when the emissions of purged material resulting from immediate repair are not greater than the fugitive emissions likely to result from the delay of repair.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 101, SubChapter A 101.20[G]  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 6.B. and 8 OP

Special Condition No. 5 OP

Special Condition No. 7 OP

Description: Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H2S) to less than 150 parts per million by volume (ppmv) during events which occurred on July 22, December 20, 2001, and January 21, 2002.

2. Effective Date: 10/10/2005 1660 ADMINORDER 2004-0987-AIR-E

Classification: Moderate

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

Description: Failure to properly submit initial and final emissions event notifications in a timely manner.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 46534 PERMIT

Description: Failure to prevent an unauthorized emissions release at the facility.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]  
5C THC Chapter 382, SubChapter A 382.085(b)

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

3. Effective Date: 06/15/2006 1660 ADMINORDER 2003-1470-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform the final repair within 15 days after detecting leaks for two valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)

40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to monitor three valves for two successive leak-free months after detecting a leak.  
Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with the 5 and 15 day requirements for leaking valves.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of the valve with Component ID #27751 in May 2002.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of two pumps.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566 PERMIT  
19566/PSD-TX-768M1, GC No. 8. PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Flare Gas Recovery Unit.  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for Incident No. 17640.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control 552 pounds of unauthorized Propylene emissions from entering the atmosphere from the vents of Tank 2203 when hot Propylene wash was sent from the 5E Degasser facility.  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H).  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly report and maintain emission event records for an emissions event at the North Wet Gas Compressor.  
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: 46534 PERMIT  
Permit 46534/PSD-TX-992, SC 1 and GC 8 PERMIT

Description: Failure to control unauthorized emissions from the North Wet Gas Compressor Unit on March 2, 2003.  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial and final record notification pursuant to the emissions event record keeping requirements.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b),  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135 GC No. 8 and the MAERT PERMIT

Description: Failure to control emissions from your Flare Gas Recovery Compressor (FGRC) when it shut down due to an oxygen rich feed from the Crude Unit B Vacuum Tower.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document emissions event initial notification and final records for the January 27, and February 16, 20, and 26, 2003, emissions events.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from the Low Pressure Compressor on February 26, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Coker Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere from the PtR-4 Booster Compressor.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control unauthorized emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares during an instrumentation malfunction.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Low Pressure Flare from the PtR-4 Reformer Heater during a fuel regulator malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events for September 18, October 4 and 30 (2 events), and November 23, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares on November 23, 2002, when you allowed 7,961 pounds of unauthorized Sulfur Dioxide, 154 pounds of Nitrogen Oxide, and 144 pounds of Hydrogen Sulfide emissions to enter the atmosphere during an instrumentation malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events at the Flare Gas Recovery Compressor on 11/17/02 and for Tank 1365 on 10/29/02..

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from the Flare Gas Recovery Compressor during an emissions event on 11/17/02 and from the LP, HP, and FCC Flares on 10/30/02.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control unauthorized emissions from a levee during a tank roof malfunction and gasoline spill at Tank 1365.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions event at the HydroCracker facility.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Hydrocracker facility during an emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor. Start date was actually 10/30/02 @ 1431.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control emissions at the Flare Gas Recovery Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor.

Classification: Minor

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

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Satellite Instrumentation Building.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the regional office of a reportable emissions event.

Classification: Moderate

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

- 5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 49135, Special Condition 1 PERMIT  
Description: Failure to prevent unauthorized emissions during an emissions event at the refinery.
4. Effective Date: 07/22/2006 1660 ADMINORDER 2006-0057-AIR-E  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: O-02042, Special Condition 2F OP  
Description: Failure to properly report within 24 hours of discovery of an emissions event (Incident Number 61285) at Tank 2221 (FIN 50TEF#2221) and (Incident Number 63113) at the Hydrocracker Unit (FIN 20FUG#001).  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT  
Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT  
Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).
5. Effective Date: 10/02/2006 1660 ADMINORDER 2005-0644-AIR-E  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to include the compound descriptive type of all individually listed compounds or mixtures of air contaminants in the final record for an emissions event that occurred on March 6, 2004 (Incident No. 35969).  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 6, 2004 (Incident Number 35969).  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to submit a copy of the final record of an emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event that occurred on March 16, 2004 (Incident No. 36493).  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 16, 2004 (Incident Number 36493).  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37398).  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37400).  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent unauthorized emissions from the HDC Unit on June 24, 2004 (Incident Number 41629).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on June 23, 2004 (Incident Number 41733).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Alkylolation Unit 2 that occurred on August 6, 2004 (Incident Number 44117).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45107).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45113).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45116).

6. Effective Date: 05/25/2007

1660 ADMINORDER 2006-1704-AIR-E

Classification: Moderate

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

Rqmt Prov: 47358 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from the Ketone 1 Unit to the authorized limit found in Permit 47358.

Classification: Moderate

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

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2121 to the authorized limit found in Permit 49125.

Classification: Moderate

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

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2177 to the authorized limit found in Permit 49125.

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. (CEEDS Inv. Track. No.)

1	09/20/2002	(233725)
2	09/25/2002	(11047)
3	10/28/2002	(233727)
4	12/02/2002	(233729)
5	01/03/2003	(233731)
6	01/27/2003	(233733)

7	02/24/2003	(233709)
8	03/24/2003	(233712)
9	04/22/2003	(327156)
10	05/27/2003	(327157)
11	06/24/2003	(233719)
12	08/18/2003	(119924)
13	08/27/2003	(151728)
14	08/28/2003	(150045)
15	08/29/2003	(145367)
16	08/29/2003	(35495)
17	09/10/2003	(327158)
18	09/10/2003	(327159)
19	10/07/2003	(327160)
20	10/17/2003	(252163)
21	10/17/2003	(252265)
22	10/17/2003	(251900)
23	10/31/2003	(327161)
24	11/25/2003	(327162)
25	12/17/2003	(255436)
26	12/29/2003	(327163)
27	01/23/2004	(327164)
28	02/02/2004	(260646)
29	02/23/2004	(327154)
30	03/16/2004	(327155)
31	03/24/2004	(261303)
32	03/24/2004	(261298)
33	03/24/2004	(262516)
34	04/29/2004	(366899)
35	05/17/2004	(366900)
36	06/16/2004	(273971)
37	06/22/2004	(264038)
38	06/25/2004	(366901)
39	07/19/2004	(366902)
40	08/13/2004	(276974)
41	08/13/2004	(280106)
42	08/13/2004	(280181)
43	08/16/2004	(264052)
44	08/27/2004	(366903)
45	08/31/2004	(292712)
46	09/21/2004	(366904)
47	10/20/2004	(366905)
48	11/29/2004	(389976)
49	11/29/2004	(339535)
50	12/15/2004	(338648)
51	12/20/2004	(264045)
52	12/20/2004	(341746)
53	12/27/2004	(389977)
54	01/24/2005	(389978)
55	01/31/2005	(345533)
56	02/23/2005	(427483)
57	02/25/2005	(267873)
58	03/09/2005	(346617)
59	03/10/2005	(345884)
60	03/10/2005	(346613)
61	03/10/2005	(346615)
62	03/10/2005	(346618)
63	03/10/2005	(346616)
64	03/10/2005	(346614)
65	03/10/2005	(346619)
66	03/10/2005	(346611)
67	04/28/2005	(427484)
68	04/28/2005	(427485)
69	05/18/2005	(377810)
70	05/18/2005	(377819)
71	05/18/2005	(374451)
72	05/24/2005	(379947)
73	05/24/2005	(427486)
74	06/07/2005	(393785)

75 06/14/2005 (381060)  
76 06/21/2005 (427487)  
77 06/21/2005 (394212)  
78 06/23/2005 (395768)  
79 07/05/2005 (395074)  
80 07/05/2005 (395563)  
81 07/15/2005 (396321)  
82 07/25/2005 (395338)  
83 07/28/2005 (447521)  
84 08/02/2005 (402309)  
85 08/02/2005 (402062)  
86 08/23/2005 (401849)  
87 08/25/2005 (402894)  
88 08/29/2005 (447522)  
89 08/31/2005 (344208)  
90 10/24/2005 (492450)  
91 10/24/2005 (492452)  
92 11/15/2005 (406621)  
93 11/22/2005 (492453)  
94 12/06/2005 (437354)  
95 12/09/2005 (435820)  
96 12/13/2005 (492454)  
97 01/04/2006 (437358)  
98 01/13/2006 (439898)  
99 01/18/2006 (492455)  
100 01/27/2006 (438715)  
101 02/03/2006 (438108)  
102 02/16/2006 (452454)  
103 02/24/2006 (457000)  
104 03/07/2006 (492448)  
105 03/22/2006 (492449)  
106 04/12/2006 (457598)  
107 04/12/2006 (457576)  
108 04/21/2006 (458117)  
109 04/21/2006 (506263)  
110 04/24/2006 (456876)  
111 05/05/2006 (438988)  
112 05/11/2006 (460411)  
113 05/16/2006 (506264)  
114 06/26/2006 (506265)  
115 07/14/2006 (480861)  
116 07/21/2006 (528497)  
117 07/26/2006 (483331)  
118 08/22/2006 (528498)  
119 08/24/2006 (528500)  
120 08/31/2006 (449600)  
121 09/06/2006 (510836)  
122 09/08/2006 (490101)  
123 09/11/2006 (510537)  
124 09/21/2006 (510357)  
125 09/27/2006 (528499)  
126 10/18/2006 (551856)  
127 11/09/2006 (518560)  
128 11/29/2006 (551857)  
129 12/08/2006 (531717)  
130 12/08/2006 (519497)  
131 12/11/2006 (533072)  
132 12/11/2006 (518157)  
133 12/15/2006 (551858)  
134 12/28/2006 (497673)  
135 12/28/2006 (489839)  
136 12/28/2006 (292610)  
137 12/28/2006 (518617)  
138 01/18/2007 (532456)  
139 01/24/2007 (531178)  
140 01/31/2007 (535664)  
141 02/01/2007 (538035)  
142 02/01/2007 (517030)

143 02/13/2007 (483611)  
 144 02/14/2007 (534587)  
 145 02/26/2007 (538573)  
 146 02/27/2007 (538681)  
 147 02/28/2007 (538222)  
 148 03/01/2007 (538654)  
 149 03/21/2007 (553990)  
 150 04/21/2007 (401393)  
 151 04/21/2007 (497645)  
 152 04/23/2007 (553970)  
 153 05/11/2007 (559959)  
 154 05/25/2007 (561932)  
 155 06/01/2007 (562352)  
 156 06/14/2007 (558039)  
 157 06/26/2007 (561757)  
 158 07/03/2007 (566239)  
 159 07/24/2007 (564244)  
 160 07/25/2007 (565599)  
 161 07/25/2007 (562752)  
 162 07/25/2007 (563491)  
 163 08/14/2007 (565531)  
 164 08/23/2007 (565800)  
 165 08/28/2007 (557812)  
 166 08/28/2007 (563149)

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

Date: 10/31/2002 (233729)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/30/2004 (366902)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 08/31/2004 (292712)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Part 60, Subpart VV 60.482-6[G]  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01998  
 Description: Failure to operate Crude Unit B without a cap, blind flange, plug, or a second valve  
 installed on equipment in VOC service.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01998  
 Description: Failure to report all instances of deviations on the semi-annual deviation report, dated  
 January 9, 2004.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01998  
 Description: Failure to operate the Crude Unit B Heaters with refinery fuel gas which contains not  
 more than 150 ppmv of H2S (excess emissions).  
 Date: 08/25/2005 (402894)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 655  
 OP O-01356  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 22FUG#001, 23FUG#001, 33FUG#001, 15FUG#001, and 16FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 19566  
 OP O-01356  
 Description: Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about DEA-3 sewer repairs and corrective actions taken Unit ID 18SEW#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 655  
 OP O-01356  
 Description: Failure to repair an accessible valve within 15 days after a leak is found in Unit ID 16FUG#001 (excess emissions).

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870  
 Description: Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about Sulfur Recovery Unit (SRU) sewer repairs and corrective actions taken for Unit ID 32SEW#002.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01998  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service in Unit ID 05FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 20862/PSD-TX-799  
 OP O-01999  
 Description: Failure to provide two quarterly reports, for Unit ID 55TRB#GTG, within 30 days following the end of each calendar quarter as required in 40 CFR 60.334(j)(5).

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(a)

Rqmt Prov: OP O-01999  
 Description: Failure to operate two sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 67FUG#001 and 67FUG#002.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01999  
 Description: Failure to operate five tank access hatches and gauge float wells without gasket and bolted covers for Unit ID's 47TIF#0411, 47TIF#0412, 47TIF#0413, 47TIF#1312, and 47TIF#1313.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01999  
 Description: Failure to repair an accessible valve, for Unit ID 67FUG#002, within 15 days after a leak is found (excess emissions).

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01999  
 Description: Failure to tag a leaking valve, located in Unit ID 67FUG#002, following discovery of the leak.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(F)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01999  
 Description: Failure to maintain records, for Unit ID 67FUG#002, of any audio, visual, and olfactory inspections of connectors if a leak is detected.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01999  
 Description: Failure to monitor in each calendar quarter, with a hydrocarbon gas analyzer, the screening concentration for components in VOC service for Unit ID's 67FUG#001 and 67FUG#002.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-02037  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-02037  
 Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Date: 10/31/2005 (492453)

Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)[G]  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 04/25/2006 (456876)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 PERMIT 19566/PSD-TX-768M1 and PSD-TX-932

Rqmt Prov: OP O-01870  
 OP O-01871  
 OP O-02039  
 OP O-02040

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870

Description: Failure to maintain the minimum oxygen level at three percent for the thermal oxidizer at Unit ID 32STK#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870

Description: Failure to route emissions from the Sulfur Truck Loading System to the Carbon Absorption System at Unit ID 32VNT\_005 (unauthorized emissions).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49138  
 OP O-01871

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01871

Description: Failure to operate smokeless flare.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039

Description: Failure to maintain the tank opening, on Tank 4029, in a closed position during normal operations.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039

Description: Failure to maintain a retaining wall around the coke stockpile.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039  
 OP O-02040  
 Description: Failure to conduct follow-up monitoring in April, 2005 for two leaks repaired in March, 2005. Failure to conduct follow-up monitoring in April, 2005 for four leaks repaired in March, 2005. Failure to conduct the second month follow-up monitoring in May, 2005 for three leaks repaired in March, 2005.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040  
 Description: Failure to operate one sample system with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040  
 Description: Failure to control emissions to an efficiency of at least 90 % for one hotwell (excess emissions).

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040  
 Description: Failure to monitor six pressure relief valves (PRVs) in Volatile Organic Compound (VOC) service.

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

Rqmt Prov: OP O-02040  
 Description: Failure to keep quarterly records of visible emission inspections on heaters.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49134  
 OP O-02040  
 Description: Failure to make the first attempt of repair on a leaking valve within five days (excess emissions).

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

Rqmt Prov: OP O-01871  
 Description: Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.

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

Rqmt Prov: PERMIT 49134  
 OP O-02040  
 Description: Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
OP O-01356  
OP O-01870  
OP O-02042  
OP O-02043

Description: Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly inspections for active drains.

Self Report? NO Classification: Moderate

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

Description: Failure to report deviations in the annual compliance certification reports for OP O-01870, O-01871, O-02039, and O-02040.

Date: 05/05/2006 (438988)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter R 335.513[G]

Description: Failure to complete waste classifications on non-hazardous, industrial wastes.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter C 335.62  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]

Description: Failure to complete a hazardous waste determination for each solid waste generated.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)

Rqmt Prov: PERMIT HW-50139-000

Description: Failure to provide notification of associated waste management units, wastes managed in units, and an industrial, class 2 waste stream.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)[G]

Description: Failure to keep records of all hazardous waste and industrial solid waste activities in a format which is retrievable and easy to copy.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)

Description: Failure to maintain a record of the location of each satellite accumulation area (SAA).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(c)

Rqmt Prov: PERMIT 50139 PP V.B.3.

Description: Failure to manage hazardous wastes as authorized by permit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(b)(1)

Rqmt Prov: PERMIT II.C.1.f.

Description: Failure to maintain the hazardous waste storage area so that the base is free from cracks and gaps.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT PP.II.C.1.f.  
PERMIT PP.II.C.2.a.

Description: Failure to develop and follow an adequate written inspection plan to prevent, detect or respond to environmental or human health hazards.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(3)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)

Rqmt Prov: PERMIT PP.II.C.1.f.  
PERMIT PP.II.C.2.c.

Description: Failure to maintain a list of persons qualified to act as emergency coordinator.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.163(4)[G]  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)

Rqmt Prov: IHWPERMTCP PP. VI.D.1.c.

Description: Failure to follow the Sampling and Analysis Plan as required by permit.

Date: 07/18/2006 (480861)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042  
 Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1  
 PERMIT 49135  
 OP O-02042  
 OP O-02043  
 OP O-02044  
 OP O-02047

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

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 18277/PSD-TX-802  
 PERMIT 19566/PSD-TX-768M1  
 OP O-02042  
 OP O-02043

Description: Failure to make the first attempt of repair within five days for the following operating permits and Unit ID's: O-02042 - one component in 27FUG#001 and four components in 28FUG#001; O-02043 - two components in 19FUG#001 (excess emissions).

