

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER** Page 1 of 4  
**DOCKET NO.:** 2008-1092-AIR-E **TCEQ ID:** RN100211879 **CASE NO.:** 36156  
**RESPONDENT NAME:** Shell Oil Company and Shell Chemical LP

<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 AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Shell Oil Deer Park, 5900 Highway 225 East, Deer Park, Harris County</p> <p><b>TYPE OF OPERATION:</b> Chemical manufacturing plant and 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 two additional pending enforcement actions regarding this facility location, Docket Nos. 2008-1621-AIR-E and 2008-1925-AIR-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondents has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on April 13, 2009. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732  <b>TCEQ Enforcement Coordinator:</b> Mr. Kirk Schoppe, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-0489; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387  <b>Respondent:</b> Mr. Steve Hansen, Manager, Environmental Affairs, Shell Oil Company and Shell Chemical LP, 5900 Highway 225, Deer Park, Texas 77536  Mr. Aamir Farid, General Manager, Shell Oil Company and Shell Chemical LP, 5900 Highway 225, Deer Park, Texas 77536  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> April 3, May 5, May 16, June 3, June 11, 2008 and November 7, 2007</p> <p><b>Date of NOV/NOE Relating to this Case:</b> May 16 and 22, June 13 and June 26, and July 23, 2008 (NOE)</p> <p><b>Background Facts:</b> These were routine investigations.</p> <p><b>AIR</b></p> <p>1) Failure to prevent unauthorized emissions. Specifically, an emissions event occurred due to a faulty water boot level indicator on February 12, 2008 at the Distillation 2 Unit Column C-5102 that lasted for five minutes resulting in the release of 1,811.99 pounds ("lbs") of volatile organic compounds ("VOCs") and 2.96 lbs of hydrogen sulfide ("H2S"). Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, an emissions event occurred due to the tripping of Sulfur Unit seven on February 15, 2008 at the East Property Flare that lasted for two hours and four minutes resulting in the release of 295.53 lbs of VOCs, 47.40 lbs of H2S, 262.70 lbs of carbon monoxide ("CO"), 51.60 lbs of nitrogen oxides ("NOx"), 3.80 lbs of particulate matter ("PM"), and 4,371.80 lbs of sulfur dioxide ("SO2"). Since sufficient information was not provided as to the cause of the event,</p>	<p><b>Total Assessed:</b> \$71,900</p> <p><b>Total Deferred:</b> \$0  <input type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$35,950</p> <p><b>Total Paid to General Revenue:</b> \$35,950</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 Orders Justification:</b> This case involves unauthorized emissions which have been deemed excessive.</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondents have implemented the following corrective measures at the Plants:</p> <p>a. On February 28, 2008, Shell Oil Company replaced the faulty electrical components from Sulfur Recovery Units No. 6 and No. 7 to address the February 15, 2008 emissions event, and to prevent recurrence of same or similar incidents;</p> <p>b. By April 4, 2008, Shell Chemical LP lowered the proactive monitoring setpoint and tuned acetylene converter outlet flare valve to address the March 7, 2008 emissions event, and to prevent recurrence of same or similar incidents;</p> <p>c. By May 8, 2008, Shell Oil Company reviewed expectations and monitoring requirements for all unit alarms with emphasis on startup and shutdown activities with operating personnel, and converted hand switch 1099 and 278 to pressure control valves in order to address the February 12, 2008 emissions event, and to prevent recurrence of same or similar incidents;</p> <p>d. On August 26, 2008, Shell Oil Company submitted the Corrective Action Plan ("CAP") in response to the Excessive Emissions Event letter dated June 30, 2008, in order to address the August 18 through 30, 2007 excessive emissions event and to prevent recurrence of same or similar incidents;</p> <p>e. By October 20, 2008, Shell Oil Company reviewed guidelines for Naphtha draw with Coker control operators and installed a critical priority alarm to the coker frac accumulator drum, in order to address the March 17, 2008 emissions event and to prevent recurrence of same or similar incidents;</p> <p>f. By October 26, 2008, Shell Chemical LP reviewed guidelines for bypass capacities and impact awareness with operating personnel, updated the sulfur curtailment</p>

the emissions event did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3) Failure to prevent unauthorized emissions. Specifically, an emissions event occurred due to low feed flow rates to the Acetylene Converter on March 7, 2008 at the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare that lasted for four hours resulting in the aggregate release of 1,905 lbs of VOCs, nine lbs of H<sub>2</sub>S, 2,436 lbs of CO, 339 lbs of NO<sub>x</sub>, and 912 lbs of SO<sub>2</sub>. Since this emissions event was due to operator error, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), New Source Review ("NSR") Permit No. 3219/PSD-TX-974, Special Condition No. 6, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4) Failure to prevent unauthorized emissions. Specifically, an emissions event occurred due to the tripping of the wet gas compressor on March 17, 2008 at the Coker Flare that lasted for five hours and 54 minutes resulting in the release of 850.36 lbs of VOCs, 277.48 lbs of H<sub>2</sub>S, 2,006.34 lbs of CO, 277.78 lbs of NO<sub>x</sub>, 22.09 lbs of PM, and 26,054.61 lbs of SO<sub>2</sub>. Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5) Failure to prevent unauthorized emissions. Specifically, an excessive emissions event which occurred due to heavy rain accumulation on a floating tank roof occurred from August 18 through 30, 2007 at Storage Tank TA319 that lasted for 284 hours and 15 minutes resulting in the release of 26,531 lbs of VOCs, including 4,510 lbs of highly reactive VOCs, and 104 lbs of H<sub>2</sub>S. Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative

operating procedures, and created a red tag drill simulating curtailment exercises to improve response time of all units on the curtailment list, in order to address the April 23, 2008 emissions event and to prevent recurrence of same or similar incidents; and

g. On December 1, 2008, Shell Oil Company received approval of the CAP submitted on August 26, 2008, and its implementation from the Houston Region in order to address the August 18 through 30, 2007 excessive emissions event and to prevent recurrence of same or similar incidents.

**Ordering Provisions:**

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

defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6) Failure to prevent unauthorized emissions. Specifically, an emissions event occurred due to reduced supply of boiler feedwater to the deaerator on April 23, 2008 at Olefins 3 Elevated Flare that lasted for 35 minutes resulting in the release of 66.50 lbs of H<sub>2</sub>S, 10.90 lbs of CO, 1.50 lbs of NO<sub>x</sub>, and 6,133 lbs of SO<sub>2</sub>. Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), NSR Permit No. 3219/PSD-TX-974, Special Condition No. 6, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Additional ID No(s):: HG0659W

Attachment A

Docket Number: 2008-1092-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondents:** Shell Oil Company and Shell Chemical LP

**Payable Penalty Amount:** Seventy-One Thousand Nine Hundred Dollars (\$71,900)

**SEP Amount:** Thirty-Five Thousand Nine Hundred Fifty Dollars (\$35,950)

**Type of SEP:** Pre-approved

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

**Location of SEP:** Harris County

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

**1. Project Description**

A. Project

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

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



B. Environmental Benefit

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

C. Minimum Expenditure

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

**2. Performance Schedule**

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

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

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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



Shell Oil Company and Shell Chemical LP  
Agreed Order B Attachment A

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

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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	17-Jun-2008			
	<b>PCW</b>	24-Jun-2008	<b>Screening</b>	24-Jun-2008	<b>EPA Due</b> 7-Mar-2009

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Shell Oil Company and Shell Chemical LP		
<b>Reg. Ent. Ref. No.</b>	RN100211879		
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	36156	<b>No. of Violations</b>	6
<b>Docket No.</b>	2008-1092-AIR-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Bryan Elliott
		<b>EC's Team</b>	Enforcement Team 4
<b>Admin. Penalty \$ Limit</b>	<b>Minimum</b> \$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$32,500
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	338.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$109,850
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**Notes:** Penalty enhancement due to 35 NOVs for same or similar violations, 39 NOVs for unrelated violations, four 1660 style orders, two findings orders, and one court order with a denial of liability. Penalty reduction due to 44 NOAs, 8 DOVs, one EMS, and the participation in a voluntary pollution reduction program.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$3,125
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts \$236  
 Approx. Cost of Compliance \$9,000  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$139,225
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

**Notes:**

<b>Final Penalty Amount</b>	\$139,225
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$71,900
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<b>DEFERRAL</b>	0.0% Reduction	<b>Adjustment</b>	\$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>	\$71,900
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Screening Date 24-Jun-2008

Docket No. 2008-1092-AIR-E

PCW

Respondent Shell Oil Company and Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 36156

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Bryan Elliott

## 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)	35	175%
	Other written NOVs	39	78%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	44	-44%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	8	-16%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	Yes	-5%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 338%

## &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 35 NOVs for same or similar violations, 39 NOVs for unrelated violations, four 1660 style orders, two findings orders, and one court order with a denial of liability. Penalty reduction due to 44 NOAs, 8 DOVs, one EMS, and the participation in a voluntary pollution reduction program.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 338%

<b>Screening Date</b> 24-Jun-2008	<b>Docket No.</b> 2008-1092-AIR-E	<b>PCW</b>												
<b>Respondent</b> Shell Oil Company and Shell Chemical LP		<i>Policy Revision 2 (September 2002)</i>												
<b>Case ID No.</b> 36156		<i>PCW Revision June 12, 2008</i>												
<b>Reg. Ent. Reference No.</b> RN100211879														
<b>Media [Statute]</b> Air														
<b>Enf. Coordinator</b> Bryan Elliott														
<b>Violation Number</b> <input type="text" value="1"/>														
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD TX-928, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)													
<b>Violation Description</b>	Failed to prevent unauthorized emissions, as documented during an investigation conducted on May 5, 2008. Specifically, an emissions event occurred due to a faulty water boot level indicator on February 12, 2008 at the Distillation 2 Unit Column C-5102 that lasted for five minutes resulting in the release of 1,811.99 pounds ("lbs") of volatile organic compounds ("VOCs") and 2.96 lbs of hydrogen sulfide ("H2S"). Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.													
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>												
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>														
OR	<b>Release</b>	<b>Harm</b>												
		Major      Moderate      Minor												
	Actual	<input type="text"/> <input type="text"/> <input checked="" type="text" value="x"/>												
	Potential	<input type="text"/> <input type="text"/> <input type="text"/>												
		<b>Percent</b> <input type="text" value="25%"/>												
<b>&gt;&gt; Programmatic Matrix</b>														
	<b>Falsification</b>	<b>Major</b>												
		Moderate      Minor												
	<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 was exposed to insignificant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.													
	<b>Adjustment</b>	<input type="text" value="\$7,500"/>												
		<input type="text" value="\$2,500"/>												
<b>Violation Events</b>														
	<b>Number of Violation Events</b> <input type="text" value="1"/>	<input type="text" value="1"/> <b>Number of violation days</b>												
<i>mark only one with an x</i>	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input checked="" type="text" value="x"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input checked="" type="text" value="x"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$2,500"/>
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input checked="" type="text" value="x"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text"/>													
	One quarterly event is recommended.													
<b>Good Faith Efforts to Comply</b>	<input type="text" value="25.0%"/> Reduction	<input type="text" value="\$625"/>												
	Before NOV      NOV to EDPRP/Settlement Offer													
Extraordinary	<input type="text"/>													
Ordinary	<input checked="" type="text" value="x"/>													
N/A	<input type="text"/> (mark with x)													
<b>Notes</b>	The Respondent came into compliance by May 8, 2008.													
	<b>Violation Subtotal</b>	<input type="text" value="\$1,875"/>												
<b>Economic Benefit (EB) for this violation</b>														
	<b>Statutory Limit Test</b>													
<b>Estimated EB Amount</b> <input type="text" value="\$18"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$10,325"/>												
	<b>This violation Final Assessed Penalty (adjusted for limits)</b>	<input type="text" value="\$10,000"/>												

### Economic Benefit Worksheet

**Respondent:** Shell Oil Company and Shell Chemical LP

**Case ID No.:** 36156

**Reg. Ent. Reference No.:** RN100211879

**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				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	12-Feb-2008	8-May-2008	0.24	\$18	n/a	\$18

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

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

<b>Approx. Cost of Compliance</b>	\$1,500	<b>TOTAL</b>	\$18
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<b>Screening Date</b> 24-Jun-2008	<b>Docket No.</b> 2008-1092-AIR-E	<b>PCW</b>		
<b>Respondent</b> Shell Oil Company and Shell Chemical LP	<small>Policy Revision 2 (September 2002)</small>			
<b>Case ID No.</b> 36156	<small>PCW Revision June 12, 2008</small>			
<b>Reg. Ent. Reference No.</b> RN100211879				
<b>Media [Statute]</b> Air				
<b>Enf. Coordinator</b> Bryan Elliott				
<b>Violation Number</b> <input type="text" value="2"/>				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions, as documented during an investigation conducted on May 16, 2008. Specifically, an emissions event occurred due to the tripping of Sulfur Unit seven on February 15, 2008 at the East Property Flare that lasted for two hours and four minutes resulting in the release of 295.53 lbs of VOCs, 47.40 lbs of H <sub>2</sub> S, 262.70 lbs of carbon monoxide ("CO"), 51.60 lbs of nitrogen oxides ("NOx"), 3.80 lbs of particulate matter ("PM"), and 4,371.80 lbs of sulfur dioxide ("SO <sub>2</sub> "). Since sufficient information was not provided as to the cause of the event, the emissions event did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.			
<b>Base Penalty</b>		<input type="text" value="\$10,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
OR	<b>Harm</b>			
	Major	Moderate	Minor	
	Actual <input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	
	Potential <input type="text"/>	<input type="text"/>	<input type="text"/>	
<b>Percent</b>		<input type="text" value="50%"/>		
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
	<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 was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.			
<b>Adjustment</b>		<input type="text" value="\$5,000"/>		
		<input type="text" value="\$5,000"/>		
<b>Violation Events</b>				
<b>Number of Violation Events</b>		<input type="text" value="1"/>	<b>Number of violation days</b>	
		<input type="text" value="1"/>		
<small>mark only one with an x</small>	daily	<input type="text"/>	<b>Violation Base Penalty</b>	
	monthly	<input checked="" type="checkbox"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
<input type="text" value="\$5,000"/>				
<input type="text" value="One monthly event is recommended."/>				
<b>Good Faith Efforts to Comply</b>				
<b>25.0% Reduction</b>		<input type="text" value="\$1,250"/>		
<small>Before NOV    NOV to EDRP/Settlement Offer</small>				
Extraordinary	<input type="text"/>	<input type="text"/>		
Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>		
N/A	<input type="text"/>	<small>(mark with x)</small>		
<b>Notes</b>	The Respondent came into compliance on February 28, 2008.			
<b>Violation Subtotal</b>		<input type="text" value="\$3,750"/>		
<b>Economic Benefit (EB) for this violation</b>				
<b>Statutory Limit Test</b>				
<b>Estimated EB Amount</b>	<input type="text" value="\$3"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$20,650"/>	
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			<input type="text" value="\$10,000"/>	

## Economic Benefit Worksheet

**Respondent** Shell Oil Company and Shell Chemical LP

**Case ID No.** 36156

**Reg. Ent. Reference No.** RN100211879

**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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**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	15-Feb-2008	28-Feb-2008	0.04	\$3	n/a	\$3

**Notes for DELAYED costs**

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

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**

\$1,500

**TOTAL**

\$3

<b>Screening Date</b> 24-Jun-2008	<b>Docket No.</b> 2008-1092-AIR-E	<b>PCW</b>		
<b>Respondent</b> Shell Oil Company and Shell Chemical LP		<i>Policy Revision 2 (September 2002)</i>		
<b>Case ID No.</b> 36156		<i>PCW Revision June 12, 2008</i>		
<b>Reg. Ent. Reference No.</b> RN100211879				
<b>Media [Statute]</b> Air				
<b>Enf. Coordinator</b> Bryan Elliott				
<b>Violation Number</b> <input type="text" value="3"/>				
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), New Source Review ("NSR") Permit No. 3219/PSD-TX-974, Special Condition No. 6, and Tex. Health & Safety Code § 382.085(b)			
<b>Violation Description</b>	Failed to prevent unauthorized emissions, as documented during an investigation conducted on April 3, 2008. Specifically, an emissions event occurred due to low feed flow rates to the Acetylene Converter on March 7, 2008 at the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare that lasted for four hours resulting in the aggregate release of 1,905 lbs of VOCs, nine lbs of H2S, 2,436 lbs of CO, 339 lbs of NOx, and 912 lbs of SO2. Since this emissions event was due to operator error, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.			
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
<b>OR</b>	<b>Harm</b>			
	<b>Release</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>
	<b>Actual</b>	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>
	<b>Potential</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>
			<b>Percent</b>	<input type="text" value="50%"/>
<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 was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.			
	<b>Adjustment</b>	<input type="text" value="\$5,000"/>		
		<input type="text" value="\$5,000"/>		
<b>Violation Events</b>				
	<b>Number of Violation Events</b>	<input type="text" value="1"/>	<b>Number of violation days</b>	<input type="text" value="1"/>
	<i>mark only one with an x</i>	daily	<input type="text"/>	
		monthly	<input checked="" type="checkbox"/>	
		quarterly	<input type="text"/>	
		semiannual	<input type="text"/>	
		annual	<input type="text"/>	
		single event	<input type="text"/>	
			<b>Violation Base Penalty</b>	<input type="text" value="\$5,000"/>
One monthly event is recommended.				
<b>Good Faith Efforts to Comply</b>		<b>25.0%</b> Reduction	<input type="text" value="\$1,250"/>	
		<small>Before NOV</small>	<small>NOV to EDPRP/Settlement Offer</small>	
	<b>Extraordinary</b>	<input type="text"/>	<input type="text"/>	
	<b>Ordinary</b>	<input checked="" type="checkbox"/>	<input type="text"/>	
	<b>N/A</b>	<input type="text"/>	<small>(mark with x)</small>	
	<b>Notes</b>	The Respondent came into compliance by April 4, 2008.		
		<b>Violation Subtotal</b>	<input type="text" value="\$3,750"/>	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>		
	<b>Estimated EB Amount</b>	<input type="text" value="\$4"/>	<b>Violation Final Penalty Total</b>	<input type="text" value="\$20,650"/>
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$10,000"/>		

## Economic Benefit Worksheet

**Respondent** Shell Oil Company and Shell Chemical LP  
**Case ID No.** 36156  
**Reg. Ent. Reference No.** RN100211879  
**Media** Air  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	7-Mar-2008	4-Apr-2008	0.08	\$4	n/a	\$4