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1  
 OP O-02042  
 OP O-02044  
 OP O-02047

Description: Failure to conduct follow-up monitoring in April, 2005 for leaks repaired in March, 2005.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 46534/PSD-TX-922  
 OP O-02044

Description: Failure to reduce monitoring data to hourly concentrations for the Wet Gas Scrubber CEMS at least daily for thirty-four days. The Wet Gas Scrubber CEMS is located in Unit ID 06STK\_002.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02047

Description: Failure to submit the annual Stratospheric Ozone Report within 45 days after the annual applicable reporting period of January 1, 2006.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit the annual compliance certifications for OP O-02036, O-02043,

and O-02047 within 30 days of the certification period.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02042

Description: Failure to maintain the Platinum Reformer (PtR) 3 Regenerator pH above the regulatory limit.

Date: 08/31/2006 (528499)

Self Report? YES Classification: Moderate

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

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

Date: 10/31/2006 (551857)

Self Report? YES Classification: Moderate

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

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

Date: 12/12/2006 (518157)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02048  
OP O-02048, General Terms and Conditions  
OP O-02049  
OP O-02049, General Terms and Conditions

Description: Failure to submit the annual compliance certifications for OP O-02048 and O-02049 within 30 days of the certification period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01998  
OP O-02037  
OP O-02041  
OP O-02048  
OP O-02049

Description: Failure to submit the second 2005 semiannual 40 CFR Part 60, Subpart VV fugitive report within 60 days after the end of the applicable reporting period of December 31, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01998  
OP O-02037  
OP O-02048

Description: Failure to monitor nine components in Volatile Organic Compound (VOC) service located in Unit ID 05FUG#001, two components in VOC service located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001, and sixteen components in VOC service located in Unit ID 49FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037  
OP O-02041

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's: O-02037 - 79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and

54FUG#001; O-02041 - 1 valve in Unit ID 36FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037  
OP O-02048

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02037 - three sample systems in 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one sample system in 49FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02041

Description: Failure to conduct follow-up monitoring in April, 2005 for a leak repaired in March, 2005 for a component located in Unit ID O-02041.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 49146  
OP O-02048

Description: Failure to maintain an aggregate tank vapor pressure to less than 0.5 psia at the maximum expected operating temperature between December 12, 2005 and June 11, 2006 for Tank 49TFX#0334.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
OP O-02049

Description: Failure to conduct the five year primary seal inspections for several tanks.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
OP O-02049

Description: Failure to repair twenty-seven components located in Unit ID 49FUG#001 and seventy-eight components located in Unit ID 50FUG#001, within 15 days after a leak is found (excess emissions).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
OP O-02049

Description: Failure to submit the company's Emissions Inventory within the required time-frame for Unit ID's 48FUG#001 and 50FUG#001.

Self Report? NO Classification: Minor

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

Rqmt Prov: OP O-02048

Description: Failure to submit a notification within ten days following modification of a facility located in fugitive area 48FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
5C THC Chapter 382, SubChapter D 382.085(b)  
OP O-02049  
Rqmt Prov: Failure to conduct the annual visual primary seal inspection for tanks 49TIF#0782,  
Description: 50TIF#2133 and 50TIF#2203.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
30 TAC Chapter 115, SubChapter B 115.114(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02049  
Description: Failure to conduct the semiannual visual secondary seal inspection for tank  
50TEF#2211 and the annual gap measurement on the secondary seal for tanks  
50TEF#2235 and 50TEF#2239.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02049  
Description: Failure to maintain the vapor pressure for tank 49TIF#0782 below 11 pounds per square  
in atmosphere (psia).

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

Rqmt Prov: PERMIT 49125  
PERMIT 56617  
OP O-02037  
OP O-02049  
Description: Failure to switch the initial saturation canister with the second canister (polishing), and  
place a fresh canister as the new polishing canister within four hours of detection of  
breakthrough (excess emissions).

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

Rqmt Prov: PERMIT 56617  
OP O-02037  
Description: Failure to maintain the loading rate for diesel below 3,743 bbls/hr and Naphtha below  
4,000 bbls/hr.

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

Description: Failure to report deviations in the annual compliance certification reports for OP O-  
02037 and O-02049.

Date: 03/01/2007 (538222)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01356  
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on  
equipment in VOC service.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999  
Description: Failure to make the first attempt of repair within five days for one valve located in Unit ID  
47FUG#001 (excess emissions).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-01999  
Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-01999  
Description: Failure to monitor nineteen valves in Volatile Organic Compound (VOC) service located in Unit ID 67FUG#002 and fifteen valves in VOC service located in Unit ID 67FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-01999  
Description: Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-01999  
Description: Failure to report deviations in the appropriate deviation report and in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-01999  
Description: Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.

Date: 08/29/2007 (557812)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: PERMIT 49125  
Description: Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare (unauthorized emissions).

F. Environmental audits.

Notice of Intent Date: 08/22/2005 (455176)

Disclosure Date: 11/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to properly identify valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to monitor components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to complete repair attempt within allotted time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to close open-ended lines.

Viol. Classification: Moderate

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

Description: Failure to properly handle purged process fluids.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to meet the requirements for difficult to monitor components.

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

<b>DATES</b>	<b>Assigned</b>	3-Dec-2007	<b>Screening</b>	12-Dec-2007	<b>EPA Due</b>	23-Aug-2008
	<b>PCW</b>	31-Jul-2008				

<b>RESPONDENT/FACILITY INFORMATION</b>			
<b>Respondent</b>	ExxonMobil Oil Corporation		
<b>Reg. Ent. Ref. No.</b>	RN102450756		
<b>Facility/Site Region</b>	10-Beaumont	<b>Major/Minor Source</b>	Major

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	35097	<b>No. of Violations</b>	2
<b>Docket No.</b>	2008-0153-AIR-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Air	<b>Enf. Coordinator</b>	Kimberly Morales
<b>Multi-Media</b>		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$</b>	<b>Limit Minimum</b>	\$0	<b>Maximum</b>
			\$10,000

## Penalty Calculation Section

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

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

**Compliance History** **Subtotals 2, 3, & 7**

**Notes**

**Culpability** **Subtotal 4**

**Notes**

**Good Faith Effort to Comply** **Subtotal 5**

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

**Notes**

**0% Enhancement\*** **Subtotal 6**

\*Capped at the Total EB \$ Amount

Total EB Amounts	\$147
Approx. Cost of Compliance	\$3,000

**SUM OF SUBTOTALS 1-7** **Final Subtotal**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

**Notes**

**Final Penalty Amount**

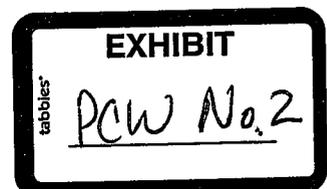
**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL** **Adjustment**

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

**Notes**

**PAYABLE PENALTY**



**Screening Date** 12-Dec-2007

**Docket No.** 2008-0153-AIR-E

**PCW**

**Respondent** ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

**Case ID No.** 35097

PCW Revision November 6, 2007

**Reg. Ent. Reference No.** RN102450756

**Media [Statute]** Air

**Enf. Coordinator** Kimberly Morales

### Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	7	35%
	Other written NOVs	8	16%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	7	140%
	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	1	25%
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 ( <i>number of judgements or consent decrees meeting criteria</i> )	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 ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	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 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
<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)** 216%

>> **Repeat Violator (Subtotal 3)**

No

**Adjustment Percentage (Subtotal 3)** 0%

>> **Compliance History Person Classification (Subtotal 7)**

Average Performer

**Adjustment Percentage (Subtotal 7)** 0%

>> **Compliance History Summary**

**Compliance History Notes**

Penalty enhancement due to seven NOVs for same or similar violations, eight NOVs for non-similar violations (which includes five self-reported effluent violations), seven agreed orders with a denial of liability, and one agreed order without a denial of liability. Penalty reduction due to one notice of audit letter and one disclosure of violations submitted.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 216%

Screening Date 12-Dec-2007

Docket No. 2008-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 35097

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 19566, Special Condition 1, Federal Operating Permit ("FOP") No. O-01871, Special Condition 7 and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 13,796.40 pounds ("lbs") of sulfur dioxide ("SO2"), 419.20 lbs of carbon monoxide ("CO"), 149.90 lbs of hydrogen sulfide ("H2S"), 57.70 lbs of nitrogen oxides ("NOx"), and 644 lbs of volatile organic compounds ("VOCs") were released from the Coker Flare, emission point number ("EPN") 60FLR\_004, in the Coker Unit during an emissions event (Incident No. 95371) that occurred on August 2, 2007 and lasted three hours and 50 minutes. Since these emissions were avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="100%"/>
	Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>>> Programmatic Matrix

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

Matrix Notes Human health or the environment in the Beaumont-Port Arthur non-attainment area has been exposed to a significant amount of pollutants (7.5 tons) as a result of the violation.

Adjustment

Violation Events

Number of Violation Events  Number of violation days

mark only one with an x

daily	<input checked="" type="checkbox"/>
monthly	<input type="checkbox"/>
quarterly	<input type="checkbox"/>
semiannual	<input type="checkbox"/>
annual	<input type="checkbox"/>
single event	<input type="checkbox"/>

Violation Base Penalty

One daily event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

## Economic Benefit Worksheet

**Respondent** ExxonMobil Oil Corporation  
**Case ID No.** 35097  
**Reg. Ent. Reference No.** RN102450756  
**Media** Air  
**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
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$1,000	2-Aug-2007	1-Aug-2008	1.0	\$50	n/a	\$50
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to train operators to disable the shutdown systems when performing time adjustments to the seal oil pressure control system for the compressor. Date required is the date of the release. Final date is the date corrective actions are projected to be completed.

**Avoided Costs**

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$50

<b>Screening Date</b> 12-Dec-2007 <b>Respondent</b> ExxonMobil Oil Corporation <b>Case ID No.</b> 35097 <b>Reg. Ent. Reference No.</b> RN102450756 <b>Media [Statute]</b> Air <b>Enf. Coordinator</b> Kimberly Morales <b>Violation Number</b> <input type="text" value="2"/> <b>Rule Cite(s)</b> 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), NSR Permit No. 19566, Special Condition 1, FOP No. O-01871, Special Condition 7 and Tex. Health & Safety Code § 382.085(b)	<b>Docket No.</b> 2008-0153-AIR-E <div style="text-align: right;"><b>PCW</b></div> <i>Policy Revision 2 (September 2002)</i> <i>PCW Revision November 6, 2007</i>
<b>Violation Description</b> Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 33,632.20 lbs of SO <sub>2</sub> , 1,062.60 lbs of CO, 365.50 lbs of H <sub>2</sub> S, 147.10 lbs of NO <sub>x</sub> , and 1,548.35 lbs of VOCs were released from the Coker Flare, EPN 60FLR_004, in the Coker Unit during an emissions event (Incident No. 95960) that occurred on August 14, 2007 and lasted 12 hours and 41 minutes. Since these emissions were avoidable, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.	
<b>Base Penalty</b> <input style="width: 100px;" type="text" value="\$10,000"/>	

**>> Environmental, Property and Human Health Matrix**

OR	<b>Harm</b>				
	<b>Release</b>	<b>Major</b>	<b>Moderate</b>		<b>Minor</b>
	Actual	<input type="text" value="x"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				<b>Percent</b> <input style="width: 50px;" type="text" value="100%"/>	

**>> Programmatic Matrix**

	<b>Falsification</b>			
	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
				<b>Percent</b> <input style="width: 50px;" type="text" value="0%"/>
<b>Matrix Notes</b>	Human health or the environment in the Beaumont-Port Arthur non-attainment area has been exposed to a significant amount of pollutants (18.4 tons) as a result of the violation.			

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

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

**Violation Base Penalty**

One daily event is recommended.

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

Estimated EB Amount

Violation Final Penalty Total

**This violation Final Assessed Penalty (adjusted for limits)**

## Economic Benefit Worksheet

**Respondent** ExxonMobil Oil Corporation  
**Case ID No.** 35097  
**Reg. Ent. Reference No.** RN102450756  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Delayed Costs</b>							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,000	14-Aug-2007	1-Aug-2008	1.0	\$97	n/a	\$97

**Notes for DELAYED costs** Estimated cost to implement procedures designed to prevent failure of the vapor recovery drum level instrumentation due to accuracy degrading over time and causing an error in the actual instrument reading. Date required is the date of the release. Final date is the date corrective actions are projected to be completed.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<b>Avoided Costs</b>							
<b>ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)</b>							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance TOTAL

\$2,000	\$97
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# Compliance History

Customer/Respondent/Owner-Operator:	Classification:	Rating:
Customer/Respondent/Owner-Operator: CN600920748 ExxonMobil Oil Corporation	Classification: AVERAGE	Rating: 3.85
Regulated Entity:	Classification:	Site Rating:
Regulated Entity: RN102450756 EXXONMOBIL BEAUMONT REFINERY	Classification: AVERAGE	Site Rating: 16.61
ID Number(s):		
AIR NEW SOURCE PERMITS	PERMIT	655
AIR NEW SOURCE PERMITS	PERMIT	1202
AIR NEW SOURCE PERMITS	PERMIT	1519
AIR NEW SOURCE PERMITS	PERMIT	3913
AIR NEW SOURCE PERMITS	PERMIT	7018
AIR NEW SOURCE PERMITS	PERMIT	7208
AIR NEW SOURCE PERMITS	PERMIT	7760
AIR NEW SOURCE PERMITS	PERMIT	10291
AIR NEW SOURCE PERMITS	PERMIT	11306
AIR NEW SOURCE PERMITS	PERMIT	12139
AIR NEW SOURCE PERMITS	PERMIT	12817
AIR NEW SOURCE PERMITS	PERMIT	13120
AIR NEW SOURCE PERMITS	PERMIT	15261
AIR NEW SOURCE PERMITS	PERMIT	18276
AIR NEW SOURCE PERMITS	PERMIT	18277
AIR NEW SOURCE PERMITS	PERMIT	18424
AIR NEW SOURCE PERMITS	PERMIT	19566
AIR NEW SOURCE PERMITS	PERMIT	20862
AIR NEW SOURCE PERMITS	PERMIT	22999
AIR NEW SOURCE PERMITS	PERMIT	24159
AIR NEW SOURCE PERMITS	PERMIT	26121
AIR NEW SOURCE PERMITS	PERMIT	27000
AIR NEW SOURCE PERMITS	PERMIT	26860
AIR NEW SOURCE PERMITS	PERMIT	27539
AIR NEW SOURCE PERMITS	PERMIT	26859
AIR NEW SOURCE PERMITS	PERMIT	30543
AIR NEW SOURCE PERMITS	PERMIT	31227
AIR NEW SOURCE PERMITS	PERMIT	33642
AIR NEW SOURCE PERMITS	PERMIT	33907
AIR NEW SOURCE PERMITS	PERMIT	34543
AIR NEW SOURCE PERMITS	PERMIT	34963
AIR NEW SOURCE PERMITS	PERMIT	37234
AIR NEW SOURCE PERMITS	PERMIT	41034
AIR NEW SOURCE PERMITS	PERMIT	40837
AIR NEW SOURCE PERMITS	PERMIT	42063
AIR NEW SOURCE PERMITS	PERMIT	42051
AIR NEW SOURCE PERMITS	PERMIT	42730
AIR NEW SOURCE PERMITS	PERMIT	42852
AIR NEW SOURCE PERMITS	PERMIT	42951
AIR NEW SOURCE PERMITS	PERMIT	43132
AIR NEW SOURCE PERMITS	PERMIT	43433
AIR NEW SOURCE PERMITS	PERMIT	43675
AIR NEW SOURCE PERMITS	PERMIT	44038
AIR NEW SOURCE PERMITS	PERMIT	45695
AIR NEW SOURCE PERMITS	PERMIT	46329
AIR NEW SOURCE PERMITS	PERMIT	46434
AIR NEW SOURCE PERMITS	PERMIT	46534
AIR NEW SOURCE PERMITS	PERMIT	46743
AIR NEW SOURCE PERMITS	PERMIT	47064
AIR NEW SOURCE PERMITS	PERMIT	47063
AIR NEW SOURCE PERMITS	PERMIT	47062
AIR NEW SOURCE PERMITS	PERMIT	47175
AIR NEW SOURCE PERMITS	PERMIT	47358
AIR NEW SOURCE PERMITS	PERMIT	47589
AIR NEW SOURCE PERMITS	PERMIT	47815
AIR NEW SOURCE PERMITS	PERMIT	48110
AIR NEW SOURCE PERMITS	PERMIT	49135
AIR NEW SOURCE PERMITS	PERMIT	49138
AIR NEW SOURCE PERMITS	PERMIT	49142
AIR NEW SOURCE PERMITS	PERMIT	49143
AIR NEW SOURCE PERMITS	PERMIT	145
AIR NEW SOURCE PERMITS	PERMIT	596