Notes for DELAYED costs

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

### Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

**TOTAL**

\$4

<b>Screening Date</b> 24-Jun-2008	<b>Docket No.</b> 2008-1092-AIR-E	<b>PCW</b>												
<b>Respondent</b> Shell Oil Company and Shell Chemical LP		<small>Policy Revision 2 (September 2002)</small>												
<b>Case ID No.</b> 36156		<small>PCW Revision June 12, 2008</small>												
<b>Reg. Ent. Reference No.</b> RN100211879														
<b>Media [Statute]</b> Air														
<b>Enf. Coordinator</b> Bryan Elliott														
<b>Violation Number</b> 4														
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)													
<b>Violation Description</b>	Failed to prevent unauthorized emissions, as documented during an investigation conducted on June 3, 2008. Specifically, an emissions event occurred due to the tripping of the wet gas compressor on March 17, 2008 at the Coker Flare that lasted for five hours and 54 minutes resulting in the release of 850.36 lbs of VOCs, 277.48 lbs of H2S, 2,006.34 lbs of CO, 277.78 lbs of NOx, 22.09 lbs of PM, and 26,054.61 lbs of SO2. Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.													
	<b>Base Penalty</b>	\$10,000												
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>														
OR	<b>Harm</b>													
	Release	Major    Moderate    Minor												
	Actual	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>												
	Potential	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>												
		<b>Percent</b> <input type="text" value="100%"/>												
<b>&gt;&gt; Programmatic Matrix</b>														
	<b>Falsification</b>	Major    Moderate    Minor												
	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>												
		<b>Percent</b> <input type="text" value="0%"/>												
<b>Matrix Notes</b>	Human health or the environment was exposed to significant amounts of pollutants which did exceed levels protective of human health or environmental receptors as a result of the violation.													
	<b>Adjustment</b>	\$0												
		<b>\$10,000</b>												
<b>Violation Events</b>														
	<b>Number of Violation Events</b> <input type="text" value="1"/>	<input type="text" value="1"/> <b>Number of violation days</b>												
<small>mark only one with an x</small>	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td style="text-align: center;"><input checked="" type="checkbox"/></td></tr> <tr><td>monthly</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>quarterly</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>semiannual</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>annual</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>single event</td><td style="text-align: center;"><input type="checkbox"/></td></tr> </table>	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"/>	<b>Violation Base Penalty</b> <input type="text" value="\$10,000"/>
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"/>													
	One daily event is recommended.													
<b>Good Faith Efforts to Comply</b>														
	<b>0.0%</b> Reduction	<b>\$0</b>												
	<small>Before NOV    NOV to EDCRP/Settlement Offer</small>													
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>												
Ordinary	<input type="checkbox"/>	<input type="checkbox"/>												
N/A	<input checked="" type="checkbox"/>	<small>(mark with x)</small>												
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.													
	<b>Violation Subtotal</b>	\$10,000												
<b>Economic Benefit (EB) for this violation</b>														
	<b>Estimated EB Amount</b> <input type="text" value="\$45"/>	<b>Statutory Limit Test</b>												
		<b>Violation Final Penalty Total</b> <input type="text" value="\$43,800"/>												
	<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$10,000"/>													

## Economic Benefit Worksheet

**Respondent:** Shell Oil Company and Shell Chemical LP  
**Case ID No.:** 36156  
**Reg. Ent. Reference No.:** RN100211879  
**Media:** Air  
**Violation No.:** 4

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	17-Mar-2008	20-Oct-2008	0.59	\$45	n/a	\$45

Notes for DELAYED costs

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

### Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$45

<b>Screening Date</b> 24-Jun-2008	<b>Docket No.</b> 2008-1092-AIR-E	<b>PCW</b>												
<b>Respondent</b> Shell Oil Company and Shell Chemical LP		<i>Policy Revision 2 (September 2002)</i>												
<b>Case ID No.</b> 36156		<i>PCW Revision June 12, 2008</i>												
<b>Reg. Ent. Reference No.</b> RN100211879														
<b>Media [Statute]</b> Air														
<b>Enf. Coordinator</b> Bryan Elliott														
<b>Violation Number</b> <input type="text" value="5"/>														
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)													
<b>Violation Description</b>	Failed to prevent unauthorized emissions, as documented during an investigation conducted on November 7, 2007. Specifically, an excessive emissions event which occurred due to heavy rain accumulation on a floating tank roof occurred from August 18 through 30, 2007 at Storage Tank TA319 that lasted for 284 hours and 15 minutes resulting in the release of 26,531 lbs of VOCs, including 4,510 lbs of highly reactive VOCs, and 104 lbs of H2S. Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.													
	<b>Base Penalty</b>	<input type="text" value="\$10,000"/>												
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>														
OR	<b>Harm</b>													
	Release    Major    Moderate    Minor													
	Actual <input type="text"/> <input checked="" type="text"/> <input type="text"/>	<b>Percent</b> <input type="text" value="50%"/>												
Potential <input type="text"/> <input type="text"/> <input type="text"/>														
<b>&gt;&gt; Programmatic Matrix</b>														
	<b>Falsification</b> Major    Moderate    Minor													
	<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 was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.													
	<b>Adjustment</b>	<input type="text" value="\$5,000"/>												
		<input type="text" value="\$5,000"/>												
<b>Violation Events</b>														
	<b>Number of Violation Events</b> <input type="text" value="1"/>	<input type="text" value="12"/> <b>Number of violation days</b>												
<i>mark only one with an x</i>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input checked="" type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input checked="" type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	<b>Violation Base Penalty</b> <input type="text" value="\$5,000"/>
daily	<input type="text"/>													
monthly	<input checked="" type="text"/>													
quarterly	<input type="text"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input type="text"/>													
	One monthly event is recommended.													
<b>Good Faith Efforts to Comply</b>														
	<input type="text" value="0.0%"/> <b>Reduction</b>	<input type="text" value="\$0"/>												
	Before NOV    NOV to EDRP/Settlement Offer													
Extraordinary	<input type="text"/>	<input type="text"/>												
Ordinary	<input type="text"/>	<input type="text"/>												
N/A	<input checked="" type="text"/>	(mark with x)												
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.													
	<b>Violation Subtotal</b>	<input type="text" value="\$5,000"/>												
<b>Economic Benefit (EB) for this violation</b>														
	<b>Estimated EB Amount</b> <input type="text" value="\$129"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$21,900"/>												
	<b>Statutory Limit Test</b>													
	<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$21,900"/>													

## Economic Benefit Worksheet

**Respondent** Shell Oil Company and Shell Chemical LP

**Case ID No.** 36156

**Reg. Ent. Reference No.** RN100211879

**Media** Air

**Violation No.** 5

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

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	18-Aug-2007	1-Dec-2008	1.29	\$129	n/a	\$129

Notes for DELAYED costs

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

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

**TOTAL**

\$129

<b>Screening Date</b> 24-Jun-2008	<b>Docket No.</b> 2008-1092-AIR-E	<b>PCW</b>	
<b>Respondent</b> Shell Oil Company and Shell Chemical LP		<small>Policy Revision 2 (September 2002)</small>	
<b>Case ID No.</b> 36156		<small>PCW Revision June 12, 2008</small>	
<b>Reg. Ent. Reference No.</b> RN100211879			
<b>Media [Statute]</b> Air			
<b>Enf. Coordinator</b> Bryan Elliott			
<b>Violation Number</b>	6		
<b>Rule Cite(s)</b>	30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), NSR Permit No. 3219/PSD-TX-974, Special Condition No. 6, and Tex. Health & Safety Code § 382.085(b)		
<b>Violation Description</b>	Failed to prevent unauthorized emissions, as documented during an investigation conducted on June 11, 2008. Specifically, an emissions event occurred due to reduced supply of boiler feedwater to the deaerator on April 23, 2008 at Olefins 3 Elevated Flare that lasted for 35 minutes resulting in the release of 66.50 lbs of H2S, 10.90 lbs of CO, 1.50 lbs of NOx, and 6,133 lbs of SO2. Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.		
<b>Base Penalty</b>		\$10,000	
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>			
OR	<b>Release</b>	<b>Harm</b>	
		Major      Moderate      Minor	
	Actual	x	
	Potential		
		<b>Percent</b>	50%
<b>&gt;&gt; Programmatic Matrix</b>			
	<b>Falsification</b>	<b>Major</b>	<b>Moderate</b>
			<b>Minor</b>
		<b>Percent</b>	0%
<b>Matrix Notes</b>	Human health or the environment was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.		
<b>Adjustment</b>		\$5,000	
		\$5,000	
<b>Violation Events</b>			
	1	1	Number of violation days
<small>mark only one with an x</small>	daily		
	monthly	x	
	quarterly		
	semiannual		
	annual		
	single event		
		<b>Violation Base Penalty</b>	\$5,000
One monthly event is recommended.			
<b>Good Faith Efforts to Comply</b>		0.0% Reduction	\$0
		Before NOV      NOV to EDRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	x	(mark with x)	
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.		
<b>Violation Subtotal</b>		\$5,000	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>	
<b>Estimated EB Amount</b>	\$38	<b>Violation Final Penalty Total</b>	\$21,900
		<b>This violation Final Assessed Penalty (adjusted for limits)</b>	\$10,000

### Economic Benefit Worksheet

**Respondent:** Shell Oil Company and Shell Chemical LP  
**Case ID No.:** 36156  
**Reg. Ent. Reference No.:** RN100211879  
**Media:** Air  
**Violation No.:** 6

<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				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	23-Apr-2008	26-Oct-2008	0.51	\$38	n/a	\$38

Notes for DELAYED costs

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

**Avoided Costs**

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

**TOTAL**

\$38

## Compliance History

Customer/Respondent/Owner-Operator:

CN601542012 Shell Oil Company

Classification: AVERAGE

Rating: 5.74

Regulated Entity:

RN100211879 SHELL OIL DEER PARK

Classification: AVERAGE

Site Rating: 4.03

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0659W
AIR OPERATING PERMITS	PERMIT	1669
AIR OPERATING PERMITS	PERMIT	1668
AIR OPERATING PERMITS	PERMIT	1940
AIR OPERATING PERMITS	PERMIT	1941
AIR OPERATING PERMITS	PERMIT	1942
AIR OPERATING PERMITS	PERMIT	1943
AIR OPERATING PERMITS	PERMIT	1945
AIR OPERATING PERMITS	PERMIT	1946
AIR OPERATING PERMITS	PERMIT	1947
AIR OPERATING PERMITS	PERMIT	1948
AIR OPERATING PERMITS	PERMIT	2108
AIR OPERATING PERMITS	PERMIT	3179
WASTEWATER	PERMIT	WQ0000402000
WASTEWATER	PERMIT	TPDES0004863
WASTEWATER	PERMIT	TX0004863
WASTEWATER	PERMIT	WQ0000403000
WASTEWATER	PERMIT	TPDES0004871
WASTEWATER	EPA ID	TX0004871
AIR NEW SOURCE PERMITS	PERMIT	21262
AIR NEW SOURCE PERMITS	REGISTRATION	54895
AIR NEW SOURCE PERMITS	REGISTRATION	55312
AIR NEW SOURCE PERMITS	REGISTRATION	76382
AIR NEW SOURCE PERMITS	REGISTRATION	75524
AIR NEW SOURCE PERMITS	REGISTRATION	55730
AIR NEW SOURCE PERMITS	REGISTRATION	55869
AIR NEW SOURCE PERMITS	REGISTRATION	76315
AIR NEW SOURCE PERMITS	PERMIT	6949
AIR NEW SOURCE PERMITS	PERMIT	7855
AIR NEW SOURCE PERMITS	PERMIT	9856
AIR NEW SOURCE PERMITS	PERMIT	11177
AIR NEW SOURCE PERMITS	PERMIT	12152
AIR NEW SOURCE PERMITS	PERMIT	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	PERMIT	13713
AIR NEW SOURCE PERMITS	PERMIT	16429
AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	7621
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	PERMIT	10888
AIR NEW SOURCE PERMITS	PERMIT	11096
AIR NEW SOURCE PERMITS	PERMIT	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	PERMIT	12829
AIR NEW SOURCE PERMITS	PERMIT	13678
AIR NEW SOURCE PERMITS	PERMIT	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	PERMIT	9505
AIR NEW SOURCE PERMITS	PERMIT	15262
AIR NEW SOURCE PERMITS	PERMIT	15365
AIR NEW SOURCE PERMITS	PERMIT	15499
AIR NEW SOURCE PERMITS	PERMIT	15940
AIR NEW SOURCE PERMITS	PERMIT	18209
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	18738
AIR NEW SOURCE PERMITS	PERMIT	18768
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	PERMIT	23273
AIR NEW SOURCE PERMITS	PERMIT	24096
AIR NEW SOURCE PERMITS	PERMIT	24874
AIR NEW SOURCE PERMITS	PERMIT	26368
AIR NEW SOURCE PERMITS	PERMIT	27598
AIR NEW SOURCE PERMITS	PERMIT	29597
AIR NEW SOURCE PERMITS	PERMIT	32282
AIR NEW SOURCE PERMITS	PERMIT	33524
AIR NEW SOURCE PERMITS	PERMIT	34230
AIR NEW SOURCE PERMITS	PERMIT	34358
AIR NEW SOURCE PERMITS	PERMIT	35243
AIR NEW SOURCE PERMITS	PERMIT	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	96
AIR NEW SOURCE PERMITS	PERMIT	97
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	747

AIR NEW SOURCE PERMITS	PERMIT	748
AIR NEW SOURCE PERMITS	PERMIT	920
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2697
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3177
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4406
AIR NEW SOURCE PERMITS	PERMIT	4596
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	PERMIT	41920
AIR NEW SOURCE PERMITS	PERMIT	41875
AIR NEW SOURCE PERMITS	PERMIT	42221
AIR NEW SOURCE PERMITS	PERMIT	42573
AIR NEW SOURCE PERMITS	PERMIT	42512
AIR NEW SOURCE PERMITS	PERMIT	43605
AIR NEW SOURCE PERMITS	PERMIT	42118
AIR NEW SOURCE PERMITS	PERMIT	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	PERMIT	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	PERMIT	47575
AIR NEW SOURCE PERMITS	PERMIT	70613
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	PERMIT	70903
AIR NEW SOURCE PERMITS	PERMIT	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	PERMIT	54061
AIR NEW SOURCE PERMITS	PERMIT	50548
AIR NEW SOURCE PERMITS	PERMIT	52565
AIR NEW SOURCE PERMITS	PERMIT	52089
AIR NEW SOURCE PERMITS	PERMIT	52088
AIR NEW SOURCE PERMITS	PERMIT	50388
AIR NEW SOURCE PERMITS	PERMIT	50423

AIR NEW SOURCE PERMITS	PERMIT	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX961
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	84538
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
WASTEWATER LICENSING	LICENSE	WQ0000402000
WATER LICENSING	LICENSE	1010320
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK	REGISTRATION	32780

REGISTRATION  
 Location: 5900 HWY 225 E, DEER PARK, TX, 77536 Rating Date: 9/1/2007 Repeat Violator: NO  
 TCEQ Region: REGION 12 - HOUSTON  
 Date Compliance History Prepared: June 25, 2008  
 Agency Decision Requiring Compliance History: Enforcement  
 Compliance Period: June 25, 2003 to June 25, 2008  
 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
 Name: Bryan Elliott Phone: 239-6162

**Site Compliance History Components**

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? Yes
3. If Yes, who is the current owner?
  - Shell Deer Park Refining Company
  - Shell Chemical LP
  - Shell Oil Company
  - Deer Park Refining Limited Partnership
4. If Yes, who was/were the prior owner(s)?
  - Equilon Enterprises LLC
5. When did the change(s) in ownership occur?
  - 06/10/2004

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

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

Effective Date: 08/30/2004 ADMINORDER 2003-1321-AIR-E  
 Classification: Major  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: MAERT PERMIT  
 Description: Failed to comply with the permitted limit established in the MAERT of Air Permit No. 9334 for benzene. Specifically, Shell failed to prevent the unauthorized emission of benzene at the ACU Tank Farm, Tank D-371, for a period of 58 minutes on April 28, 2003. The permitted benzene limit for Tank D-371 is 0.45 lbs/hour.

Effective Date: 09/26/2004 ADMINORDER 2004-0101-AIR-E  
 Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 113, SubChapter C 113.120  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(a)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to conduct flare performance testing in accordance with 40 CFR 63.11 within 180 days of startup or rule applicability.

Effective Date: 08/20/2005 ADMINORDER 2004-0867-IHW-E  
 Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter H 335.224(11)  
 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(c)  
 Description: Failure to conduct compliance testing for the Phenol-3 BIF and submit recertification of compliance within three years of the previous certification.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter H 335.224(14)  
 Description: Failure to cease the burning of waste in the Phenol-3 BIF on October 12, 2003.

Effective Date: 02/20/2005 ADMINORDER 2005-0765-AIR-E  
 Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.721(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: Special Condition 1 PERMIT  
 Description: Failed to obtain control emissions from an emissions event that occurred on December 21, 2000 at the Coker Unit.

Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
 30 TAC Chapter 101, SubChapter F 101.201(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failed to submit a complete final report for a reportable emissions event which occurred at the Coker Unit on December 21,

2000.

Effective Date: 02/20/2006

ADMINORDER 2005-0734-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent a power outage at Switchback 6B13 which resulted in unauthorized emissions from the HIPA Flare, HIPA Vent, Benji Vent (PC5500A), and Relief Valves RV0624, RV3033B, and RV0298 on May 9, 2004. Category A.11.(6).

Classification: Major

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

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

Description: Failed to maintain the ratio of hydrogen to acetylene in the converter resulting in the flaring of off-specification product resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on June 17, 2004.

Classification: Major

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

Rqmt Prov: SC #1 PERMIT

Description: Failed to prevent the lifting of Relief Valve RV3033B on the fat acid storage tank (T-75B) on June 27, 2004 which resulted in unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

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

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

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

Classification: Major

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

Rqmt Prov: Also Permit No. 3219, Gen. Condition 8 PERMIT

Description: Failed to control the ammonia concentration in the sour hydrogen feed resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on May 22, 2004. Category A.11.(6).

Classification: Minor

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

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

Effective Date: 05/12/2006

ADMINORDER 2005-1614-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: General Condition #8 PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions of 404 lbs of volatile organic compounds ("VOC") in one hour on January 13, 2005 in the OP2 Unit Elevated Flare. Specifically, 868 lbs of VOCs were released and the VOC maximum allowable emission rate for the flare is 484 lbs per hour.