**EXHIBIT**

CH No. 2

AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE00671
AIR NEW SOURCE PERMITS	PERMIT	52713
AIR NEW SOURCE PERMITS	PERMIT	52733
AIR NEW SOURCE PERMITS	PERMIT	52926
AIR NEW SOURCE PERMITS	PERMIT	53561
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M1
AIR NEW SOURCE PERMITS	REGISTRATION	74241
AIR NEW SOURCE PERMITS	REGISTRATION	82697
AIR NEW SOURCE PERMITS	REGISTRATION	71938
AIR NEW SOURCE PERMITS	REGISTRATION	72166
AIR NEW SOURCE PERMITS	REGISTRATION	71990
AIR NEW SOURCE PERMITS	REGISTRATION	55220
AIR NEW SOURCE PERMITS	REGISTRATION	55233
AIR NEW SOURCE PERMITS	REGISTRATION	54963
AIR NEW SOURCE PERMITS	REGISTRATION	55175
AIR NEW SOURCE PERMITS	REGISTRATION	75794
AIR NEW SOURCE PERMITS	REGISTRATION	76388
AIR NEW SOURCE PERMITS	REGISTRATION	75736
AIR NEW SOURCE PERMITS	PERMIT	75302
AIR NEW SOURCE PERMITS	REGISTRATION	55737
AIR NEW SOURCE PERMITS	REGISTRATION	75572
AIR NEW SOURCE PERMITS	REGISTRATION	75426
AIR NEW SOURCE PERMITS	REGISTRATION	75528
AIR NEW SOURCE PERMITS	REGISTRATION	75508
AIR NEW SOURCE PERMITS	REGISTRATION	75845
AIR NEW SOURCE PERMITS	REGISTRATION	76054
AIR NEW SOURCE PERMITS	REGISTRATION	70003
AIR NEW SOURCE PERMITS	PERMIT	56259
AIR NEW SOURCE PERMITS	REGISTRATION	70001
AIR NEW SOURCE PERMITS	AFS NUM	4824500018
AIR NEW SOURCE PERMITS	REGISTRATION	70104
AIR NEW SOURCE PERMITS	PERMIT	70613
AIR NEW SOURCE PERMITS	REGISTRATION	70541
AIR NEW SOURCE PERMITS	PERMIT	56617
AIR NEW SOURCE PERMITS	PERMIT	48623
AIR NEW SOURCE PERMITS	REGISTRATION	70376
AIR NEW SOURCE PERMITS	PERMIT	49134
AIR NEW SOURCE PERMITS	PERMIT	49125
AIR NEW SOURCE PERMITS	PERMIT	49146
AIR NEW SOURCE PERMITS	PERMIT	49148
AIR NEW SOURCE PERMITS	PERMIT	49151
AIR NEW SOURCE PERMITS	REGISTRATION	71024
AIR NEW SOURCE PERMITS	EPA ID	PSDTX932
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M
AIR NEW SOURCE PERMITS	PERMIT	70805
AIR NEW SOURCE PERMITS	REGISTRATION	70983
AIR NEW SOURCE PERMITS	REGISTRATION	70794
AIR NEW SOURCE PERMITS	REGISTRATION	71302
AIR NEW SOURCE PERMITS	REGISTRATION	71378
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992
AIR NEW SOURCE PERMITS	REGISTRATION	71100
AIR NEW SOURCE PERMITS	REGISTRATION	71277
AIR NEW SOURCE PERMITS	PERMIT	54483
AIR NEW SOURCE PERMITS	PERMIT	50669
AIR NEW SOURCE PERMITS	PERMIT	53040
AIR NEW SOURCE PERMITS	PERMIT	53560
AIR NEW SOURCE PERMITS	PERMIT	52284
AIR NEW SOURCE PERMITS	PERMIT	55291
AIR NEW SOURCE PERMITS	PERMIT	56799
AIR NEW SOURCE PERMITS	PERMIT	56709
AIR NEW SOURCE PERMITS	PERMIT	52598
AIR NEW SOURCE PERMITS	PERMIT	52599
AIR NEW SOURCE PERMITS	PERMIT	54299
AIR NEW SOURCE PERMITS	PERMIT	54091
AIR NEW SOURCE PERMITS	PERMIT	55031
AIR NEW SOURCE PERMITS	PERMIT	54487
AIR NEW SOURCE PERMITS	PERMIT	54486
AIR NEW SOURCE PERMITS	PERMIT	71741
AIR NEW SOURCE PERMITS	PERMIT	71048

AIR NEW SOURCE PERMITS	PERMIT	50583
AIR NEW SOURCE PERMITS	REGISTRATION	105370
AIR NEW SOURCE PERMITS	PERMIT	54768
AIR NEW SOURCE PERMITS	REGISTRATION	72569
AIR NEW SOURCE PERMITS	REGISTRATION	72780
AIR NEW SOURCE PERMITS	REGISTRATION	73120
AIR NEW SOURCE PERMITS	REGISTRATION	72646
AIR NEW SOURCE PERMITS	PERMIT	55522
AIR NEW SOURCE PERMITS	PERMIT	55654
AIR NEW SOURCE PERMITS	PERMIT	55617
AIR NEW SOURCE PERMITS	PERMIT	56434
AIR NEW SOURCE PERMITS	PERMIT	56428
AIR NEW SOURCE PERMITS	PERMIT	52240
AIR NEW SOURCE PERMITS	PERMIT	P802
AIR NEW SOURCE PERMITS	PERMIT	52300
AIR NEW SOURCE PERMITS	REGISTRATION	72659
AIR NEW SOURCE PERMITS	REGISTRATION	74104
AIR NEW SOURCE PERMITS	REGISTRATION	74072
AIR NEW SOURCE PERMITS	REGISTRATION	73897
AIR NEW SOURCE PERMITS	PERMIT	72534
AIR NEW SOURCE PERMITS	PERMIT	73620
AIR NEW SOURCE PERMITS	REGISTRATION	74552
AIR NEW SOURCE PERMITS	REGISTRATION	74399
AIR NEW SOURCE PERMITS	REGISTRATION	74615
AIR NEW SOURCE PERMITS	PERMIT	75132
AIR NEW SOURCE PERMITS	PERMIT	75054
AIR NEW SOURCE PERMITS	REGISTRATION	74990
AIR NEW SOURCE PERMITS	REGISTRATION	75143
AIR NEW SOURCE PERMITS	REGISTRATION	75172
AIR NEW SOURCE PERMITS	REGISTRATION	75350
AIR NEW SOURCE PERMITS	REGISTRATION	74993
AIR NEW SOURCE PERMITS	REGISTRATION	74994
AIR NEW SOURCE PERMITS	REGISTRATION	74995
AIR NEW SOURCE PERMITS	REGISTRATION	74997
AIR NEW SOURCE PERMITS	REGISTRATION	75133
AIR NEW SOURCE PERMITS	PERMIT	75180
AIR NEW SOURCE PERMITS	REGISTRATION	75329
AIR NEW SOURCE PERMITS	REGISTRATION	75308
AIR NEW SOURCE PERMITS	REGISTRATION	75279
AIR NEW SOURCE PERMITS	REGISTRATION	75267
AIR NEW SOURCE PERMITS	REGISTRATION	75281
AIR NEW SOURCE PERMITS	REGISTRATION	76471
AIR NEW SOURCE PERMITS	REGISTRATION	76838
AIR NEW SOURCE PERMITS	EPA ID	PSDTX799
AIR NEW SOURCE PERMITS	EPA ID	PSDTX802
AIR NEW SOURCE PERMITS	REGISTRATION	76779
AIR NEW SOURCE PERMITS	REGISTRATION	76467
AIR NEW SOURCE PERMITS	PERMIT	76869
AIR NEW SOURCE PERMITS	REGISTRATION	77009
AIR NEW SOURCE PERMITS	REGISTRATION	77375
AIR NEW SOURCE PERMITS	REGISTRATION	77460
AIR NEW SOURCE PERMITS	REGISTRATION	77712
AIR NEW SOURCE PERMITS	REGISTRATION	77844
AIR NEW SOURCE PERMITS	REGISTRATION	77932
AIR NEW SOURCE PERMITS	REGISTRATION	78100
AIR NEW SOURCE PERMITS	REGISTRATION	77363
AIR NEW SOURCE PERMITS	REGISTRATION	78516
AIR NEW SOURCE PERMITS	REGISTRATION	78190
AIR NEW SOURCE PERMITS	REGISTRATION	78247
AIR NEW SOURCE PERMITS	REGISTRATION	78250
AIR NEW SOURCE PERMITS	REGISTRATION	78290
AIR NEW SOURCE PERMITS	REGISTRATION	78475
AIR NEW SOURCE PERMITS	REGISTRATION	78609
AIR NEW SOURCE PERMITS	REGISTRATION	78676
AIR NEW SOURCE PERMITS	REGISTRATION	78792
AIR NEW SOURCE PERMITS	REGISTRATION	78799
AIR NEW SOURCE PERMITS	REGISTRATION	78982
AIR NEW SOURCE PERMITS	REGISTRATION	79185
AIR NEW SOURCE PERMITS	REGISTRATION	79620

AIR NEW SOURCE PERMITS	REGISTRATION	79853
AIR NEW SOURCE PERMITS	REGISTRATION	79506
AIR NEW SOURCE PERMITS	REGISTRATION	79641
AIR NEW SOURCE PERMITS	REGISTRATION	80078
AIR NEW SOURCE PERMITS	REGISTRATION	80495
AIR NEW SOURCE PERMITS	PERMIT	80203
AIR NEW SOURCE PERMITS	REGISTRATION	80819
AIR NEW SOURCE PERMITS	REGISTRATION	80595
AIR NEW SOURCE PERMITS	REGISTRATION	80461
AIR NEW SOURCE PERMITS	REGISTRATION	80978
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992M1
AIR NEW SOURCE PERMITS	REGISTRATION	80037
AIR NEW SOURCE PERMITS	REGISTRATION	81505
AIR NEW SOURCE PERMITS	REGISTRATION	81398
AIR NEW SOURCE PERMITS	REGISTRATION	81188
AIR NEW SOURCE PERMITS	REGISTRATION	82073
AIR NEW SOURCE PERMITS	REGISTRATION	83337
AIR NEW SOURCE PERMITS	REGISTRATION	82555
AIR NEW SOURCE PERMITS	PERMIT	82413
AIR NEW SOURCE PERMITS	REGISTRATION	82685
AIR NEW SOURCE PERMITS	REGISTRATION	82299
AIR NEW SOURCE PERMITS	REGISTRATION	82611
AIR NEW SOURCE PERMITS	REGISTRATION	82818
AIR NEW SOURCE PERMITS	REGISTRATION	82776
AIR NEW SOURCE PERMITS	REGISTRATION	82510
AIR NEW SOURCE PERMITS	REGISTRATION	82446
AIR NEW SOURCE PERMITS	REGISTRATION	82535
AIR NEW SOURCE PERMITS	REGISTRATION	83382
AIR NEW SOURCE PERMITS	REGISTRATION	83412
AIR NEW SOURCE PERMITS	REGISTRATION	83296
AIR NEW SOURCE PERMITS	REGISTRATION	82813
WASTEWATER	PERMIT	WQ0003426000
WASTEWATER	PERMIT	TPDES0118737
WASTEWATER	PERMIT	TX0118737
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2045
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2044

AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	SOLID WASTE REGISTRATION # (SWR)	30587
STORMWATER	PERMIT	TXR05K942
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30587
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30587

Location: 1795 BURT ST, BEAUMONT, TX, 77701 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: December 11, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 11, 2002 to December 11, 2007

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

Name: Trina Grieco Phone: (210) 403-4006

**Site Compliance History Components**

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

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

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

Effective Date: 09/26/2004 ADMINORDER 2002-0722-AIR-E

Classification: Moderate

- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions 8 and 10 PERMIT

Description: Failed to repair Valve 3005 while the Hydrocracker facility was shutdown.

Classification: Moderate

- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT  
Special Conditions 1.F. & 8 PERMIT

Description: Failed to perform monthly monitoring of accessible valves following installation or discovery in order to establish two consecutive months of leak-free operation.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT

Description: Failed to report Valve 5922 in the 40 CFR Subpart VV semi-annual equipment leaks report for the period from July 1, 2000, through December 31, 2000,

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to record daily notations for 24 days in the flare log for Process Flares (Emission Point Nos. 60FLR#003 and 60FLR#005) from January 1, 2001, through December 31, 2001

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER PERMIT

Description: Failed to limit sulfur dioxide (SO<sub>2</sub>) emissions of Crude B Vacuum Heater H-3102 Stack (Emission Point No. 05STK\_002) on August 14, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 35 PERMIT

Description: Failed to limit emissions of carbon monoxide (CO), particulate matter of ten microns or greater (PM<sub>10</sub>), and oxides of nitrogen (NO<sub>x</sub>) from the HDC Second Stage Furnace H-3303 Stack.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER PERMIT

Description: Failed to limit the hourly CO emissions from the HDC Stabilizer Reboiler Heater H-3304 Stack (Emission Point No. 20STK\_004) during a two-hour event which began on December 12, 2001, at 0800 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
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: 18277/PSD-TX-802 PERMIT  
19566/PSD-TX-768M1 PERMIT  
Special Condition 6.B. and 8 PERMIT  
Special Condition No. 5 PERMIT  
Special Condition No. 7 PERMIT

Description: Failed to limit the SO<sub>2</sub> emissions from 14 emission points during events which occurred on 7/22, 12/20/2001, and 01/21/2002. Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H<sub>2</sub>S) to less than 150 parts per million by volume (ppmv) during events which occurred on 07/22, 12/20/2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Description: Failed to limit hourly SO<sub>2</sub> emissions from Boiler 22 (Emission Point No. 033S01) to the applicable Permitted MAER limits during an event which occurred at 1800 hours on June 15, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: MAER and Special Condition No. 1 PERMIT  
Special Condition No. 2 PERMIT  
Description: Failed to limit the H2S concentration in the fuel gas to 150 ppmv during an event which occurred at 1715 hours on June 15, 2001, and was caused by the infrequent purging of the dryer treater beds.

Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to monitor Pressure Relief Valve 2435 within 24 hours after it vented to the atmosphere on April 9, 2002, at 1845 hours.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to repair Valves 3595, 6027, 6071, 1537, and 5227 within 15 days after the leaks were detected during monitoring conducted on February 28, 2002.

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. 14 PERMIT  
Description: Failed to provide a carbon absorption system (CAS) which consists of at least two activated carbon canisters connected in series for Tank 764.

Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to repair Valve 1249 in OMCC Unit 1 when the emissions of purged material resulting from immediate repair are not greater than the fugitive emissions likely to result from the delay of repair.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20  
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: 6.B. and 8 OP  
Special Condition No. 5 OP  
Special Condition No. 7 OP  
Description: Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H2S) to less than 150 parts per million by volume (ppmv) during events which occurred on July 22, December 20, 2001, and January 21, 2002.

Effective Date: 10/10/2005 ADMINORDER 2004-0987-AIR-E

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

Description: Failure to properly submit initial and final emissions event notifications in a timely manner.  
Classification: Moderate

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

Rqmt Prov: 46534 PERMIT  
Description: Failure to prevent an unauthorized emissions release at the facility.  
Classification: Moderate

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

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

Effective Date: 06/15/2006 ADMINORDER 2003-1470-AIR-E

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

40 CFR Part 63, Subpart CC 63.648(a)

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

Description: Failure to perform the final repair within 15 days after detecting leaks for two valves.

Classification: Moderate

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

30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)

40 CFR Part 63, Subpart CC 63.648(a)

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

Description: Failure to monitor three valves for two successive leak-free months after detecting a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)

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

Description: Failure to comply with the 5 and 15 day requirements for leaking valves.

Classification: Moderate

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

30 TAC Chapter 113, SubChapter C 113.340

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

40 CFR Part 63, Subpart CC 63.648(a)

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

Description: Failure to perform monthly monitoring of the valve with Component ID #27751 in May 2002.

Classification: Moderate

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

30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)

40 CFR Part 63, Subpart CC 63.648(a)

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

Description: Failure to perform monthly monitoring of two pumps.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(b)

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

Rqmt Prov: 19566 PERMIT

19566/PSD-TX-768M1, GC No. 8. PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Flare Gas Recovery Unit.

Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.201(b)(10)

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

Description: Failure to properly document the initial notification and final record for Incident No. 17640.

Classification: Moderate

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

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

Description: Failure to control 552 pounds of unauthorized Propylene emissions from entering the atmosphere from the vents of Tank 2203 when hot Propylene wash was sent from the 5E Degasser facility.

Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

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

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

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

Description: Failure to properly report and maintain emission event records for an emissions event at the North Wet Gas Compressor.

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: 46534 PERMIT

Permit 46534/PSD-TX-992, SC 1 and GC 8 PERMIT

Description: Failure to control unauthorized emissions from the North Wet Gas Compressor Unit on March 2, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial and final record notification pursuant to the emissions event record keeping requirements.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135 GC No. 8 and the MAERT PERMIT

Description: Failure to control emissions from your Flare Gas Recovery Compressor (FGRC) when it shut down due to an oxygen rich feed from the Crude Unit B Vacuum Tower.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document emissions event initial notification and final records for the January 27, and February 16, 20, and 26, 2003, emissions events.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from the Low Pressure Compressor on February 26, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Coker Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere from the PtR-4 Booster Compressor.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control unauthorized emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares during an instrumentation malfunction.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Low Pressure Flare from the PtR-4 Reformer Heater during a fuel regulator malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events for September 18, October 4 and 30 (2 events), and November 23, 2002.