Effective Date: 08/29/2006

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4  
30 TAC Chapter 101, SubChapter A 101.5

30 TAC Chapter 111, SubChapter B 111.201

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4  
30 TAC Chapter 101, SubChapter A 101.5

30 TAC Chapter 111, SubChapter B 111.201

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

Classification: Moderate

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

Rqmt Prov: mact rates PERMIT

Description: Exceeded maximum allowable emission rates for hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Discharged approximately 327 pounds of unspeciated VOC resulting in air contaminants in such concentration and duration so as to interfere with the normal use and enjoyment of property in teh area.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	06/25/2003	(157750)
2	06/26/2003	(60695)
3	06/28/2003	(33595)
4	07/23/2003	(284079)
5	07/23/2003	(295231)
6	07/25/2003	(157705)
7	07/25/2003	(157709)
8	08/06/2003	(114294)
9	08/12/2003	(148558)
10	08/23/2003	(36650)
11	08/26/2003	(295233)
12	08/29/2003	(149848)
13	09/22/2003	(295235)
14	09/25/2003	(295217)
15	10/22/2003	(249626)
16	10/23/2003	(295219)
17	10/27/2003	(295237)
18	10/28/2003	(252341)
19	11/21/2003	(295220)

20	11/26/2003	(295238)
21	11/30/2003	(248256)
22	12/17/2003	(295221)

23	12/23/2003	(295239)
24	01/02/2004	(257380)
25	01/02/2004	(252698)
26	01/04/2004	(251319)
27	01/14/2004	(254260)
28	01/21/2004	(252556)
29	01/22/2004	(295240)
30	01/26/2004	(295222)
31	01/28/2004	(261052)
32	02/23/2004	(248995)
33	02/23/2004	(432673)
34	02/27/2004	(295223)
35	03/16/2004	(295208)
36	03/24/2004	(295225)
37	03/31/2004	(260311)
38	04/16/2004	(256199)
39	04/21/2004	(295209)
40	04/23/2004	(295226)
41	05/19/2004	(256196)
42	05/19/2004	(295206)
43	05/19/2004	(295211)
44	05/25/2004	(268601)
45	05/25/2004	(295228)
46	05/25/2004	(266874)
47	05/26/2004	(273578)
48	06/03/2004	(270210)
49	06/09/2004	(272409)
50	06/18/2004	(271341)
51	06/18/2004	(270854)
52	06/21/2004	(295213)
53	06/23/2004	(352010)
54	07/14/2004	(260134)
55	07/22/2004	(352011)
56	07/26/2004	(352004)
57	08/11/2004	(288458)
58	08/11/2004	(288745)
59	08/11/2004	(287418)
60	08/11/2004	(287399)
61	08/16/2004	(279252)
62	08/16/2004	(279239)
63	08/23/2004	(352012)
64	08/24/2004	(352003)
65	08/24/2004	(352005)
66	08/31/2004	(272715)
67	08/31/2004	(267451)
68	08/31/2004	(268068)
69	08/31/2004	(292677)
70	09/07/2004	(292099)
71	09/22/2004	(352013)
72	09/30/2004	(287575)
73	10/04/2004	(352006)
74	10/18/2004	(335028)
75	10/20/2004	(352007)
76	10/20/2004	(352014)
77	11/11/2004	(289756)
78	11/12/2004	(290146)
79	11/12/2004	(288819)
80	11/22/2004	(285617)
81	11/22/2004	(352015)
82	11/23/2004	(352008)
83	11/29/2004	(339553)
84	12/05/2004	(268602)
85	12/10/2004	(338725)
86	12/11/2004	(341292)
87	12/11/2004	(342406)
88	12/11/2004	(342558)
89	12/14/2004	(341177)
90	12/14/2004	(342547)

91	12/15/2004	(340217)
92	12/17/2004	(339115)
93	12/20/2004	(352016)
94	12/21/2004	(342546)
95	12/27/2004	(352009)
96	12/28/2004	(290091)
97	12/28/2004	(338893)
98	12/29/2004	(342425)
99	12/30/2004	(342431)
100	12/30/2004	(344374)
101	12/30/2004	(344491)
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103	01/04/2005	(285114)
104	01/04/2005	(288902)
105	01/04/2005	(342600)
106	01/04/2005	(283105)
107	01/05/2005	(289527)

108 01/05/2005 (288541)  
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114 01/10/2005 (286434)  
115 01/10/2005 (287878)  
116 01/10/2005 (279219)  
117 01/20/2005 (381814)  
118 01/24/2005 (381811)  
119 01/26/2005 (342883)  
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124 02/23/2005 (371820)  
125 03/22/2005 (381813)  
126 03/23/2005 (381809)  
127 03/28/2005 (381810)  
128 04/01/2005 (346780)  
129 04/22/2005 (419640)  
130 04/22/2005 (419642)  
131 04/22/2005 (573179)  
132 04/29/2005 (344372)  
133 05/03/2005 (373899)  
134 05/09/2005 (378729)  
135 05/18/2005 (575182)  
136 05/25/2005 (380203)  
137 06/17/2005 (392682)  
138 06/20/2005 (575185)  
139 06/21/2005 (419641)  
140 06/21/2005 (419643)  
141 06/28/2005 (394944)  
142 07/06/2005 (398907)  
143 07/13/2005 (374890)  
144 07/18/2005 (575188)  
145 07/18/2005 (379933)  
146 07/18/2005 (379934)  
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148 07/21/2005 (400399)  
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153 08/05/2005 (341194)  
154 08/05/2005 (341195)  
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156 08/05/2005 (341200)  
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158 08/15/2005 (453221)  
159 08/16/2005 (404329)  
160 08/16/2005 (404327)  
161 08/18/2005 (404406)  
162 08/22/2005 (400922)  
163 08/22/2005 (575191)  
164 08/23/2005 (401945)  
165 08/23/2005 (404915)  
166 08/25/2005 (405926)  
167 08/30/2005 (401403)  
168 09/23/2005 (440775)  
169 09/23/2005 (440776)  
170 09/27/2005 (575193)  
171 09/28/2005 (431096)  
172 10/04/2005 (405964)  
173 10/05/2005 (407310)  
174 10/05/2005 (406803)  
175 10/05/2005 (431097)  
176 10/05/2005 (431095)  
177 10/10/2005 (406428)  
178 10/24/2005 (468331)  
179 10/24/2005 (575195)  
180 10/26/2005 (433389)  
181 10/28/2005 (405406)  
182 11/03/2005 (431819)  
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186 11/23/2005 (433921)  
187 11/23/2005 (575197)  
188 11/28/2005 (437043)  
189 11/28/2005 (468332)  
190 11/30/2005 (437117)  
191 12/08/2005 (418800)  
192 12/16/2005 (451110)  
193 12/21/2005 (575199)  
194 12/22/2005 (575200)  
195 12/27/2005 (468333)  
196 01/24/2006 (451885)  
197 01/24/2006 (468334)  
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199	02/16/2006	(454090)
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202	02/21/2006	(454835)
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205	02/23/2006	(438342)
207	02/24/2006	(468329)
208	02/25/2006	(456944)
209	02/25/2006	(457085)
210	02/27/2006	(457162)
211	02/27/2006	(456661)
212	02/28/2006	(457143)
213	02/28/2006	(457152)
214	03/03/2006	(45540)
215	03/09/2006	(457675)
216	03/15/2006	(458469)
217	03/17/2006	(451544)
218	03/20/2006	(431859)
219	03/20/2006	(571632)
220	03/21/2006	(575176)
221	03/23/2006	(290016)
222	03/23/2006	(468330)
223	03/28/2006	(405965)
224	04/03/2006	(455004)
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226	04/24/2006	(449499)
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228	04/25/2006	(449338)
229	04/25/2006	(455005)
230	04/27/2006	(440023)
231	04/28/2006	(462216)
232	05/10/2006	(266908)
233	05/10/2006	(268067)
234	05/12/2006	(461088)
235	05/17/2006	(461235)
236	05/17/2006	(466235)
237	05/22/2006	(498126)
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239	05/26/2006	(460174)
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241	05/26/2006	(460156)
242	05/26/2006	(460637)
243	05/30/2006	(459416)
244	05/30/2006	(460198)
245	05/31/2006	(480622)
246	05/31/2006	(455293)
247	06/12/2006	(455296)
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250	06/15/2006	(449850)
251	06/16/2006	(575186)
252	06/20/2006	(498127)
253	06/21/2006	(467546)
254	06/23/2006	(467537)
255	06/23/2006	(467329)
256	06/28/2006	(467525)
257	06/30/2006	(463111)
258	06/30/2006	(466561)
259	07/10/2006	(482757)
260	07/11/2006	(482755)
261	07/11/2006	(482760)
262	07/11/2006	(482407)
263	07/14/2006	(467608)
264	07/24/2006	(520133)
265	07/24/2006	(575189)
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267	07/27/2006	(486448)
268	07/31/2006	(482753)
269	08/08/2006	(482747)
270	08/14/2006	(480383)
271	08/16/2006	(392732)
272	08/18/2006	(457259)
273	08/18/2006	(457480)
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275	08/23/2006	(457432)
276	08/25/2006	(510170)
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279	08/29/2006	(479999)
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282	09/07/2006	(510326)
283	09/22/2006	(575194)
284	09/25/2006	(520134)
285	09/29/2006	(487313)
286	10/04/2006	(510017)
287	10/04/2006	(512388)
288	10/05/2006	(510021)
289	10/05/2006	(512393)