Classification: Moderate

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

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

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares on November 23, 2002, when you allowed 7,961 pounds of unauthorized Sulfur Dioxide, 154 pounds of Nitrogen Oxide, and 144 pounds of Hydrogen Sulfide emissions to enter the atmosphere during an instrumentation malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events at the Flare Gas Recovery Compressor on 11/17/02 and for Tank 1365 on 10/29/02..

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from the Flare Gas Recovery Compressor during an emissions event on 11/17/02 and from the LP, HP, and FCC Flares on 10/30/02.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control unauthorized emissions from a levee during a tank roof malfunction and gasoline spill at Tank 1365.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions event at the HydroCracker facility.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Hydrocracker facility during an emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor. Start date was actually 10/30/02 @ 1431.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control emissions at the Flare Gas Recovery Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor.

Classification: Minor

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

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Satellite Instrumentation Building.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the regional office of a reportable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 49135, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event at the refinery.

Effective Date: 07/22/2006 ADMINORDER 2006-0057-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: O-02042, Special Condition 2F OP

Description: Failure to properly report within 24 hours of discovery of an emissions event (Incident Number 61285) at Tank 2221 (FIN 50TEF#2221) and (Incident Number 63113) at the Hydrocracker Unit (FIN 20FUG#001).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Effective Date: 10/02/2006 ADMINORDER 2005-0644-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include the compound descriptive type of all individually listed compounds or mixtures of air contaminants in the final record for an emissions event that occurred on March 6, 2004 (Incident No. 35969).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 6, 2004 (Incident Number 35969).

Classification: Minor

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

Description: Failure to submit a copy of the final record of an emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event that occurred on March 16, 2004 (Incident No. 36493).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 16, 2004 (Incident Number 36493).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37398).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37400).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent unauthorized emissions from the HDC Unit on June 24, 2004 (Incident Number 41629).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on June 23, 2004 (Incident Number 41733).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Alkylation Unit 2 that occurred on August 6, 2004 (Incident Number 44117).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45107).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45113).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45116).

Effective Date: 05/25/2007

ADMINORDER 2006-1704-AIR-E

Classification: Moderate

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

Rqmt Prov: 47358 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from the Ketone 1 Unit to the authorized limit found in Permit 47358.

Classification: Moderate

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

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2121 to the authorized limit found in Permit 49125.

Classification: Moderate

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

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2177 to the authorized limit found in Permit 49125.

Effective Date: 10/25/2007

ADMINORDER 2007-0210-AIR-E

Classification: Moderate

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

Description: Failed to notify the commission of a reportable emission event no later than 24 hours after the discovery of the 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 D 382.085(b)

Rqmt Prov: 1202 PERMIT  
18277 PERMIT  
19566, PSD-TX-768M1, and PSD-TX-932 PERMIT  
49134 PERMIT  
49151 PERMIT

Description: Failed to properly operate emission control equipment during normal operations, which resulted in an emission of sulfur dioxide ("SO2") above the maximum allowable emission rate.

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 D 382.085(b)

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT  
Description: Emitted unauthorized emissions of hydrogen sulfide ("H2S").

Classification: Major

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

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT  
Description: Emitted unauthorized emissions of volatile organic carbons ("VOCs").

Effective Date: 11/19/2007 ADMINORDER 2005-1906-AIR-E

Classification: Moderate

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

Description: Failure to comply with an emissions limitation.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	01/03/2003	(233731)
2	01/27/2003	(233733)
3	02/24/2003	(233709)
4	03/24/2003	(233712)
5	04/22/2003	(327156)
6	05/27/2003	(327157)
7	06/24/2003	(233719)
8	08/18/2003	(119924)
9	08/27/2003	(151728)
10	08/28/2003	(150045)
11	08/29/2003	(145367)
12	08/29/2003	(35495)
13	09/10/2003	(327158)
14	09/10/2003	(327159)
15	10/07/2003	(327160)
16	10/17/2003	(252163)
17	10/17/2003	(252265)
18	10/17/2003	(251900)
19	10/31/2003	(327161)
20	11/25/2003	(327162)
21	12/17/2003	(255436)
22	12/29/2003	(327163)
23	01/23/2004	(327164)
24	02/02/2004	(260646)
25	02/23/2004	(327154)
26	03/16/2004	(327155)
27	03/24/2004	(261303)
28	03/24/2004	(261298)
29	03/24/2004	(262516)
30	04/29/2004	(366899)

31	05/17/2004	(366900)
32	06/16/2004	(273971)
33	06/22/2004	(264038)
34	06/25/2004	(366901)
35	07/19/2004	(366902)
36	08/13/2004	(276974)
37	08/13/2004	(280106)
38	08/13/2004	(280181)
39	08/16/2004	(264052)
40	08/27/2004	(366903)
41	08/31/2004	(292712)
42	09/21/2004	(366904)
43	10/20/2004	(366905)
44	11/29/2004	(389976)
45	11/29/2004	(339535)
46	12/15/2004	(338648)
47	12/20/2004	(264045)
48	12/20/2004	(341746)
49	12/27/2004	(389977)
50	01/24/2005	(389978)
51	01/31/2005	(345533)
52	02/23/2005	(427483)
53	02/25/2005	(267873)
54	03/09/2005	(346617)
55	03/10/2005	(345884)
56	03/10/2005	(346613)
57	03/10/2005	(346615)
58	03/10/2005	(346618)
59	03/10/2005	(346616)
60	03/10/2005	(346614)
61	03/10/2005	(346619)
62	03/10/2005	(346611)
63	04/28/2005	(427484)
64	04/28/2005	(427485)
65	05/18/2005	(377810)
66	05/18/2005	(377819)
67	05/18/2005	(374451)
68	05/24/2005	(379947)
69	05/24/2005	(427486)
70	06/07/2005	(393785)
71	06/14/2005	(381060)
72	06/21/2005	(427487)
73	06/21/2005	(394212)
74	06/23/2005	(395768)
75	07/05/2005	(395074)
76	07/05/2005	(395563)
77	07/15/2005	(396321)
78	07/25/2005	(395338)
79	07/28/2005	(447521)
80	08/02/2005	(402309)
81	08/02/2005	(402062)
82	08/23/2005	(401849)
83	08/25/2005	(402894)
84	08/29/2005	(447522)
85	08/31/2005	(344208)
86	10/24/2005	(492450)
87	10/24/2005	(492452)
88	11/15/2005	(406621)
89	11/22/2005	(492453)
90	12/06/2005	(437354)
91	12/09/2005	(435820)
92	12/13/2005	(492454)
93	01/04/2006	(437358)
94	01/13/2006	(439898)
95	01/18/2006	(492455)
96	01/27/2006	(438715)
97	02/03/2006	(438108)
98	02/16/2006	(452454)

99	02/24/2006	(457000)
100	03/07/2006	(492448)
101	03/22/2006	(492449)
102	04/12/2006	(457598)
103	04/12/2006	(457576)
104	04/21/2006	(458117)
105	04/21/2006	(506263)
106	04/24/2006	(456876)
107	05/05/2006	(438988)
108	05/11/2006	(460411)
109	05/16/2006	(506264)
110	06/26/2006	(506265)
111	07/14/2006	(480861)
112	07/21/2006	(528497)
113	07/26/2006	(483331)
114	08/22/2006	(528498)
115	08/24/2006	(528500)
116	08/31/2006	(449600)
117	09/06/2006	(510836)
118	09/08/2006	(490101)
119	09/11/2006	(510537)
120	09/21/2006	(510357)
121	09/27/2006	(528499)
122	10/18/2006	(551856)
123	11/09/2006	(518560)
124	11/29/2006	(551857)
125	12/08/2006	(531717)
126	12/08/2006	(519497)
127	12/11/2006	(533072)
128	12/11/2006	(518157)
129	12/15/2006	(551858)
130	12/28/2006	(497673)
131	12/28/2006	(489839)
132	12/28/2006	(292610)
133	12/28/2006	(518617)
134	01/18/2007	(532456)
135	01/24/2007	(531178)
136	01/31/2007	(535664)
137	02/01/2007	(538035)
138	02/01/2007	(517030)
139	02/13/2007	(483611)
140	02/14/2007	(534587)
141	02/22/2007	(589095)
142	02/22/2007	(589100)
143	02/26/2007	(538573)
144	02/27/2007	(538681)
145	02/28/2007	(538222)
146	03/01/2007	(538654)
147	03/21/2007	(553990)
148	03/23/2007	(589096)
149	04/16/2007	(589097)
150	04/21/2007	(401393)
151	04/21/2007	(497645)
152	04/23/2007	(553970)
153	05/11/2007	(559959)
154	05/18/2007	(589098)
155	05/25/2007	(561932)
156	06/01/2007	(562352)
157	06/14/2007	(558039)
158	06/25/2007	(589099)
159	06/26/2007	(561757)
160	07/03/2007	(566239)
161	07/24/2007	(564244)
162	07/25/2007	(565599)
163	07/25/2007	(562752)
164	07/25/2007	(563491)
165	08/14/2007	(565531)
166	08/20/2007	(605719)

167 08/23/2007 (565800)  
 168 08/28/2007 (557812)  
 169 08/28/2007 (563149)  
 170 08/30/2007 (554099)  
 171 08/31/2007 (573644)  
 172 08/31/2007 (483835)  
 173 09/14/2007 (563130)  
 174 09/21/2007 (605720)  
 175 10/03/2007 (573096)  
 176 10/05/2007 (572014)  
 177 10/08/2007 (572051)  
 178 10/08/2007 (572040)  
 179 10/08/2007 (571920)  
 180 10/11/2007 (572058)  
 181 10/15/2007 (574177)  
 182 11/07/2007 (508947)  
 183 11/07/2007 (512385)  
 184 11/20/2007 (595467)  
 185 11/27/2007 (596296)

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

Date: 06/30/2004 (366902)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 08/31/2004 (292712)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Part 60, Subpart VV 60.482-6  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01998  
 Description: Failure to operate Crude Unit B without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01998  
 Description: Failure to report all instances of deviations on the semi-annual deviation report, dated January 9, 2004.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01998  
 Description: Failure to operate the Crude Unit B Heaters with refinery fuel gas which contains not more than 150 ppmv of H2S.  
 Date: 08/25/2005 (402894)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: PERMIT 655  
 OP O-01356  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 22FUG#001, 23FUG#001, 33FUG#001, 15FUG#001, and 16FUG#001.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQ 60.698(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 19566  
 OP O-01356

**Description:** Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about DEA-3 sewer repairs and corrective actions taken Unit ID 18SEW#001.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 655  
 OP O-01356

**Description:** Failure to repair an accessible valve within 15 days after a leak is found in Unit ID 16FUG#001.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQ 60.698(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870

**Description:** Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about Sulfur Recovery Unit (SRU) sewer repairs and corrective actions taken for Unit ID 32SEW#002.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01998

**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service in Unit ID 05FUG#001.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 20862/PSD-TX-799  
 OP O-01999

**Description:** Failure to provide two quarterly reports, for Unit ID 55TRB#GTG, within 30 days following the end of each calendar quarter as required in 40 CFR 60.334(j)(5).

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(a)

**Rqmt Prov:** OP O-01999

**Description:** Failure to operate two sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 67FUG#001 and 67FUG#002.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** OP O-01999

**Description:** Failure to operate five tank access hatches and gauge float wells without gasket and bolted covers for Unit ID's 47TIF#0411, 47TIF#0412, 47TIF#0413,

47TIF#1312, and 47TIF#1313.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to repair an accessible valve, for Unit ID 67FUG#002, within 15 days after a leak is found.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-01999

Description: Failure to tag a leaking valve, located in Unit ID 67FUG#002, following discovery of the leak.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(F)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to maintain records, for Unit ID 67FUG#002, of any audio, visual, and olfactory inspections of connectors if a leak is detected.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to monitor in each calendar quarter, with a hydrocarbon gas analyzer, the screening concentration for components in VOC service for Unit ID's 67FUG#001 and 67FUG#002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-02037

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-02037

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Date: 10/31/2005 (492453)

Self Report? YES Classification: Moderate

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

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

Date: 04/25/2006 (456876)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932

OP O-01870  
 OP O-01871  
 OP O-02039  
 OP O-02040

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

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

**Rqmt Prov:** 5C THC Chapter 382, SubChapter D 382.085(b)  
 PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870

**Description:** Failure to maintain the minimum oxygen level at three percent for the thermal oxidizer at Unit ID 32STK#001.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

**Rqmt Prov:** 5C THC Chapter 382, SubChapter D 382.085(b)  
 PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870

**Description:** Failure to route emissions from the Sulfur Truck Loading System to the Carbon Absorption System at Unit ID 32VNT\_005.

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

**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 49138  
 OP O-01871

**Description:** Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

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

**Citation:** 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-01871

**Description:** Failure to operate smokeless flare.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

**Rqmt Prov:** 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039

**Description:** Failure to maintain the tank opening, on Tank 4029, in a closed position during normal operations.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

**Rqmt Prov:** 5C THC Chapter 382, SubChapter D 382.085(b)  
 PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039

**Description:** Failure to maintain a retaining wall around the coke stockpile.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

**Rqmt Prov:** 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039  
 OP O-02040

**Description:** Failure to conduct follow-up monitoring in April, 2005 for two leaks repaired in March, 2005. Failure to conduct follow-up monitoring in April, 2005 for four leaks repaired in March, 2005. Failure to conduct the second month follow-up

monitoring in May, 2005 for three leaks repaired in March, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040

Description: Failure to operate one sample system with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040

Description: Failure to control emissions to an efficiency of at least 90 % for one hotwell.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040

Description: Failure to monitor six pressure relief valves (PRVs) in Volatile Organic Compound (VOC) service.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02040

Description: Failure to keep quarterly records of visible emission inspections on heaters.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49134  
OP O-02040

Description: Failure to make the first attempt of repair on a leaking valve within five days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01871

Description: Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 49134  
OP O-02040

Description: Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
OP O-01356  
OP O-01870  
OP O-02042  
OP O-02043

Description: Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly inspections for active drains.

Self Report? NO Classification: Moderate

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

Description: 5C THC Chapter 382, SubChapter D 382.085(b)  
 Failure to report deviations in the annual compliance certification reports for OP  
 O-01870, O-01871, O-02039, and O-02040.

Date: 05/05/2006 (438988)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter R 335.513

Description: Failure to complete waste classifications on non-hazardous, industrial wastes.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter C 335.62  
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

Description: Failure to complete a hazardous waste determination for each solid waste  
 generated.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)  
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C)  
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)

Rqmt Prov: PERMIT HW-50139-000

Description: Failure to provide notification of associated waste management units, wastes  
 managed in units, and an industrial, class 2 waste stream.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)

Description: Failure to keep records of all hazardous waste and industrial solid waste activities  
 in a format which is retrievable and easy to copy.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)

Description: Failure to maintain a record of the location of each satellite accumulation area  
 (SAA).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(c)

Rqmt Prov: PERMIT 50139 PP V.B.3.

Description: Failure to manage hazardous wastes as authorized by permit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(b)(1)

Rqmt Prov: PERMIT II.C.1.f.

Description: Failure to maintain the hazardous waste storage area so that the base is free from  
 cracks and gaps.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT PP.II.C.1.f.  
 PERMIT PP.II.C.2.a.

Description: Failure to develop and follow an adequate written inspection plan to prevent,  
 detect or respond to environmental or human health hazards.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(3)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)

Rqmt Prov: PERMIT PP.II.C.1.f.  
 PERMIT PP.II.C.2.c.

Description: Failure to maintain a list of persons qualified to act as emergency coordinator.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.163(4)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)

Rqmt Prov: IHWPERMTCP PP. VI.D.1.c.

Description: Failure to follow the Sampling and Analysis Plan as required by permit.

Date: 07/18/2006 (480861)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042

Description: Failure to modify the Platinum Reformer (PIR) 3 sewer system located in Unit ID  
 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1  
 PERMIT 49135  
 OP O-02042  
 OP O-02043  
 OP O-02044  
 OP O-02047

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

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 18277/PSD-TX-802  
 PERMIT 19566/PSD-TX-768M1  
 OP O-02042  
 OP O-02043

**Description:** Failure to make the first attempt of repair within five days for the following operating permits and Unit ID's: O-02042 - one component in 27FUG#001 and four components in 28FUG#001; O-02043 - two components in 19FUG#001.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1  
 OP O-02042  
 OP O-02044  
 OP O-02047

**Description:** Failure to conduct follow-up monitoring in April, 2005 for leaks repaired in March, 2005.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 46534/PSD-TX-922  
 OP O-02044

**Description:** Failure to reduce monitoring data to hourly concentrations for the Wet Gas Scrubber CEMS at least daily for thirty-four days. The Wet Gas Scrubber CEMS is located in Unit ID 06STK\_002.