290	10/05/2006	(512392)
291	10/13/2006	(510023)
292	10/23/2006	(575196)
293	10/24/2006	(544406)
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295	10/27/2006	(515112)
296	10/31/2006	(513138)
297	10/31/2006	(509694)
298	10/31/2006	(343595)
299	11/03/2006	(513228)
300	11/03/2006	(513328)
301	11/06/2006	(515706)
302	11/16/2006	(512687)
303	11/16/2006	(514711)
304	11/21/2006	(517284)
305	11/22/2006	(575198)
306	11/27/2006	(544407)
307	11/30/2006	(379581)
308	12/07/2006	(488023)
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310	12/07/2006	(487985)
311	12/07/2006	(488004)
312	12/15/2006	(508968)
313	12/21/2006	(534053)
314	12/27/2006	(544408)
315	12/27/2006	(544409)
316	12/29/2006	(343599)
317	01/19/2007	(531892)
318	01/22/2007	(575202)
319	01/31/2007	(537439)
320	01/31/2007	(538238)
321	01/31/2007	(538659)
322	02/17/2007	(532455)
323	02/20/2007	(457345)
324	02/22/2007	(575167)
325	02/22/2007	(575175)
326	02/23/2007	(532463)
327	02/23/2007	(532452)
328	02/27/2007	(532471)
329	03/01/2007	(509707)
330	03/05/2007	(406521)
331	03/21/2007	(575177)
332	03/23/2007	(575168)
333	04/12/2007	(554202)
334	04/19/2007	(575169)
335	04/23/2007	(575181)
336	04/25/2007	(542681)
337	04/25/2007	(532459)
338	04/26/2007	(541475)
339	04/30/2007	(542592)
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341	05/07/2007	(537121)
342	05/08/2007	(542690)
343	05/09/2007	(467500)
344	05/14/2007	(542697)
345	05/16/2007	(575170)
346	05/18/2007	(542652)
347	05/22/2007	(575184)
348	05/29/2007	(559183)
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353	06/25/2007	(564308)
354	06/27/2007	(564822)
355	06/27/2007	(564828)
356	07/06/2007	(565610)
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358	07/20/2007	(575172)
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360	07/23/2007	(575178)
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362	08/01/2007	(567841)

363	08/03/2007	(568522)
364	08/13/2007	(571028)
365	08/14/2007	(567884)
366	08/15/2007	(571883)
367	08/17/2007	(571025)
368	08/22/2007	(607528)
369	09/18/2007	(571877)
370	09/19/2007	(572770)
371	09/20/2007	(601572)
372	09/24/2007	(607529)
373	10/12/2007	(560777)
374	10/15/2007	(593594)
375	10/18/2007	(601573)
376	10/25/2007	(596852)
377	11/06/2007	(593367)

378	11/06/2007	(565492)
379	11/15/2007	(597968)
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381	11/19/2007	(572257)
382	11/19/2007	(599691)
383	11/20/2007	(619483)
384	11/27/2007	(597446)
385	11/30/2007	(608138)
386	11/30/2007	(601276)
387	12/04/2007	(600886)
388	12/20/2007	(619484)
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390	01/07/2008	(598077)
391	01/17/2008	(599615)
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394	01/17/2008	(599822)
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396	01/22/2008	(613355)
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398	01/25/2008	(615999)
399	01/25/2008	(597769)
400	01/25/2008	(615280)
401	01/28/2008	(616080)
402	01/28/2008	(616082)
403	02/01/2008	(607448)
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405	02/01/2008	(615075)
406	02/01/2008	(613923)
407	02/01/2008	(614301)
408	02/04/2008	(614031)
409	02/05/2008	(610680)
410	02/13/2008	(616505)
411	02/14/2008	(616503)
412	02/19/2008	(671990)
413	02/28/2008	(637020)
414	03/07/2008	(612807)
415	03/10/2008	(617388)
416	03/12/2008	(637217)
417	03/24/2008	(616741)
418	03/24/2008	(638443)
419	03/28/2008	(600448)
420	03/31/2008	(610634)
421	04/09/2008	(610636)
422	04/11/2008	(610638)
423	04/11/2008	(637073)
424	04/17/2008	(671992)
425	04/21/2008	(639674)
426	04/22/2008	(653495)
427	04/24/2008	(671991)
428	05/02/2008	(650560)
429	05/20/2008	(654015)
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431	05/23/2008	(637956)
432	05/23/2008	(638051)
433	05/23/2008	(654353)
434	06/01/2008	(640777)
435	06/06/2008	(654842)
436	06/10/2008	(671393)
437	06/17/2008	(682693)
438	06/18/2008	(683279)

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

Date	06/28/2003	(33595)		
Self Report?		NO	Classification:	Moderate
Citation:	5C THC Chapter 382, SubChapter A 382.085(a)			
Description:	Failed to prevent an emissions release by good design, operation, and maintenance practices.			
Date	07/31/2003	(157709)		
Self Report?		YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	09/30/2003	(295219)		
Self Report?		YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	11/30/2003	(295239)		
Self Report?		YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	01/04/2004	(251319)		
Self Report?		NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
Rqmt. Prov:	PERMIT TCEQ AIR PERMIT #19849, SC #1			
Description:	Shell allowed 237 lbs of unauthorized emissions of mesityl oxide (a highly irritating ketone, which overflowed Tank T-40-16 due to an inaccurate level indicator and failure to respond to a high level alarm from the back up high level alarm system.			

Date	01/14/2004	(254260)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:		PERMIT TCEQ AIR PERMIT #3219, SC #4		
Description:		Main induced-draft fan on Boiler H-8610 shut down when governor seized due to dirty oil (inadequate attention to the status of the oil). The (large) boiler tripped on loss of the fan. Two olefin plants were shut down due to insufficient steam supply to the steam turbines driving the large critical compressors.		
Date	01/21/2004	(252558)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter G 116.715(a)		
Rqmt Prov:		PERMIT TCEQ AIR PERMIT #21262, SC #1		
Description:		Shell damaged the lube oil pump for the Recycle Gas Compr. Either possible root cause (failure to prime the pump or improperly installing the new motive screws ) avoidably damaged those screws. Shell failed to control SO2 emissions during a startup activity.		
Date	04/30/2004	(295228)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:		TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	06/30/2004	(352011)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:		TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	07/13/2004	(260134)		
Self Report?		NO	Classification:	Minor
Citation:		30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)		
Description:		30 TAC Chapter 116, SubChapter B 116.115(c)		
Description:		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT TCEQ AIR PERMIT #920, SC #1		
Description:		Failure to report an emissions event in a timely manner.		
Date	08/31/2004	(272715)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)		
Description:		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT No. 3219 and PSD-TX-974, GC #8		
Description:		Failure to operate within the permit limits.		
Date	08/31/2004	(267451)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter G 116.715(a)		
Description:		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT No. 21262 and PSD-TX-928		
Description:		Failure to prevent unauthorized emissions.		
Date	09/22/2004	(335028)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:		Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.		
Date	09/30/2004	(352007)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:		TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	11/22/2004	(285617)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)		
Description:		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT No. 3219 and PSD-TX-974, GC #8		
Description:		Failure to operate within the permit limits.		
Self Report?		NO	Classification:	Minor
Citation:		30 TAC Chapter 101, SubChapter F 101.201(b)(7)		
Description:		Failure to indicate the air contaminants from the flare completely in the final report.		
Date	11/30/2004	(352009)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:		TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	12/14/2004	(340217)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(4)		
Description:		30 TAC Chapter 305, SubChapter F 305.125(5)		
Description:		TWC Chapter 26 26.121(a)(1)		
Description:		Failure to prevent the unauthorized discharge of untreated or partially treated process, sanitary, balast, and utility wastewaters through outfall 008. The permittee is authorized to discharge storm water and fire water only to outfall 008. See attached Table 1.		
Date	12/28/2004	(290091)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 101, SubChapter A 101.20(3)		
Description:		30 TAC Chapter 116, SubChapter B 116.115(b)(2)		
Description:		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT No. 3219 and PSD-TX-974, GC #8		
Description:		Failure to avoid loss of cooling in the PRC surface condensate system.		

Date	12/30/2004	(344491)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PA Permit #21262/PSD-TX-928, SC#1		
Description:		Failure to control emissions.		
Date	12/30/2004	(344374)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PA Permit #:21262,PSD-TX-928, SC #1		
Description:		Failure to Control Emissions		
Date	01/04/2005	(342600)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT No. 3219 and PSD-TX-974, GC # 8		
Rqmt Prov:		Failure to control hydrate formation in the demethanizer column.		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)		
Description:		Failure to report emissions event in a timely manner.		
Date	01/07/2005	(288436)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT No. 21262 and PSD-TX-928		
Rqmt Prov:		Exceeded permit limits during an avoidable emissions event.		
Date	01/09/2005	(289381)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT TCEQ Air Permit #3219 and PSD-TX-974		
Rqmt Prov:		Exceeded permit limits during an avoidable emissions event.		
Date	03/31/2005	(419640)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	04/29/2005	(344372)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.110(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:		Failure to control emissions.		
Date	05/31/2005	(575185)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	06/20/2005	(395120)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT No. 9334, Gen. Condition #8		
Rqmt Prov:		Failure to prevent spill during tank heel transfer.		
Self Report?		NO	Classification:	Minor
Citation:		30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A) 30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
Description:		Failure to submit an emissions event in a timely manner.		
Date	07/31/2005	(419643)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	07/31/2005	(575191)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	08/17/2005	(404327)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
Description:		Failure to maintain ammonia emissions below 10ppm on furnace 110.		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
Description:		Failure to maintain ammonia emissions below 10ppm on furnace 150.		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
Description:		Failure to maintain ammonia emissions below 10ppm on furnace 180.		
Date	09/30/2005	(468331)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		

TWC Chapter 26 26.121(a)  
Description: Failure to meet the limit for one or more permit parameter  
Date 10/10/2005 (406428)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control emissions.  
Date 11/30/2005 (575199)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
Date 12/08/2005 (418800)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to maintain compliance with the effluent permit limits. Effluent violations were reported for ammonia-nitrogen at outfall 104 in 07/05 and for calcium, nickel and fecal coliform at outfall 001 in 03/05.  
Date 02/23/2006 (439108)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA 3219 AND PSD-TX-974  
Description: Exceeded permit limits during an avoidable emissions event.  
Date 02/27/2006 (438342)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to control unauthorized emissions.  
Date 04/04/2006 (455004)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA NSR Permit #3173, Special Condition #1  
Description: Failure to control unauthorized emissions for Incident #64365.  
Date 05/17/2006 (461235)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1946, Special Condition 15H  
OP 1946, Special Condition 1A  
Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1668, Special Condition 1A  
Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1668, Special Condition 1A  
PERMIT 3219, Special Conditions 5 and 6  
Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1946, Special Condition 1A  
OP 1946, Special Condition 21  
PERMIT 3216, Special Condition 6E  
PERMIT 3218, Special Condition 8E  
Description: Nine OELs in HT2; 2 OELs in CIPX  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 18576, Special Condition 7E  
OP 1946, Special Condition 1A  
OP 1946, Special Condition 21  
Description: Failure to seal 18 OELs in IRU.  
Self Report? NO Classification: Minor

Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)		
Rqmt Prov:	OP 1946, Special Condition 1A OP 1946, Special Condition 21 PERMIT 3217, Special Condition 3E		
Description:	Failure to seal OELs in BD3.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1946, Special Condition 21 PERMIT 3216, Special Condition 1 PERMIT 3216, Special Condition 5		
Description:	Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1946, Special Condition 21 PERMIT 3216, Special Conditions 1 and 4		
Description:	The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.		
Date	05/31/2006		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)		
Rqmt Prov:	5C THC Chapter 382, SubChapter D 382.085(b) PERMIT No. 3219 and PSD-TX-974 MAERT		
Description:	Failure to prevent an operator error resulting in unauthorized emissions.		
Date	06/15/2006		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 9334 MAERT		
Description:	Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.		
Date	06/16/2006		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) PERMIT Self-reporting Requirements		
Rqmt Prov:	PERMIT 9334 MAERT		
Description:	Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.		
Date	06/23/2006		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT #21262, Special Condition #1		
Description:	Failure to prevent overpressure of Secondary Debutanizer Column, V-613.		
Date	06/30/2006		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	07/14/2006		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT No 3219 MAERT		
Description:	Failure to prevent unauthorized emissions during decoking of furnace FOL170.		
Date	07/31/2006		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	07/31/2006		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	08/18/2006		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 266, SC 7E PERMIT 3985A, SC 7E OP O-01947, Special Condition 13 OP O-01947, Special Condition 1A		
Description:	3 OELs in SITEFE and 1 OEL in WRACKFE		
Date	08/23/2006		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)		

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
OP 1948, Special Condition 1A  
Description: Components associated with Tank F-347 and Tank F-349 were not identified as being  
subject to 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13  
OP 1948, Special Condition 1A  
Description: PERMIT 19849, Special Condition 11E  
10 OELs in MPLANTFE

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13  
OP 1948, Special Condition 1A  
PERMIT 1968, Special Condition 3E  
PERMIT 19849, Special Condition 11E  
PERMIT 3173, Special Condition 6E  
Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFE; 1 OEL in HPLANTFE

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13  
OP 1948, Special Condition 1A  
PERMIT 3173, Special Condition 6F  
Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005

Self Report? NO Classification: Minor

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

Rqmt Prov: OP 1948, Special Condition 13  
PERMIT 19849, Special Condition 7D  
Description: Failure to inspect Tank T867B by the due date of March 2005

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13  
PERMIT 3173, Special Condition 1  
Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-  
0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No.  
74572.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 1H(iv)  
Description: Failure to repair Component No. 200706 in IPACRUFE within seven days

Self Report? NO Classification: Minor

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

Rqmt Prov: OP 1948, Special Condition 1A  
Description: Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released  
emissions to the atmosphere

Date 08/28/2006 (479997)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 3219, Special Condition 2I  
OP O-1668, Special Condition 15  
OP O-1668, Special Condition 1H(v)  
Description: Failure to repair Component No. 64110.P in OP2FUG within 15 days

Self Report? NO Classification: Minor

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

Rqmt Prov: PERMIT 3219, Special Condition 2E  
OP O-1668, Special Condition 15

Description:	OP O-1668, Special Condition 1A		
Self Report?	Forty-nine incidences of open-ended lines in OP2FUG	NO	Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3214, Special Condition 5E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A		
Description:	26 OELs in OL3FUG and 4 OELs in PYR3FUG		
Self Report?		NO	Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3214, Special Condition 5E PERMIT 3219, Special Condition 2E OP O-1668, Special Condition 15 OP O-1668, Special Condition 1A		
Description:	28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG		
Self Report?		NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3219, Maximum Allowable Emission Rates OP O-1668, Special Condition 15		
Description:	Exceedance of VOC MAER in tpy for the Olefins Flare System		
Date	08/29/2006		
Self Report?	(479999)	NO	Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 15E OP O-1943, Special Condition 17 OP O-1943, Special Condition 1A		
Description:	One OEL in ACUFUG and one OEL in FUGOXU		
Self Report?		NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 7 OP O-1943, Special Condition 17		
Description:	Incomplete records of furnace firing rates for the ACU furnace, EPN H902		
Self Report?		NO	Classification: Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)		
Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b) OP O-1943, Special Condition 1A		
Description:	Failure to conduct internal inspection of Tank F-361 by the due date of May 2005		
Self Report?		NO	Classification: Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 8 OP O-1943, Special Condition 17		
Description:	Operation of the East Property Flare with visible emissions		
Self Report?		NO	Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to visually inspect Tank G-359 by the due date of August 16, 2005		
Self Report?		NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 10D OP O-1943, Special Condition 17		
Description:	Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359		
Self Report?		NO	Classification: Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 10D OP O-1943, Special Condition 17 OP O-1943, Special Condition 1A		
Description:	Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.		
Date	08/31/2006		
Self Report?	(457283)	NO	Classification: Moderate

Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 48912, Special Condition 5 OP O-2108, Special Condition 15		
Description:	Failure to analyze wastewater for isobutyraldehyde	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 115, SubChapter B 115.132(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-2108, Special Condition 1A		
Description:	Failure to meet the control requirements for VOC water separators NAPI and SAPI		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-2108, Special Condition 1A		
Description:	Failure to obtain vapor pressure sample from T-1318		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-2108, Special Condition 1A		
Description:	Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301 (513328)		
Date 11/03/2006			
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Shell failed to submit a CAP in a timely manner.		
Date 11/14/2006	(512687)		
Self Report?	NO	Classification:	Minor
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 A 382.085(b)		
Rqmt Prov:	OP FOP #O-01669, Special Condition #1A		
Description:	Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)(ii).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.100(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP #O-01669, Special Condition #1A OP FOP #O-01669, Special Condition #1D		
Description:	Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).		
Date 11/30/2006	(544408)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 12/31/2006	(544409)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 02/23/2007	(532452)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP O-01946, Special Condition 1A OP FOP O-01946, Special Condition 1M(iv) OP FOP O-01946, Special Condition 21 PA NSR #18576, Special Condition 7H PA NSR #3216, Special Condition 6H PA NSR #3217, Special Condition 3H		
Description:	Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP # O-01946, Special Condition 1A		

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

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

Rqmt Prov: 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to cap 57 open-ended valves/lines per 30 TAC 115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

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

Rqmt Prov: OP FOP O-01946, Special Condition 21  
 PA NSR Permit 3216, Special Condition 5

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

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP FOP O-01946, Special Condition 1A  
 OP FOP O-01946, Special Condition 21  
 PA NSR Permit 3219, Special Condition 4

Description: Failure to continuously monitor for the presence of a flare pilot light on the OP3ELFLA unit, on two separate occasions for a total of 156 hours, as required by 40 CFR 60.18(f)(2), 40 CFR 63.11(b)(5), and NSR #3219, SC#4.

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

Rqmt Prov: OP FOP O-01946, Special Condition 21  
 PA NSR Permit 3216, Special Condition 1

Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

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

Rqmt Prov: OP FOP O-01946, Special Condition 1M(ii)

Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).