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

**Citation:** 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02047

**Description:** Failure to submit the annual Stratospheric Ozone Report within 45 days after the annual applicable reporting period of January 1, 2006.

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

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

**Description:** Failure to submit the annual compliance certifications for OP O-02036, O-02043, and O-02047 within 30 days of the certification period.

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

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

**Rqmt Prov:** OP O-02042

**Description:** Failure to maintain the Platinum Reformer (PtR) 3 Regenerator pH above the regulatory limit.

**Date:** 08/31/2006 (528499)

Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2006 (551857)		
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:	12/12/2006 (518157)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02048 OP O-02048, General Terms and Conditions OP O-02049 OP O-02049, General Terms and Conditions		
Description:	Failure to submit the annual compliance certifications for OP O-02048 and O-02049 within 30 days of the certification period.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-01998 OP O-02037 OP O-02041 OP O-02048 OP O-02049		
Description:	Failure to submit the second 2005 semiannual 40 CFR Part 60, Subpart VV fugitive report within 60 days after the end of the applicable reporting period of December 31, 2005.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.354(2)(A) 30 TAC Chapter 115, SubChapter D 115.354(2)(B) 30 TAC Chapter 115, SubChapter D 115.354(2)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-01998 OP O-02037 OP O-02048		
Description:	Failure to monitor nine components in Volatile Organic Compound (VOC) service located in Unit ID 05FUG#001, two components in VOC service located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001, and sixteen components in VOC service located in Unit ID 49FUG#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02037 OP O-02041		
Description:	Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's: O-02037 - 79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and 54FUG#001; O-02041 - 1 valve in Unit ID 36FUG#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02037		

OP O-02048  
 Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02037 - three sample systems in 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one sample system in 49FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02041  
 Description: Failure to conduct follow-up monitoring in April, 2005 for a leak repaired in March, 2005 for a component located in Unit ID O-02041.

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

Rqmt Prov: PERMIT 49146  
 OP O-02048  
 Description: Failure to maintain an aggregate tank vapor pressure to less than 0.5 psia at the maximum expected operating temperature between December 12, 2005 and June 11, 2006 for Tank 49TFX#0334.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
 OP O-02049  
 Description: Failure to conduct the five year primary seal inspections for several tanks.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
 OP O-02049  
 Description: Failure to repair twenty-seven components located in Unit ID 49FUG#001 and seventy-eight components located in Unit ID 50FUG#001, within 15 days after a leak is found.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
 OP O-02049  
 Description: Failure to submit the company's Emissions Inventory within the required time-frame for Unit ID's 48FUG#001 and 50FUG#001.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
 Description: Failure to submit a notification within ten days following modification of a facility located in fugitive area 48FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02049  
 Description: Failure to conduct the annual visual primary seal inspection for tanks 49TIF#0782, 50TIF#2133 and 50TIF#2203.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.114(a)(2)

30 TAC Chapter 115, SubChapter B 115.114(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02049  
 Description: Failure to conduct the semiannual visual secondary seal inspection for tank 50TEF#2211 and the annual gap measurement on the secondary seal for tanks 50TEF#2235 and 50TEF#2239.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02049  
 Description: Failure to maintain the vapor pressure for tank 49TIF#0782 below 11 pounds per square in atmosphere (psia).

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

Rqmt Prov: PERMIT 49125  
 PERMIT 56617  
 OP O-02037  
 OP O-02049  
 Description: Failure to switch the initial saturation canister with the second canister (polishing), and place a fresh canister as the new polishing canister within four hours of detection of breakthrough.

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

Rqmt Prov: PERMIT 56617  
 OP O-02037  
 Description: Failure to maintain the loading rate for diesel below 3,743 bbls/hr and Naphtha below 4,000 bbls/hr.

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

Description: Failure to report deviations in the annual compliance certification reports for OP O-02037 and O-02049.  
 Date: 02/28/2007 (589096)

Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
 Date: 03/01/2007 (538222)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01356  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999  
 Description: Failure to make the first attempt of repair within five days for one valve located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-01999  
 Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999  
 Description: Failure to monitor nineteen valves in Volatile Organic Compound (VOC) service located in Unit ID 67FUG#002 and fifteen valves in VOC service located in Unit ID 67FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999  
 Description: Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.

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

Rqmt Prov: OP O-01999  
 Description: Failure to report deviations in the appropriate deviation report and in a timely manner.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999  
 Description: Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.

Date: 08/29/2007 (557812)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49125  
 Description: Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare.

Date: 08/30/2007 (554099)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01870  
 OP O-02036  
 Description: Failure to monitor a pressure relief valve (PRV) in Volatile Organic Compound (VOC) service located in Unit ID 32FUG#001 and four hundred components in VOC service located in Unit ID 61FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 49138  
 OP O-01871

**Description:** Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

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

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-01871  
 OP O-02039  
 OP O-02040

**Description:** Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1 and PSD-TX932  
 OP O-02036

**Description:** Failure to conduct nine weekly inspections for inactive drains located in Unit ID 61SEW#001.

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

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02036  
 OP O-02040

**Description:** Failure to operate one sample system, located in Unit ID 61FUG#001, and four sample systems, located in 39FUG#001, with a closed-purged, closed-loop, or closed-vent system.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Part 60, Subpart QQQ 60.698(b)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02036

**Description:** Failure to certify the New Source Performance Standards (NSPS), Subpart QQQ inspection in the semiannual report.

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039

**Description:** Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

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

**Citation:** 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02040

**Description:** Failure to replace seven rupture disks located in Unit ID 42FUG#001 within five days following a release.

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

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(f)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02040

**Description:** Failure to provide notification of the addition of Group 1 emission points in the Notification of Compliance Status Report within 60 days following the end of the 6-month period.

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

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040

Description: Failure to control emissions to an efficiency of at least 90 % for two hotwells located in Unit ID 41FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040

Description: Failure to repair nine components, located in Unit ID's 37FUG#001 and 42FUG#001, within 15 days after discovery of a leak.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02036  
 OP O-02040

Description: Failure to submit the deviation reports for OP O-02036 and O-02040 within 30 days after the end of the reporting period.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-01871

Description: Failure to report three violations as deviations that were documented during an on-site compliance investigation (Investigation No. 456876) conducted on February 2 through 15, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49138  
 OP O-01871

Description: Failure to operate the plant flares with a flame present at all times.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870

Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on October 11, 2006.

Date: 08/30/2007 (563149)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042  
 OP O-02047

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service. C10 cannot be picked.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042  
 OP O-02043  
 OP O-02046

Description: OP O-02047  
 Failure to repair the following components within 15 days after a leak is found.  
 C10 cannot be picked.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042  
 OP O-02043  
 OP O-02044

Description: Failure to monitor components in VOC service. C10 cannot be picked.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042

Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID  
 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02043

Description: Failure to document a weekly inspection for inactive drains and two monthly  
 inspections for active drains located in the following Unit ID 20SEW#001.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02043  
 OP O-02044

Description: Failure to include deviations for missing NSPS QQQ inspections for January and  
 February, 2006 within the semiannual deviation report (SDR) submitted in April,  
 2006 and failure to include a deviation for the January 26, 2006 Fluidized Catalytic  
 Cracker Wet Gas Scrubber (FCCWGS) Carbon Monoxide (CO) exceedance within  
 the SDR submitted in March, 2006.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02042

Description: Failure to submit the deviation report for OP O-02042 within 30 days after the end  
 of the reporting period.

F. Environmental audits.

Notice of Intent Date: 08/22/2005 (455176)  
 Disclosure Date: 11/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to properly identify valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to monitor components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to complete repair attempt within allotted time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to close open-ended lines.

Viol. Classification: Moderate

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

Description: Failure to properly handle purged process fluids.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to meet the requirements for difficult to monitor components.

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

**TCEQ**

DATES	Assigned	22-Jan-2008	Screening	25-Jan-2008	EPA Due	18-Oct-2008
	PCW	31-Jul-2008				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	ExxonMobil Oil Corporation
Reg. Ent. Ref. No.	RN102450756
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

<b>CASE INFORMATION</b>				
Enf./Case ID No.	35305	No. of Violations	1	
Docket No.	2008-0153-AIR-E	Order Type	Findings	
Media Program(s)	Air	Enf. Coordinator	Kimberly Morales	
Multi-Media		EC's Team	Enforcement Team 5	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	Subtotal 1	\$40,000
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	235% Enhancement	Subtotals 2, 3, & 7	\$94,000
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Notes: Penalty enhancement due to: nine (9) NOVs for unrelated violations including five (5) self-reported violations, seven (7) NOVs for same or similar violations, eight (8) Agreed Orders containing denial of liability, and one (1) Agreed Order without denial of liability. Penalty reduction due to one (1) letter of an intended audit and one (1) audit for which violations were disclosed.

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

<b>Good Faith Effort to Comply</b>	0% Reduction	Subtotal 5	\$0
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	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria.

<b>Total EB Amounts</b>	\$84	0% Enhancement*	Subtotal 6	\$0
<b>Approx. Cost of Compliance</b>	\$2,000	*Capped at the Total EB \$ Amount		

<b>SUM OF SUBTOTALS 1-7</b>	Final Subtotal	\$134,000
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: [Empty box]

Final Penalty Amount	\$134,000
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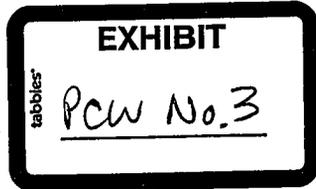
<b>STATUTORY LIMIT ADJUSTMENT</b>	Final Assessed Penalty	\$40,000
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<b>DEFERRAL</b>	0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	\$40,000
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Screening Date 25-Jan-2008

Docket No. 2008-0153-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 35305

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator Kimberly Morales

## 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)	7	35%
	Other written NOVs	9	18%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	8	160%
	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	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 235%

## &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

Penalty enhancement due to: nine (9) NOVs for unrelated violations including five (5) self-reported violations, seven (7) NOVs for same or similar violations, eight (8) Agreed Orders containing denial of liability, and one (1) Agreed Order without denial of liability. Penalty reduction due to one (1) letter of an intended audit and one (1) audit for which violations were disclosed.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 235%

**Screening Date** 25-Jan-2008 **Docket No.** 2008-0153-AIR-E **PCW**

**Respondent** ExxonMobil Oil Corporation *Policy Revision 2 (September 2002)*

**Case ID No.** 35305 *PCW Revision November 6, 2007*

**Reg. Ent. Reference No.** RN102450756

**Media [Statute]** Air

**Enf. Coordinator** Kimberly Morales

**Violation Number** 1

**Rule Cite(s)** 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit ("FOP") O-01871, Special Condition ("SC") 7, and New Source Review ("NSR") Permit 19566, SC 1

**Violation Description** Failed to prevent unauthorized emissions. Specifically, 79,666 pounds (lbs) of sulfur dioxide, 3,750 lbs of volatile organic compounds, 336 lbs of nitrogen oxides, 2,438 lbs of carbon monoxide, and 865 lbs of hydrogen sulfide were released without authorization on September 18 through 21, 2007, for 72 hours and 34 minutes from the Coke Flare, emission point number 60FLR\_004. Since this emissions event was avoidable, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

**Base Penalty** \$10,000

**>> Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	x			100%
Potential				

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0%

**Matrix Notes** Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or the environment.

**Adjustment** \$0

\$10,000

**Violation Events**

Number of Violation Events  Number of violation days

*mark only one with an x*

daily	x
monthly	
quarterly	
semiannual	
annual	
single event	

**Violation Base Penalty** \$40,000

Four daily events are recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$84"/>	Violation Final Penalty Total <input type="text" value="\$134,000"/>
<b>This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$40,000"/></b>	

### Economic Benefit Worksheet

**Respondent** ExxonMobil Oil Corporation  
**Case ID No.** 35305  
**Reg. Ent. Reference No.** RN102450756  
**Media** Air  
**Violation No.** 1

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

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

**Delayed Costs**

Equipment			0.0	\$0	\$0	\$0	
Buildings			0.0	\$0	\$0	\$0	
Other (as needed)			0.0	\$0	\$0	\$0	
Engineering/construction			0.0	\$0	\$0	\$0	
Land			0.0	\$0	n/a	\$0	
Record Keeping System			0.0	\$0	n/a	\$0	
Training/Sampling	\$2,000	18-Sep-2007	20-Jul-2008	0.8	\$84	n/a	\$84
Remediation/Disposal			0.0	\$0	n/a	\$0	
Permit Costs			0.0	\$0	n/a	\$0	
Other (as needed)			0.0	\$0	n/a	\$0	

**Notes for DELAYED costs**    Estimated cost of training personnel in proper isolation of pumps at Crude Unit B. Date required is the date of beginning of the unauthorized emissions event; final date is the estimated date corrective action will be completed.

**Avoided Costs**

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

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**    **\$2,000**    **TOTAL**    **\$84**

## Compliance History

Customer/Respondent/Owner-Operator:	CN600920748 ExxonMobil Oil Corporation	Classification: AVERAGE	Rating: 3.85
Regulated Entity:	RN102450756 EXXONMOBIL BEAUMONT REFINERY	Classification: AVERAGE	Site Rating: 16.61

ID Number(s):			
	AIR NEW SOURCE PERMITS	REGISTRATION	83880
	AIR NEW SOURCE PERMITS	REGISTRATION	71938
	AIR NEW SOURCE PERMITS	PERMIT	655
	AIR NEW SOURCE PERMITS	PERMIT	1202
	AIR NEW SOURCE PERMITS	PERMIT	1519
	AIR NEW SOURCE PERMITS	PERMIT	3913
	AIR NEW SOURCE PERMITS	PERMIT	7018
	AIR NEW SOURCE PERMITS	PERMIT	7208
	AIR NEW SOURCE PERMITS	PERMIT	7760
	AIR NEW SOURCE PERMITS	PERMIT	10291
	AIR NEW SOURCE PERMITS	PERMIT	11306
	AIR NEW SOURCE PERMITS	PERMIT	12139
	AIR NEW SOURCE PERMITS	PERMIT	12817
	AIR NEW SOURCE PERMITS	PERMIT	13120
	AIR NEW SOURCE PERMITS	PERMIT	15261
	AIR NEW SOURCE PERMITS	PERMIT	18276
	AIR NEW SOURCE PERMITS	PERMIT	18277
	AIR NEW SOURCE PERMITS	PERMIT	18424
	AIR NEW SOURCE PERMITS	PERMIT	19566
	AIR NEW SOURCE PERMITS	PERMIT	20862
	AIR NEW SOURCE PERMITS	PERMIT	22999
	AIR NEW SOURCE PERMITS	PERMIT	24159
	AIR NEW SOURCE PERMITS	PERMIT	26121
	AIR NEW SOURCE PERMITS	PERMIT	27000
	AIR NEW SOURCE PERMITS	PERMIT	26860
	AIR NEW SOURCE PERMITS	PERMIT	27539
	AIR NEW SOURCE PERMITS	PERMIT	26859
	AIR NEW SOURCE PERMITS	PERMIT	30543
	AIR NEW SOURCE PERMITS	PERMIT	31227
	AIR NEW SOURCE PERMITS	PERMIT	33642
	AIR NEW SOURCE PERMITS	PERMIT	33907
	AIR NEW SOURCE PERMITS	PERMIT	34543
	AIR NEW SOURCE PERMITS	PERMIT	34963
	AIR NEW SOURCE PERMITS	PERMIT	37234
	AIR NEW SOURCE PERMITS	PERMIT	41034
	AIR NEW SOURCE PERMITS	PERMIT	40837
	AIR NEW SOURCE PERMITS	PERMIT	42063
	AIR NEW SOURCE PERMITS	PERMIT	42051
	AIR NEW SOURCE PERMITS	PERMIT	42730
	AIR NEW SOURCE PERMITS	PERMIT	42852
	AIR NEW SOURCE PERMITS	PERMIT	42951
	AIR NEW SOURCE PERMITS	PERMIT	43132
	AIR NEW SOURCE PERMITS	PERMIT	43433
	AIR NEW SOURCE PERMITS	PERMIT	43675
	AIR NEW SOURCE PERMITS	PERMIT	44038
	AIR NEW SOURCE PERMITS	PERMIT	45695
	AIR NEW SOURCE PERMITS	PERMIT	46329
	AIR NEW SOURCE PERMITS	PERMIT	46434
	AIR NEW SOURCE PERMITS	PERMIT	46534
	AIR NEW SOURCE PERMITS	PERMIT	46743
	AIR NEW SOURCE PERMITS	PERMIT	47064
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	AIR NEW SOURCE PERMITS	PERMIT	47062
	AIR NEW SOURCE PERMITS	PERMIT	47175
	AIR NEW SOURCE PERMITS	PERMIT	47358
	AIR NEW SOURCE PERMITS	PERMIT	47589
	AIR NEW SOURCE PERMITS	PERMIT	47815
	AIR NEW SOURCE PERMITS	PERMIT	48110
	AIR NEW SOURCE PERMITS	PERMIT	49135
	AIR NEW SOURCE PERMITS	PERMIT	49138
	AIR NEW SOURCE PERMITS	PERMIT	142
	AIR NEW SOURCE PERMITS	PERMIT	43

**EXHIBIT**

tabbles  
PCW No. 3

AIR NEW SOURCE PERMITS	PERMIT	49145
AIR NEW SOURCE PERMITS	PERMIT	49596
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE00671
AIR NEW SOURCE PERMITS	REGISTRATION	72166
AIR NEW SOURCE PERMITS	REGISTRATION	71990
AIR NEW SOURCE PERMITS	PERMIT	52713
AIR NEW SOURCE PERMITS	PERMIT	52733
AIR NEW SOURCE PERMITS	PERMIT	52926
AIR NEW SOURCE PERMITS	PERMIT	53561
AIR NEW SOURCE PERMITS	REGISTRATION	55220
AIR NEW SOURCE PERMITS	REGISTRATION	55233
AIR NEW SOURCE PERMITS	REGISTRATION	54963
AIR NEW SOURCE PERMITS	REGISTRATION	55175
AIR NEW SOURCE PERMITS	REGISTRATION	75794
AIR NEW SOURCE PERMITS	REGISTRATION	76388
AIR NEW SOURCE PERMITS	REGISTRATION	75736
AIR NEW SOURCE PERMITS	PERMIT	75302
AIR NEW SOURCE PERMITS	REGISTRATION	55737
AIR NEW SOURCE PERMITS	REGISTRATION	75572
AIR NEW SOURCE PERMITS	REGISTRATION	75426
AIR NEW SOURCE PERMITS	REGISTRATION	75528
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AIR NEW SOURCE PERMITS	REGISTRATION	75845
AIR NEW SOURCE PERMITS	REGISTRATION	76054
AIR NEW SOURCE PERMITS	REGISTRATION	70003
AIR NEW SOURCE PERMITS	PERMIT	56259
AIR NEW SOURCE PERMITS	REGISTRATION	70001
AIR NEW SOURCE PERMITS	AFS NUM	4824500018
AIR NEW SOURCE PERMITS	REGISTRATION	70104
AIR NEW SOURCE PERMITS	PERMIT	70613
AIR NEW SOURCE PERMITS	REGISTRATION	70541
AIR NEW SOURCE PERMITS	PERMIT	56617
AIR NEW SOURCE PERMITS	PERMIT	48623
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AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M
AIR NEW SOURCE PERMITS	PERMIT	70805
AIR NEW SOURCE PERMITS	REGISTRATION	70983
AIR NEW SOURCE PERMITS	REGISTRATION	70794
AIR NEW SOURCE PERMITS	REGISTRATION	71302
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AIR NEW SOURCE PERMITS	REGISTRATION	71100
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AIR NEW SOURCE PERMITS	REGISTRATION	78475
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AIR NEW SOURCE PERMITS	REGISTRATION	79185
AIR NEW SOURCE PERMITS	REGISTRATION	79620

AIR NEW SOURCE PERMITS	REGISTRATION	79853
AIR NEW SOURCE PERMITS	REGISTRATION	79506
AIR NEW SOURCE PERMITS	REGISTRATION	79641
AIR NEW SOURCE PERMITS	REGISTRATION	80078
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AIR NEW SOURCE PERMITS	PERMIT	80203
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AIR NEW SOURCE PERMITS	REGISTRATION	82611
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AIR NEW SOURCE PERMITS	REGISTRATION	83382
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AIR NEW SOURCE PERMITS	REGISTRATION	83296
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WASTEWATER	PERMIT	WQ0003426000
WASTEWATER	PERMIT	TPDES0118737
WASTEWATER	PERMIT	TX0118737
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
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AIR OPERATING PERMITS	PERMIT	2046
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AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
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AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042

AIR OPERATING PERMITS	PERMIT	2043
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AIR OPERATING PERMITS	PERMIT	2046
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AIR OPERATING PERMITS	PERMIT	2049
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	SOLID WASTE REGISTRATION # (SWR)	30587
STORMWATER	PERMIT	TXR05K942
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30587
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30587

Location: 1795 BURT ST, BEAUMONT, TX, 77701 Rating Date: 9/1/2007 Repeat Violator: NO

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TCEQ Region: REGION 10 - BEAUMONT

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Date Compliance History Prepared: January 22, 2008

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Agency Decision Requiring Compliance History: Enforcement

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Compliance Period: January 22, 2003 to January 22, 2008

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

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

**Site Compliance History Components**

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

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

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

Effective Date: 09/26/2004 ADMINORDER 2002-0722-AIR-E

Classification: Moderate

- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions 8 and 10 PERMIT

Description: Failed to repair Valve 3005 while the Hydrocracker facility was shutdown.

Classification: Moderate

- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)

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

Rqmt Prov: Special Condition No. 10 PERMIT  
Special Conditions 1.F. & 8 PERMIT

Description: Failed to perform monthly monitoring of accessible valves following installation or discovery in order to establish two consecutive months of leak-free operation.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(f)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT

Description: Failed to report Valve 5922 in the 40 CFR Subpart VV semi-annual equipment leaks report for the period from July 1, 2000, through December 31, 2000,

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to record daily notations for 24 days in the flare log for Process Flares (Emission Point Nos. 60FLR#003 and 60FLR#005) from January 1, 2001, through December 31, 2001

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER PERMIT

Description: Failed to limit sulfur dioxide (SO<sub>2</sub>) emissions of Crude B Vacuum Heater H-3102 Stack (Emission Point No. 05STK\_002) on August 14, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 35 PERMIT

Description: Failed to limit emissions of carbon monoxide (CO), particulate matter of ten microns or greater (PM<sub>10</sub>), and oxides of nitrogen (NO<sub>x</sub>) from the HDC Second Stage Furnace H-3303 Stack.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER PERMIT

Description: Failed to limit the hourly CO emissions from the HDC Stabilizer Reboiler Heater H-3304 Stack (Emission Point No. 20STK\_004) during a two-hour event which began on December 12, 2001, at 0800 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
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: 18277/PSD-TX-802 PERMIT  
19566/PSD-TX-768M1 PERMIT  
Special Condition 6.B. and 8 PERMIT  
Special Condition No. 5 PERMIT  
Special Condition No. 7 PERMIT

Description: Failed to limit the SO<sub>2</sub> emissions from 14 emission points during events which occurred on 7/22, 12/20/2001, and 01/21/2002. Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H<sub>2</sub>S) to less than 150 parts per million by volume (ppmv) during events which occurred on 07/22, 12/20/2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Description: Failed to limit hourly SO<sub>2</sub> emissions from Boiler 22 (Emission Point No. 033S01) to the applicable Permitted MAER limits during an event which occurred at 1800 hours on June 15, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: MAER and Special Condition No. 1 PERMIT  
Special Condition No. 2 PERMIT

Description: Failed to limit the H2S concentration in the fuel gas to 150 ppmv during an event which occurred at 1715 hours on June 15, 2001, and was caused by the infrequent purging of the dryer treater beds.

Classification: Moderate

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

Description: Failed to monitor Pressure Relief Valve 2435 within 24 hours after it vented to the atmosphere on April 9, 2002, at 1845 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valves 3595, 6027, 6071, 1537, and 5227 within 15 days after the leaks were detected during monitoring conducted on February 28, 2002.

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. 14 PERMIT

Description: Failed to provide a carbon absorption system (CAS) which consists of at least two activated carbon canisters connected in series for Tank 764.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valve 1249 in OMCC Unit 1 when the emissions of purged material resulting from immediate repair are not greater than the fugitive emissions likely to result from the delay of repair.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20  
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: 6.B. and 8 OP  
Special Condition No. 5 OP  
Special Condition No. 7 OP

Description: Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H2S) to less than 150 parts per million by volume (ppmv) during events which occurred on July 22, December 20, 2001, and January 21, 2002.

Effective Date: 10/10/2005

ADMINORDER 2004-0987-AIR-E

Classification: Moderate

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

Description: Failure to properly submit initial and final emissions event notifications in a timely manner.

Classification: Moderate

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

Rqmt Prov: 46534 PERMIT

Description: Failure to prevent an unauthorized emissions release at the facility.

Classification: Moderate

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

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

Effective Date: 06/15/2006

ADMINORDER 2003-1470-AIR-E

Classification: Moderate

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

30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform the final repair within 15 days after detecting leaks for two valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor three valves for two successive leak-free months after detecting a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with the 5 and 15 day requirements for leaking valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of the valve with Component ID #27751 in May 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of two pumps.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566 PERMIT

19566/PSD-TX-768M1, GC No. 8. PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Flare Gas Recovery Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for Incident No. 17640.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control 552 pounds of unauthorized Propylene emissions from entering the atmosphere from the vents of Tank 2203 when hot Propylene wash was sent from the 5E Degasser facility.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly report and maintain emission event records for an emissions event at the North Wet Gas Compressor.

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: 46534 PERMIT

Permit 46534/PSD-TX-992, SC 1 and GC 8 PERMIT

Description: Failure to control unauthorized emissions from the North Wet Gas Compressor Unit on

March 2, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial and final record notification pursuant to the emissions event record keeping requirements.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135 GC No. 8 and the MAERT PERMIT

Description: Failure to control emissions from your Flare Gas Recovery Compressor (FGRC) when it shut down due to an oxygen rich feed from the Crude Unit B Vacuum Tower.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document emissions event initial notification and final records for the January 27, and February 16, 20, and 26, 2003, emissions events.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from the Low Pressure Compressor on February 26, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Coker Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere from the PtR-4 Booster Compressor.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control unauthorized emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares during an instrumentation malfunction.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Low Pressure Flare from the PtR-4 Reformer Heater during a fuel regulator malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events for September 18, October 4 and 30 (2 events), and November 23, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares on November 23, 2002, when you allowed 7,961 pounds of unauthorized Sulfur Dioxide, 154 pounds of Nitrogen Oxide, and 144 pounds of Hydrogen Sulfide emissions to enter the atmosphere during an instrumentation malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events at the Flare Gas Recovery Compressor on 11/17/02 and for Tank 1365 on 10/29/02..

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from the Flare Gas Recovery Compressor during an emissions event on 11/17/02 and from the LP, HP, and FCC Flares on 10/30/02.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control unauthorized emissions from a levee during a tank roof malfunction and gasoline spill at Tank 1365.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions event at the HydroCracker facility.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Hydrocracker facility during an emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor. Start date was actually 10/30/02 @ 1431.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control emissions at the Flare Gas Recovery Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor.

Classification: Minor

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

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions

event at the Satellite Instrumentation Building.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the regional office of a reportable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 49135, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event at the refinery.

Effective Date: 07/22/2006

ADMINORDER 2006-0057-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: O-02042, Special Condition 2F OP

Description: Failure to properly report within 24 hours of discovery of an emissions event (Incident Number 61285) at Tank 2221 (FIN 50TEF#2221) and (Incident Number 63113) at the Hydrocracker Unit (FIN 20FUG#001).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Effective Date: 10/02/2006

ADMINORDER 2005-0644-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include the compound descriptive type of all individually listed compounds or mixtures of air contaminants in the final record for an emissions event that occurred on March 6, 2004 (Incident No. 35969).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 6, 2004 (Incident Number 35969).

Classification: Minor

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

Description: Failure to submit a copy of the final record of an emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event that occurred on March 16, 2004 (Incident No. 36493).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 16, 2004 (Incident Number 36493).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004

(Incident Number 37398).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37400).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent unauthorized emissions from the HDC Unit on June 24, 2004 (Incident Number 41629).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on June 23, 2004 (Incident Number 41733).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Alkylation Unit 2 that occurred on August 6, 2004 (Incident Number 44117).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45107).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45113).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45116).

Effective Date: 05/25/2007

ADMINORDER 2006-1704-AIR-E

Classification: Moderate

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

Rqmt Prov: 47358 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from the Ketone 1 Unit to the authorized limit found in Permit 47358.

Classification: Moderate

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

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2121 to the authorized limit found in Permit 49125.

Classification: Moderate

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

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2177 to the authorized limit found in Permit 49125.

Effective Date: 10/25/2007

ADMINORDER 2007-0210-AIR-E

Classification: Moderate

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

Description: Failed to notify the commission of a reportable emission event no later than 24 hours after the discovery of the 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 D 382.085(b)

Rqmt Prov: 1202 PERMIT  
18277 PERMIT  
19566, PSD-TX-768M1, and PSD-TX-932 PERMIT  
49134 PERMIT  
49151 PERMIT

Description: Failed to properly operate emission control equipment during normal operations, which resulted in an emission of sulfur dioxide ("SO2") above the maximum allowable emission rate.

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 D 382.085(b)

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of hydrogen sulfide ("H2S").

Classification: Major

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

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of volatile organic carbons ("VOCs").

Effective Date: 11/19/2007 ADMINORDER 2005-1906-AIR-E

Classification: Moderate

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

Description: Failure to comply with an emissions limitation.

Effective Date: 01/12/2008 ADMINORDER 2007-0729-IWD-E

Classification: Moderate

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

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Moderate

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

Rqmt Prov: Self-reporting Requirements PERMIT

Description: Failure to submit monitoring results at the intervals specified in the permit as documented by a TCEQ record review.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	01/27/2003	(233733)
2	02/24/2003	(233709)
3	03/24/2003	(233712)
4	04/22/2003	(327156)
5	05/27/2003	(327157)
6	06/24/2003	(233719)
7	08/18/2003	(119924)
8	08/27/2003	(151728)
9	08/28/2003	(150045)
10	08/29/2003	(145367)
11	08/29/2003	(35495)
12	09/10/2003	(327158)
13	09/10/2003	(327159)
14	10/07/2003	(327160)
15	10/17/2003	(252163)
16	10/17/2003	(252265)

17	10/17/2003	(251900)
18	10/31/2003	(327161)
19	11/25/2003	(327162)
20	12/17/2003	(255436)
21	12/29/2003	(327163)
22	01/23/2004	(327164)
23	02/02/2004	(260646)
24	02/23/2004	(327154)
25	03/16/2004	(327155)
26	03/24/2004	(261303)
27	03/24/2004	(261298)
28	03/24/2004	(262516)
29	04/29/2004	(366899)
30	05/17/2004	(366900)
31	06/16/2004	(273971)
32	06/22/2004	(264038)
33	06/25/2004	(366901)
34	07/19/2004	(366902)
35	08/13/2004	(276974)
36	08/13/2004	(280106)
37	08/13/2004	(280181)
38	08/16/2004	(264052)
39	08/27/2004	(366903)
40	08/31/2004	(292712)
41	09/21/2004	(366904)
42	10/20/2004	(366905)
43	11/29/2004	(389976)
44	11/29/2004	(339535)
45	12/15/2004	(338648)
46	12/20/2004	(264045)
47	12/20/2004	(341746)
48	12/27/2004	(389977)
49	01/24/2005	(389978)
50	01/31/2005	(345533)
51	02/23/2005	(427483)
52	02/25/2005	(267873)
53	03/09/2005	(346617)
54	03/10/2005	(345884)
55	03/10/2005	(346613)
56	03/10/2005	(346615)
57	03/10/2005	(346618)
58	03/10/2005	(346616)
59	03/10/2005	(346614)
60	03/10/2005	(346619)
61	03/10/2005	(346611)
62	04/28/2005	(427484)
63	04/28/2005	(427485)
64	05/18/2005	(377810)
65	05/18/2005	(377819)
66	05/18/2005	(374451)
67	05/24/2005	(379947)
68	05/24/2005	(427486)
69	06/07/2005	(393785)
70	06/14/2005	(381060)
71	06/21/2005	(427487)
72	06/21/2005	(394212)
73	06/23/2005	(395768)
74	07/05/2005	(395074)
75	07/05/2005	(395563)
76	07/15/2005	(396321)
77	07/25/2005	(395338)
78	07/28/2005	(447521)
79	08/02/2005	(402309)
80	08/02/2005	(402062)
81	08/23/2005	(401849)
82	08/25/2005	(402894)
83	08/29/2005	(447522)
84	08/31/2005	(344208)

85	10/24/2005	(492450)
86	10/24/2005	(492452)
87	11/15/2005	(406621)
88	11/22/2005	(492453)
89	12/06/2005	(437354)
90	12/09/2005	(435820)
91	12/13/2005	(492454)
92	01/04/2006	(437358)
93	01/13/2006	(439898)
94	01/18/2006	(492455)
95	01/27/2006	(438715)
96	02/03/2006	(438108)
97	02/16/2006	(452454)
98	02/24/2006	(457000)
99	03/07/2006	(492448)
100	03/22/2006	(492449)
101	04/12/2006	(457598)
102	04/12/2006	(457576)
103	04/21/2006	(458117)
104	04/21/2006	(506263)
105	04/24/2006	(456876)
106	05/05/2006	(438988)
107	05/11/2006	(460411)
108	05/16/2006	(506264)
109	06/26/2006	(506265)
110	07/14/2006	(480861)
111	07/21/2006	(528497)
112	07/26/2006	(483331)
113	08/22/2006	(528498)
114	08/24/2006	(528500)
115	08/31/2006	(449600)
116	09/06/2006	(510836)
117	09/08/2006	(490101)
118	09/11/2006	(510537)
119	09/21/2006	(510357)
120	09/27/2006	(528499)
121	10/18/2006	(551856)
122	11/09/2006	(518560)
123	11/29/2006	(551857)
124	12/08/2006	(531717)
125	12/08/2006	(519497)
126	12/11/2006	(533072)
127	12/11/2006	(518157)
128	12/15/2006	(551858)
129	12/28/2006	(497673)
130	12/28/2006	(489839)
131	12/28/2006	(292610)
132	12/28/2006	(518617)
133	01/18/2007	(532456)
134	01/24/2007	(531178)
135	01/31/2007	(535664)
136	02/01/2007	(538035)
137	02/01/2007	(517030)
138	02/13/2007	(483611)
139	02/14/2007	(534587)
140	02/22/2007	(589095)
141	02/22/2007	(589100)
142	02/26/2007	(538573)
143	02/27/2007	(538681)
144	02/28/2007	(538222)
145	03/01/2007	(538654)
146	03/21/2007	(553990)
147	03/23/2007	(589096)
148	04/16/2007	(589097)
149	04/21/2007	(401393)
150	04/21/2007	(497645)
151	04/23/2007	(553970)
152	05/11/2007	(559959)

153 05/18/2007 (589098)  
 154 05/25/2007 (561932)  
 155 06/01/2007 (562352)  
 156 06/14/2007 (558039)  
 157 06/25/2007 (589099)  
 158 06/26/2007 (561757)  
 159 07/03/2007 (566239)  
 160 07/24/2007 (564244)  
 161 07/25/2007 (565599)  
 162 07/25/2007 (562752)  
 163 07/25/2007 (563491)  
 164 08/14/2007 (565531)  
 165 08/20/2007 (605719)  
 166 08/23/2007 (565800)  
 167 08/28/2007 (557812)  
 168 08/28/2007 (563149)  
 169 08/30/2007 (554099)  
 170 08/31/2007 (573644)  
 171 08/31/2007 (483835)  
 172 09/14/2007 (563130)  
 173 09/21/2007 (605720)  
 174 10/03/2007 (573096)  
 175 10/05/2007 (572014)  
 176 10/08/2007 (572051)  
 177 10/08/2007 (572040)  
 178 10/08/2007 (571920)  
 179 10/11/2007 (572058)  
 180 10/15/2007 (574177)  
 181 11/07/2007 (508947)  
 182 11/07/2007 (512385)  
 183 11/20/2007 (595467)  
 184 11/27/2007 (596296)  
 185 12/17/2007 (601087)  
 186 12/17/2007 (601083)  
 187 12/17/2007 (594318)  
 188 12/28/2007 (613083)  
 189 12/28/2007 (610948)  
 190 01/14/2008 (610848)  
 191 01/17/2008 (613632)

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

Date: 06/30/2004 (366902)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 08/31/2004 (292712)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Part 60, Subpart VV 60.482-6  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01998  
 Description: Failure to operate Crude Unit B without a cap, blind flange, plug, or a second valve  
 installed on equipment in VOC service.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: OP O-01998  
 Description: Failure to report all instances of deviations on the semi-annual deviation report,  
 dated January 9, 2004.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** OP O-01998  
**Description:** Failure to operate the Crude Unit B Heaters with refinery fuel gas which contains not more than 150 ppmv of H2S.  
**Date:** 08/25/2005 (402894)  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 655  
 OP O-01356  
**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 22FUG#001, 23FUG#001, 33FUG#001, 15FUG#001, and 16FUG#001.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 19566  
 OP O-01356  
**Description:** Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about DEA-3 sewer repairs and corrective actions taken Unit ID 18SEW#001.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 655  
 OP O-01356  
**Description:** Failure to repair an accessible valve within 15 days after a leak is found in Unit ID 16FUG#001.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870  
**Description:** Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about Sulfur Recovery Unit (SRU) sewer repairs and corrective actions taken for Unit ID 32SEW#002.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01998  
**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service in Unit ID 05FUG#001.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** PERMIT 20862/PSD-TX-799  
 OP O-01999

**Description:** Failure to provide two quarterly reports, for Unit ID 55TRB#GTG, within 30 days following the end of each calendar quarter as required in 40 CFR 60.334(j)(5).  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(a)  
**Rqmt Prov:** OP O-01999  
**Description:** Failure to operate two sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 67FUG#001 and 67FUG#002.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
**Rqmt Prov:** OP O-01999  
**Description:** Failure to operate five tank access hatches and gauge float wells without gasket and bolted covers for Unit ID's 47TIF#0411, 47TIF#0412, 47TIF#0413, 47TIF#1312, and 47TIF#1313.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
**Rqmt Prov:** OP O-01999  
**Description:** Failure to repair an accessible valve, for Unit ID 67FUG#002, within 15 days after a leak is found.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
**Rqmt Prov:** OP O-01999  
**Description:** Failure to tag a leaking valve, located in Unit ID 67FUG#002, following discovery of the leak.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 115, SubChapter D 115.356(2)(F)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
**Rqmt Prov:** OP O-01999  
**Description:** Failure to maintain records, for Unit ID 67FUG#002, of any audio, visual, and olfactory inspections of connectors if a leak is detected.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
**Rqmt Prov:** OP O-01999  
**Description:** Failure to monitor in each calendar quarter, with a hydrocarbon gas analyzer, the screening concentration for components in VOC service for Unit ID's 67FUG#001 and 67FUG#002.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
**Rqmt Prov:** OP O-02037  
**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP O-02037  
 Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.  
 Date: 10/31/2005 (492453)  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 04/25/2006 (456876)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870  
 OP O-01871  
 OP O-02039  
 OP O-02040  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870  
 Description: Failure to maintain the minimum oxygen level at three percent for the thermal oxidizer at Unit ID 32STK#001.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870  
 Description: Failure to route emissions from the Sulfur Truck Loading System to the Carbon Absorption System at Unit ID 32VNT\_005.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 49138  
 OP O-01871  
 Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-01871  
 Description: Failure to operate smokeless flare.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039  
 Description: Failure to maintain the tank opening, on Tank 4029, in a closed position during normal operations.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039

Description: Failure to maintain a retaining wall around the coke stockpile.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02039  
 OP O-02040

Description: Failure to conduct follow-up monitoring in April, 2005 for two leaks repaired in March, 2005. Failure to conduct follow-up monitoring in April, 2005 for four leaks repaired in March, 2005. Failure to conduct the second month follow-up monitoring in May, 2005 for three leaks repaired in March, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040

Description: Failure to operate one sample system with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040

Description: Failure to control emissions to an efficiency of at least 90 % for one hotwell.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02040

Description: Failure to monitor six pressure relief valves (PRVs) in Volatile Organic Compound (VOC) service.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02040

Description: Failure to keep quarterly records of visible emission inspections on heaters.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49134  
 OP O-02040

Description: Failure to make the first attempt of repair on a leaking valve within five days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01871

Description: Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 49134  
OP O-02040

Description: Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
OP O-01356  
OP O-01870  
OP O-02042  
OP O-02043

Description: Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly inspections for active drains.

Self Report? NO Classification: Moderate

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

Description: Failure to report deviations in the annual compliance certification reports for OP O-01870, O-01871, O-02039, and O-02040.

Date: 05/05/2006 (438988)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter R 335.513

Description: Failure to complete waste classifications on non-hazardous, industrial wastes.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter C 335.62  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

Description: Failure to complete a hazardous waste determination for each solid waste generated.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)

Rqmt Prov: PERMIT HW-50139-000

Description: Failure to provide notification of associated waste management units, wastes managed in units, and an industrial, class 2 waste stream.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)

Description: Failure to keep records of all hazardous waste and industrial solid waste activities in a format which is retrievable and easy to copy.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)

Description: Failure to maintain a record of the location of each satellite accumulation area (SAA).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(c)

Rqmt Prov: PERMIT 50139 PP V.B.3.

Description: Failure to manage hazardous wastes as authorized by permit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(b)(1)

Rqmt Prov: PERMIT II.C.1.f.

Description: Failure to maintain the hazardous waste storage area so that the base is free from cracks and gaps.

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT PP.II.C.1.f.  
PERMIT PP.II.C.2.a.

Description: Failure to develop and follow an adequate written inspection plan to prevent, detect or respond to environmental or human health hazards.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(3)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)

Rqmt Prov: PERMIT PP.II.C.1.f.  
PERMIT PP.II.C.2.c.

**Description:** Failure to maintain a list of persons qualified to act as emergency coordinator.  
**Self Report?** NO **Classification:** Minor  
**Citation:** 30 TAC Chapter 335, SubChapter F 335.163(4)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)  
**Rqmt Prov:** IHWPERMTCP PP. VI.D.1.c.  
**Description:** Failure to follow the Sampling and Analysis Plan as required by permit.  
**Date:** 07/18/2006 (480861)

**Self Report?** NO **Classification:** Minor  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
**Rqmt Prov:** OP O-02042  
**Description:** Failure to modify the Platinum Reformer (PIR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

**Self Report?** NO **Classification:** Minor  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1  
PERMIT 49135  
OP O-02042  
OP O-02043  
OP O-02044  
OP O-02047  
**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
**Rqmt Prov:** PERMIT 18277/PSD-TX-802  
PERMIT 19566/PSD-TX-768M1  
OP O-02042  
OP O-02043  
**Description:** Failure to make the first attempt of repair within five days for the following operating permits and Unit ID's: O-02042 - one component in 27FUG#001 and four components in 28FUG#001; O-02043 - two components in 19FUG#001.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1  
OP O-02042  
OP O-02044  
OP O-02047  
**Description:** Failure to conduct follow-up monitoring in April, 2005 for leaks repaired in March, 2005.

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
**Rqmt Prov:** PERMIT 46534/PSD-TX-922  
OP O-02044  
**Description:** Failure to reduce monitoring data to hourly concentrations for the Wet Gas Scrubber CEMS at least daily for thirty-four days. The Wet Gas Scrubber CEMS is

located in Unit ID 06STK\_002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02047

Description: Failure to submit the annual Stratospheric Ozone Report within 45 days after the annual applicable reporting period of January 1, 2006.

Self Report? NO Classification: Moderate

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

Description: Failure to submit the annual compliance certifications for OP O-02036, O-02043, and O-02047 within 30 days of the certification period.

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02042

Description: Failure to maintain the Platinum Reformer (PIR) 3 Regenerator pH above the regulatory limit.

Date: 08/31/2006 (528499)

Self Report? YES Classification: Moderate

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

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

Date: 10/31/2006 (551857)

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: 12/12/2006 (518157)

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02048  
OP O-02048, General Terms and Conditions  
OP O-02049  
OP O-02049, General Terms and Conditions

Description: Failure to submit the annual compliance certifications for OP O-02048 and O-02049 within 30 days of the certification period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01998  
OP O-02037  
OP O-02041  
OP O-02048  
OP O-02049

Description: Failure to submit the second 2005 semiannual 40 CFR Part 60, Subpart VV fugitive report within 60 days after the end of the applicable reporting period of December 31, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01998  
OP O-02037  
OP O-02048

Description: Failure to monitor nine components in Volatile Organic Compound (VOC) service located in Unit ID 05FUG#001, two components in VOC service located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001, and sixteen components in VOC service located in Unit ID 49FUG#001.

Self Report? NO Classification: Moderate

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02037  
 OP O-02041

**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's:  
 O-02037 - 79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and 54FUG#001; O-02041 - 1 valve in Unit ID 36FUG#001.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02037  
 OP O-02048

**Description:** Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02037 - three sample systems in 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one sample system in 49FUG#001.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02041

**Description:** Failure to conduct follow-up monitoring in April, 2005 for a leak repaired in March, 2005 for a component located in Unit ID O-02041.

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

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

**Rqmt Prov:** PERMIT 49146  
 OP O-02048

**Description:** Failure to maintain an aggregate tank vapor pressure to less than 0.5 psia at the maximum expected operating temperature between December 12, 2005 and June 11, 2006 for Tank 49TFX#0334.

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

**Citation:** 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02048  
 OP O-02049

**Description:** Failure to conduct the five year primary seal inspections for several tanks.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02048  
 OP O-02049

**Description:** Failure to repair twenty-seven components located in Unit ID 49FUG#001 and seventy-eight components located in Unit ID 50FUG#001, within 15 days after a leak is found.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.10(e)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02048  
 OP O-02049

**Description:** Failure to submit the company's Emissions Inventory within the required time-frame for Unit ID's 48FUG#001 and 50FUG#001.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 106, SubChapter K 106.262(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02048		
Description:	Failure to submit a notification within ten days following modification of a facility located in fugitive area 48FUG#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter B 115.114(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02049		
Description:	Failure to conduct the annual visual primary seal inspection for tanks 49TIF#0782, 50TIF#2133 and 50TIF#2203.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter B 115.114(a)(2) 30 TAC Chapter 115, SubChapter B 115.114(a)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02049		
Description:	Failure to conduct the semiannual visual secondary seal inspection for tank 50TEF#2211 and the annual gap measurement on the secondary seal for tanks 50TEF#2235 and 50TEF#2239.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02049		
Description:	Failure to maintain the vapor pressure for tank 49TIF#0782 below 11 pounds per square in atmosphere (psia).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 49125 PERMIT 56617 OP O-02037 OP O-02049		
Description:	Failure to switch the initial saturation canister with the second canister (polishing), and place a fresh canister as the new polishing canister within four hours of detection of breakthrough.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 56617 OP O-02037		
Description:	Failure to maintain the loading rate for diesel below 3,743 bbls/hr and Naphtha below 4,000 bbls/hr.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to report deviations in the annual compliance certification reports for OP O-02037 and O-02049.		
Date:	02/28/2007 (589096)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	03/01/2007 (538222)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
**Rqmt Prov:** OP O-01356  
**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-01999  
**Description:** Failure to make the first attempt of repair within five days for one valve located in Unit ID 47FUG#001.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-01999  
**Description:** Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system located in Unit ID 47FUG#001.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-01999  
**Description:** Failure to monitor nineteen valves in Volatile Organic Compound (VOC) service located in Unit ID 67FUG#002 and fifteen valves in VOC service located in Unit ID 67FUG#001.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-01999  
**Description:** Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-01999  
**Description:** Failure to report deviations in the appropriate deviation report and in a timely manner.  
**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-01999  
**Description:** Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.  
**Date:** 08/29/2007 (557812)

**Self Report?** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 49125  
**Description:** Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare.  
**Date:** 08/30/2007 (554099)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-01870  
 OP O-02036  
 Description: Failure to monitor a pressure relief valve (PRV) in Volatile Organic Compound (VOC) service located in Unit ID 32FUG#001 and four hundred components in VOC service located in Unit ID 61FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 49138  
 OP O-01871  
 Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-01871  
 OP O-02039  
 OP O-02040  
 Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX932  
 OP O-02036  
 Description: Failure to conduct nine weekly inspections for inactive drains located in Unit ID 61SEW#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02036  
 OP O-02040  
 Description: Failure to operate one sample system, located in Unit ID 61FUG#001, and four sample systems, located in 39FUG#001, with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Part 60, Subpart QQQ 60.698(b)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02036  
 Description: Failure to certify the New Source Performance Standards (NSPS), Subpart QQQ inspection in the semiannual report.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932

OP O-02039  
 Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02040  
 Description: Failure to replace seven rupture disks located in Unit ID 42FUG#001 within five days following a release.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(f)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02040  
 Description: Failure to provide notification of the addition of Group 1 emission points in the Notification of Compliance Status Report within 60 days following the end of the 6-month period.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02040  
 Description: Failure to control emissions to an efficiency of at least 90 % for two hotwells located in Unit ID 41FUG#001.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02040  
 Description: Failure to repair nine components, located in Unit ID's 37FUG#001 and 42FUG#001, within 15 days after discovery of a leak.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02036  
 OP O-02040  
 Description: Failure to submit the deviation reports for OP O-02036 and O-02040 within 30 days after the end of the reporting period.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-01871  
 Description: Failure to report three violations as deviations that were documented during an on-site compliance investigation (Investigation No. 456876) conducted on February 2 through 15, 2006.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 49138  
 OP O-01871  
 Description: Failure to operate the plant flares with a flame present at all times.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870  
 Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on October 11, 2006.  
 Date: 08/30/2007 (563149)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02042  
 OP O-02047

**Description:** Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service. C10 cannot be picked.

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02042  
 OP O-02043  
 OP O-02046  
 OP O-02047

**Description:** Failure to repair the following components within 15 days after a leak is found. C10 cannot be picked.

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02042  
 OP O-02043  
 OP O-02044

**Description:** Failure to monitor components in VOC service. C10 cannot be picked.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** OP O-02042

**Description:** Failure to modify the Platinum Reformer (PiR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

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

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)

**Rqmt Prov:** PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02043

**Description:** Failure to document a weekly inspection for inactive drains and two monthly inspections for active drains located in the following Unit ID 20SEW#001.

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

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

**Rqmt Prov:** OP O-02043  
 OP O-02044

**Description:** Failure to include deviations for missing NSPS QQQ inspections for January and February, 2006 within the semiannual deviation report (SDR) submitted in April, 2006 and failure to include a deviation for the January 26, 2006 Fluidized Catalytic Cracker Wet Gas Scrubber (FCCWGS) Carbon Monoxide (CO) exceedance within the SDR submitted in March, 2006.

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

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

**Rqmt Prov:** OP O-02042

Description: Failure to submit the deviation report for OP O-02042 within 30 days after the end of the reporting period.

Date: 12/18/2007 (594318)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 115, SubChapter D 115.352(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037  
OP O-02041  
OP O-02048

Description: Failure to repair the following components within 15 days after a leak is found for the following operating permits and Unit Identifications (IDs): O-02037 - five components located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02041 - five components located in Unit ID 36FUG#001; and O-02048 - twenty components located in Unit ID 49FUG#001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037  
OP O-02048  
OP O-02049

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit IDs: O-02042 - seventy-nine sample systems located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one open ended line located in Unit ID 49FUG#001; and O-02049 - two missing bull plugs located in Unit ID 50FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037

Description: Failure to operate three sample systems, located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001, with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate

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

Rqmt Prov: PERMIT 56617  
OP O-02037

Description: Failure to operate the Wharf Loading Operations, Unit ID 53LBS#001, below the permitted loading limit of 4054 barrels per hour for gasoline components on twenty- three days between January 3, 2006 and December 7, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02041

Description: Failure to monitor two hundred, eleven components in VOC service that are located in Unit ID 36FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048

Description: OP O-02049  
 Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 718 (Unit ID 49TEF#0718), Tank 1352 (Unit ID 49TEF#1352), Tank 1366 (Unit ID 49TEF#1366), and Tank 782 (Unit ID 49TIF#0782).

Self Report? NO Classification: Moderate

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

Rqmt Prov: OP O-02048

Description: Failure to submit a PI-7 prior to construction of Tank 5015 (Unit ID 49TEF#5015).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02049

Description: Failure to make the first attempt of repair within five days for three components located in Unit ID 50FUG#001.

F. Environmental audits.

Notice of Intent Date: 08/22/2005 (455176)  
 Disclosure Date: 11/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to properly identify valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to monitor components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to complete repair attempt within allotted time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to close open-ended lines.

Viol. Classification: Moderate

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

Description: Failure to properly handle purged process fluids.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to meet the requirements for difficult to monitor components.

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  
AGAINST  
EXXONMOBIL OIL  
CORPORATION,  
RN102450756

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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER**  
**DOCKET NO. 2008-0153-AIR-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ExxonMobil Oil Corporation ("ExxonMobil") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE, ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and ExxonMobil represented by George J. Rizzo, ExxonMobil Corporation Counsel and Matthew Paulson and Matthew Kuryla of the law firm of Baker Botts, L.L.P. presented this agreement to the Commission.

ExxonMobil understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, ExxonMobil agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon ExxonMobil.

The Commission makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. ExxonMobil owns and operates a petroleum refinery located at 1795 Burt Street, Beaumont, Jefferson County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review conducted on May 29 through 31, 2007, a TCEQ Beaumont Regional Office investigator documented that ExxonMobil failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004) and the Fluid Catalytic Cracking Unit Scrubber (EPN 06STK\_00) during an emissions event that began on January 12, 2007 and lasted 31 hours, releasing 45.55 tons of sulfur dioxide ("SO<sub>2</sub>"), 3,490 pounds ("lbs") of volatile organic compounds ("VOC"), 307 lbs of nitrogen oxides ("NO<sub>x</sub>"), 990 lbs of hydrogen sulfides ("H<sub>2</sub>S), and 2,219 lbs of carbon monoxide ("CO") from the Coker Flare and 26.29 tons of CO from the Fluid Catalytic Cracking Unit Scrubber.
4. During a record review conducted on May 30 through June 5, 2007, a TCEQ Beaumont Regional Office investigator documented that ExxonMobil failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004) during an emissions event that began on May 6, 2007 and lasted 34 hours and 15 minutes, releasing 83.127 tons of SO<sub>2</sub>, 7,873 lbs of VOC, 906 lbs of NO<sub>x</sub>, 1,806 lbs of H<sub>2</sub>S, and 6,544 lbs of CO.
5. During a record review conducted on May 30 through June 5, 2007, a TCEQ Beaumont Regional Office investigator documented that ExxonMobil failed to prevent unauthorized emissions from the Effluent Water Treatment System (EPN 47FUG\_001) and Tank 594 (EPN 49 TIF\_0594) during an emissions event that began on April 27, 2007 and lasted 27 hours and 30 minutes, releasing 48.4 lbs of benzene, a VOC, from the Effluent Water Treatment System and 633.66 lbs of VOC were released from Tank 594.
6. During a record review conducted on September 28 and 29, 2007, a TCEQ Beaumont Regional Office investigator documented that ExxonMobil failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004), in the Coker Unit during an emissions event (Incident No. 95371) that occurred on August 2, 2007 and lasted three hours and 50 minutes, releasing 13,796.40 lbs of SO<sub>2</sub>, 419.20 lbs of CO, 149.90 lbs of H<sub>2</sub>S, 57.70 lbs of NO<sub>x</sub>, and 644 lbs of VOC.
7. During a record review conducted on September 28 and 29, 2007, a TCEQ Beaumont Regional Office investigator documented that ExxonMobil failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004), in the Coker Unit during an emissions event (Incident No. 95960) that occurred on August 14, 2007 and lasted 12 hours and 41 minutes, releasing 33,632.20 lbs of SO<sub>2</sub>, 1,062.60 lbs of CO, 365.50 lbs of H<sub>2</sub>S, 147.10 lbs of NO<sub>x</sub>, and 1,548.35 lbs of VOC.
8. During a record review conducted on December 4 and 5, 2007, a TCEQ Beaumont Regional Office investigator documented that ExxonMobil failed to prevent unauthorized emissions

from the Coker Flare (EPN 60FLR\_004), during an emissions event that began on September 18, 2007 and lasted for 72 hours and 34 minutes, releasing 79,666 lbs of SO<sub>2</sub>, 3,750 lbs of VOC, 2,438 lbs of CO, and 865 lbs of H<sub>2</sub>S.

9. ExxonMobil received notice of the violations on or about July 26, 2007, November 29, 2007, and January 16, 2008
10. The Executive Director recognizes that ExxonMobil implemented the following corrective measures at the Plant:
  - a. By May 15, 2007, in connection with the emissions event occurring on April 27, 2007, ExxonMobil installed a software alarm for a Tk594 radar gauge to alert the console when a power outage occurs and checked other radar gauges to properly configure software alarms.
  - b. By June 14, 2008, in connection with the emissions event occurring on April 27, 2007, ExxonMobil investigated and considered use of independence low level alarms for SHE critical services.
  - c. By July 31, 2007, in connection with the emissions event occurring on May 6, 2007, ExxonMobil repaired drum cracks during the Coker Unit turnaround.
  - d. By January 31, 2007, in connection with the emissions event occurring on May 6, 2007, ExxonMobil developed a coke drum equipment strategy to plan to pro-actively manage coke drum cycles to minimize throughwall cracks.
  - e. By December 1, 2007, in connection with the emissions event occurring on January 12, 2007, ExxonMobil identified transfer trip scheme applications and labeled applications with appropriate visual cues.
  - f. By June 1, 2007, in connection with the emissions event occurring on January 12, 2007, ExxonMobil modified the procedure for disabling and testing pilot wire relay systems to pull pins at both ends, developed Reliability Spotlight to communicate the incident and importance of detailed procedures, reemphasized with design engineers and technicians the importance of developing detailed written procedures for special activities and updating procedures as conditions change.
  - g. By July 1, 2007, in connection with an emissions event occurring on January 12, 2007, ExxonMobil reviewed the abandonment procedure to test the procedure's ability to effectively disable systems to minimize the chance of

future incidents, identified high risk abandoned equipment and reviewed abandonment to determine if equipment was left in a safe condition.

- h. By February 28, 2008, in connection with an emissions event occurring on August 14, 2007, ExxonMobil evaluated abnormal conditions for loss of vacuum and tower high levels.
- i. By December 20, 2007, in connection with an emissions event occurring on August 14, 2007, ExxonMobil evaluated utilizing a status switch for the vacuum tower jet that indicates how many jets are in service.
- j. By September 1, 2007, in connection with an emissions event occurring on August 14, 2007, ExxonMobil updated the unit strategy to include managing loss of vacuum and tower high levels.
- k. By April 1, 2008, in connection with an emissions event occurring on August 2, 2007, ExxonMobil developed a procedure for performing online adjustments and maintenance to auxiliary compressor systems that included proper bypassing of the auxiliary and compressor control shutdown systems, and trained personnel regarding the new procedures.
- l. By November 30, 2007, in connection with an emissions event occurring on August 2, 2007, ExxonMobil updated the wet gas compressor startup procedure to include proper line up of the reference gas line.
- m. By December 31, 2008, in connection with an emissions event occurring on September 18, 2007, ExxonMobil incorporated Equipment Isolation and Preparation performance testing into the Process Trainee Progression.
- n. By March 31, 2008, in connection with an emissions event occurring on September 18, 2007, ExxonMobil developed Equipment Isolation and Preparation standard and conducted training for personnel.
- o. By October 4, 2007, in connection with an emissions event occurring on September 18, 2007, ExxonMobil trained affected employees on the importance of rendering motor operated valves safe prior to preparing equipment for opening.
- p. By September 30, 2008, in connection with an emissions event occurring on September 18, 2007, ExxonMobil identified and labeled Safety Critical Devices on Crude Unit "B."

- q. By July 31, 2008, in connection with an emissions event occurring on September 18, 2007, ExxonMobil verified that the Safety Critical Device testing procedure was adequate for the CUB Hot Oil Booster Pump.

### CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, ExxonMobil is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE ch. 382, and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3, ExxonMobil failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004) and the Fluid Catalytic Cracking Unit Scrubber (EPN 06STK\_00) during an emissions event that began on January 12, 2007 and lasted 31 hours, releasing 45.55 tons of SO<sub>2</sub>, 3,490 lbs of VOC, 307 lbs of NO<sub>x</sub>, 990 lbs of H<sub>2</sub>S, and 2,219 lbs of CO from the Coker Flare and 26.29 tons of CO from the Fluid Catalytic Cracking Unit Scrubber, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), Permit Nos. 19566/PSD-TX-768M1/PSD-TX-932 and 46534/PSD-TX-992, Special Condition ("SC") No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were avoidable, ExxonMobil failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
3. As evidenced by Finding of Fact No. 4, ExxonMobil failed to prevent unauthorized emissions from the Coker Flare during an emissions event that began on May 6, 2007 and lasted 34 hours and 15 minutes, releasing 83.127 tons of SO<sub>2</sub>, 7,873 lbs of VOC, 906 lbs of NO<sub>x</sub>, 1,806 lbs of H<sub>2</sub>S, and 6,544 lbs of CO, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), Permit No. 19566/PSD-TX-768M1/PSD-TX-932, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were avoidable, ExxonMobil failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
4. As evidenced by Finding of Fact No. 5, ExxonMobil failed to prevent unauthorized emissions from the Effluent Water Treatment System (EPN 47FUG\_001) and Tank 594 (EPN 49 TIF\_0594) during an emissions event that began on April 27, 2007 and lasted 27 hours and 30 minutes, releasing 48.4 lbs of benzene, a VOC, from the Effluent Water Treatment System and 633.66 lbs of VOC were released from Tank 594, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Permit No. 49146, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were avoidable, ExxonMobil failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

5. As evidenced by Finding of Fact No. 6, ExxonMobil failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004, in the Coker Unit during an emissions event (Incident No. 95371) that occurred on August 2, 2007 and lasted three hours and 50 minutes, releasing 13,796.40 lbs of SO<sub>2</sub>, 419.20 lbs of CO, 149.90 lbs of H<sub>2</sub>S, 57.70 lbs of NO<sub>x</sub>, and 644 lbs of VOC, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), New Source Review ("NSR") Permit No. 19566, SC 1, Federal Operating Permit ("FOP") No. O-01871, SC 7 and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were avoidable, ExxonMobil failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
6. As evidenced by Finding of Fact No. 7, ExxonMobil failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004, in the Coker Unit during an emissions event (Incident No. 95960) that occurred on August 14, 2007 and lasted 12 hours and 41 minutes, releasing 33,632.20 lbs of SO<sub>2</sub>, 1,062.60 lbs of CO, 365.50 lbs of H<sub>2</sub>S, 147.10 lbs of NO<sub>x</sub>, and 1,548.35 lbs of VOC, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), NSR Permit No. 19566, SC 1, FOP No. O-01871, SC 7 and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were avoidable, ExxonMobil failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
7. As evidenced by Finding of Fact No. 8, ExxonMobil failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004 during an emissions event that began on September 18, 2007 and lasted for 72 hours and 34 minutes, releasing 79,666 lbs of SO<sub>2</sub>, 3,750 lbs of VOC, 2,438 lbs of CO, and 865 lbs of H<sub>2</sub>S, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP O-01871, SC 7, and NSR Permit 19566, SC 1. Since these emissions were avoidable, ExxonMobil failed to meet the demonstrations necessary for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
8. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against ExxonMobil for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
9. An administrative penalty in the amount of one hundred six thousand six hundred dollars (\$106,600.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. ExxonMobil has paid fifty-three thousand three hundred dollars (\$53,300.00) of the administrative penalty. ExxonMobil shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. Fifty-three thousand three hundred (\$53,300.00) of the assessed administrative penalty shall be offset with the condition that ExxonMobil implement the SEP.

defined in Attachment A, incorporated herein by reference.

### ORDERING PROVISIONS

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

1. ExxonMobil is assessed an administrative penalty in the amount of one hundred six thousand six hundred dollars (\$106,600.00) as set forth in Conclusion of Law No. 9 for violations of TCEQ rules and state statutes. The payment of this administrative penalty and ExxonMobil's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: ExxonMobil Oil Corporation; Docket No. 2008-0153-AIR-E" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

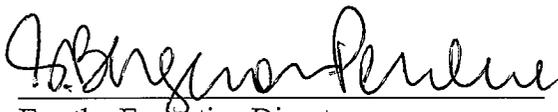
2. ExxonMobil shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. Fifty-three thousand three hundred (\$53,300.00) of the assessed administrative penalty shall be offset with the condition that ExxonMobil implement the SEP defined in Attachment A, incorporated herein by reference. ExxonMobil's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon ExxonMobil.
4. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to ExxonMobil if the Executive Director determines that ExxonMobil has not complied with one or more of the terms or conditions in this Agreed Order.
5. 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.

6. This Agreed Order, issued by the Commission, shall not be admissible against ExxonMobil 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 Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date is the date of hand-delivery of the Order to ExxonMobil, or three days after the date on which the Commission mails notice of the Order to ExxonMobil, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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



\_\_\_\_\_  
For the Executive Director

7/10/2009

\_\_\_\_\_  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of ExxonMobil Oil Corporation ("Exxon Mobil"). I represent that I am authorized to agree to the attached Agreed Order on behalf of ExxonMobil, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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

- A negative impact on ExxonMobil's compliance history;
- Greater scrutiny of any permit applications submitted by ExxonMobil;
- 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 against ExxonMobil;
- Automatic referral to the Attorney General's Office of any future enforcement actions against Exxon Mobil; and
- TCEQ seeking other relief as authorized by law.

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

  
\_\_\_\_\_  
Signature

5/5/09  
\_\_\_\_\_  
Date

Daniel Risso  
\_\_\_\_\_  
Name (printed or typed)  
Authorized Representative  
ExxonMobil Oil Corporation

Agent and Attorney-In-Fact  
\_\_\_\_\_  
Title

**Attachment A**  
**Docket Number: 2008-0153-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** ExxonMobil Oil Corporation

**Penalty Amount:** One hundred six thousand six hundred dollars (\$106,600)

**SEP Offset Amount:** Fifty-three thousand three hundred dollars (\$53,300)

**Type of SEP:** Pre-approved SEP

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

**Location of SEP:** Jefferson County

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

**1. Project Description**

A. Project

Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to Jefferson County *Retrofit/Replace Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles* in Jefferson County as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, SEP funds will be used to pay for the incremental costs to purchase alternative fueled equipment such as propane or electric powered lawn mowers, propane-powered light duty and heavy equipment, and alternative-fueled vehicles, and retire diesel- and gasoline-powered equipment and vehicles. The retired vehicles and equipment will not be resold as working vehicles, but will only be sold for scrap. This project will be administered in accordance with federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations. The Respondent certifies that it has no prior commitment to do make this contribution and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by retiring high-emission vehicles and equipment from service. The project will reduce air emissions generated by gasoline and diesel powered lawnmowers, heavy equipment, and vehicles in the Beaumont/Port Arthur ozone non-attainment area. Such emissions contribute to ozone pollution in this state.

C. Minimum Expenditure

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

**2. Performance Schedule**

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

The Honorable Ron Walker  
Jefferson County Judge  
1149 Pearl Avenue, 7<sup>th</sup> Floor  
Beaumont, TX 77701

**3. Records and Reporting**

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

Litigation Division  
Attention: SEP Coordinator, MC 175  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**4. Failure to Fully Perform**

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

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Texas Commission on Environmental Quality  
Office of Legal Services  
Attention: SEP Coordinator, MC 175  
P.O. Box 13088  
Austin, Texas 78711-3088

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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