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

Rqmt Prov: OP FOP O-01946, Special Condition 1M(ii)

Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

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

Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP O-01946, Special Condition 28		
Description:	Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).		
Date	02/27/2007	(532471)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP #O-01947, General Terms & Conditions		
Description:	Failure to submit PCC within 30 days as required.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(C) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP #O-01947, General Terms & Conditions		
Description:	Failure to submit a Deviation report within 30 days as required.		
Date	02/28/2007	(575168)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	02/28/2007	(575177)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	03/31/2007	(575169)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	04/30/2007	(575170)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	05/14/2007	(542697)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.211(a)		
Description:	Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.		
Date	05/31/2007	(575171)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	06/30/2007	(575172)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	07/31/2007	(575173)	
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	08/29/2007	(543555)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V O-01669, General Terms/Condition		
Description:	failed to submit a permit compliance certification and a deviation report in a timely manner.		
Date	08/31/2007	(601572)	
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	09/30/2007	(601573)	
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	02/05/2008	(610680)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT-NSR 18576, Special Condition 7H PERMIT NSR 3217, Special Condition 3H OP O-01946 Special Conditions 1M(iv)		

Description: OP O-01946 Special Conditions 1A  
 Failure to affix and maintain leaking component tags on Leak Detection and Repair components.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR 3216, Special Condition 2  
 PERMIT NSR 3218, Special Condition 2  
 OP O-01946 Special Condition 1A  
 OP O-01946 Special Condition 21

Description: Failure to affix permanent identification tags on 76 LDAR components.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR 18576, Special Condition 7E  
 PERMIT NSR 3216, Special Condition 6E  
 PERMIT NSR 3217, Special Condition 3E

Description: PERMIT NSR 3218, Special Condition 8E  
 OP O-01946 Special Condition 1A  
 OP O-01946 Special Condition 1M(iv)  
 OP O-01946 Special Condition 21

Description: Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a second valve. (CATEGORY C10 violation)

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

Rqmt Prov: OP O-01946 Special Condition 1M(ii)

Description: Failure to stay below the maximum operating limit for vents in HRVOC service.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01946 Special Condition 1M(ii)

Description: Failure to meet HRVOC monitoring/recordkeeping requirements.

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

Rqmt Prov: PERMIT NSR 3216, Special Condition 11C  
 OP O-01946 Special Condition 21

Description: Failure to continuously monitor and record the H2S concentration on the fuel gas on analyzer AI104 at the OP-2 fuel blend drum.

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

Rqmt Prov: OP O-01946 Special Condition 21  
 PERMIT Special Condition 11B

Description: Failure to continuously monitor the Gross Heating Value (GHV) measurement of the fuel gas.

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

Rqmt Prov: PERMIT NSR 3216, Special Condition 5  
 OP O-01946 Special Condition 21

Description: Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007.

Date 03/10/2008 (617388)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)

Description: Shell failed to submit a Corrective Action Plan (CAP) in a timely manner.

Date 04/01/2008 (610634)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR 3214, SC 5(E)  
 PERMIT NSR 3214, SC 6(E)  
 PERMIT NSR 3219, SC 2(E)  
 PERMIT NSR 3219, SC 8  
 OP O-01668, SC 1(A)  
 OP O-01668, SC 1(H)(v)  
 OP O-01668, SC 15(A)

Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3214, SC 5(H) PERMIT NSR 3214, SC 6(H) PERMIT NSR 3219, SC 2(H) PERMIT NSR 3219, SC 8 OP O-01668, SC 1(A) OP O-01668, SC 1(H)(v) OP O-01668, SC 15(A)		
Description:	Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.782(b)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(v)		
Description:	Failure to repair valve 76372A within 7 days.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 56496, GC 8 PERMIT NSR 56496, SC 1 OP O-01668, SC 15(A)		
Description:	Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx ) and FOL-710 (22 block hrs for 25 lbs excess NOx).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 56496, SC 5 OP O-01668, SC 15(A)		
Description:	Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.136(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(A)		
Description:	Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.784(a)(6) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(iv)		
Description:	Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3219, SC 16		
Description:	PERMIT NSR 3219, SC 5 OP O-01668, SC 1(A) OP O-01668, SC 15(A) Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(ii)		
Description:	Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.722(c)(1)		

Rqmt Prov:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) OP O-01668, SC 1(H)(ii)		
Description:	Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(ii)		
Description:	Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter C 122.210(a) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 15(B)		
Description:	Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(A)		
Description:	Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.		
Date	04/09/2008		
Self Report?	NO	Classification:	Minor
Citation:	(639062) 30 TAC Chapter 115, SubChapter B 115.114(a)(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3173, SC 3 PERMIT NSR 3173, SC 8(D) PERMIT NSR 3985A, SC 8(D) PERMIT NSR19849, SC 7(D) OP O-01948, SC 1(A) OP O-01948, SC 13(A)		
Description:	Failure to perform annual visual internal floating roof (IFR) inspections in OXSOLVTANK in a timely manner.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THSC Chapter 382 382.085(b) PERMIT NSR 1968, SC 3(E) PERMIT NSR 19849, SC 11(E) PERMIT NSR 19849, SC 13 PERMIT NSR 19849, SC 14 PERMIT NSR 3173, SC 6(E) OP O-01948, 13(A) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv)		
Description:	Failure to seal open-ended lines.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(1)(A) 30 TAC Chapter 115, SubChapter H 115.782(b)(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3173, SC 6(I) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv) OP O-01948, SC 13(A)		
Description:	Failure to repair connector 702527 in IPACRUFE (in HRVOC service) within 15 days		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3173, SC 6(H) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv) OP O-01948, SC 13(A)		
Description:	Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01948, SC 1(H)(ii)		
Description:	Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC		

analyzer).

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-01948, SC 1(H)(ii)  
 Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8 hours for the HIPA flare and the A&S flare.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-01948, SC 1(H)(iii)  
 Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-01948, SC 1(H)(ii)  
 Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.  
 Date 04/11/2008 (637073)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-01947, SC 1(H)(iii)  
 Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-01947, SC 1(H)(ii)  
 Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-01947, SC 1(H)(ii)  
 Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.  
 Date 04/11/2008 (610638)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-02108, SC 1(A)  
 OP O-02108, SC 15(A)  
 PERMIT Permit 19849, SC 11(E)  
 Description: Failure to seal three (3) open-ended lines (OEL's) from March 20, 2007 to March 30, 2007 in ENVSOFLR1 (tag nos. 188.P, 185, and 188).

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-02108, SC 1(A)  
 Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-02108, SC 1(A)  
 Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.

F. Environmental audits.

Notice of Intent Date: 08/12/2003 (251440)  
 Disclosure Date: 09/04/2003  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.116(a)

Description: Failure to maintain and compile inspection reports that document all of the elements required by the applicable regulations.

Notice of Intent Date: 08/12/2003 (251504)  
 No DOV Associated  
 Notice of Intent Date: 09/05/2003 (251740)  
 No DOV Associated  
 Notice of Intent Date: 09/05/2003 (251760)  
 No DOV Associated  
 Notice of Intent Date: 10/20/2003 (263020)  
 No DOV Associated  
 Notice of Intent Date: 10/20/2003 (263024)

No DOV Associated  
Notice of Intent Date: 10/20/2003 (263025)  
No DOV Associated  
Notice of Intent Date: 10/20/2003 (263029)

No DOV Associated  
Notice of Intent Date: 10/20/2003 (263033)  
Disclosure Date: 12/07/2004  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)

30 TAC Chapter 115, SubChapter B 115.136(a)(4)

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

Notice of Intent Date: 11/20/2003 (449697)  
No DOV Associated  
Notice of Intent Date: 02/20/2004 (265126)  
No DOV Associated  
Notice of Intent Date: 08/06/2004 (334038)  
Disclosure Date: 10/12/2004  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(5)

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

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

Notice of Intent Date: 08/06/2004 (334047)  
Disclosure Date: 08/26/2004  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.3(b)(2)

30 TAC Chapter 335, SubChapter A 335.1(59)

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

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

30 TAC Chapter 335, SubChapter R 335.504

30 TAC Chapter 335, SubChapter R 335.511

30 TAC Chapter 335, SubChapter R 335.513

30 TAC Chapter 335, SubChapter C 335.62

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

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

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

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

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

Viol. Classification: Moderate  
Rqmt PERMIT 1. General b.

Description: discharge of process water to storm water impoundment basins

Notice of Intent Date: 08/27/2004 (334576)  
No DOV Associated

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

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

Notice of Intent Date: 11/11/2004 (349565)  
No DOV Associated

Notice of Intent Date: 01/04/2005 (349867)  
Disclosure Date: 06/17/2005

Viol. Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.320

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(d)(5)

Description: documentation was not readily available to fully demonstrate that a formal refinery maximum achievable control technology applicability determination (ie >5% HAPS) had been made for equipment in light crude service

Viol. Classification: Minor  
Citation:

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: one New Source Performance Standard (NSPS) notification for Start of Construction and Start of Operation for the CGHT unit could not be located

Viol. Classification: Minor  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(a)(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(b)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)

Description: documentation was not readily available to fully demonstrate that the process to determine if a project triggered NSPS "Modification" was being completed for NSPS Subpart GGG compliance

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

30 TAC Chapter 101, SubChapter A 101.10(c)  
30 TAC Chapter 101, SubChapter A 101.10(d)  
30 TAC Chapter 101, SubChapter A 101.10(e)  
40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30(a)

Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required

Viol. Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.100

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)

Description: documentation was not readily available to demonstrate the development of a formal startup, shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual report was submitted

Viol. Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.320

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(i)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(f)(1)(ii)

Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability determination for miscellaneous process vents

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.110

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(6)

Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no leaks were detected, it is unclear whether there was complete compliance with HON requirements

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

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)

Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not been performed as required by benzene waste NESHAP regulations

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

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(b)

Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access hatches and other openings are properly closed and gasketed had not been performed as required by the benzene waste NESHAP regulations

Notice of Intent Date: 01/06/2005 (349868)  
No DOV Associated

Notice of Intent Date: 01/05/2005 (371573)  
No DOV Associated

Notice of Intent Date: 01/27/2005 (350720)  
No DOV Associated

Notice of Intent Date: 01/27/2005 (350721)  
Disclosure Date: 03/23/2005

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(b)

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

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110

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

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.120

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

Notice of Intent Date: 01/27/2005 (350723)  
Disclosure Date: 07/06/2005

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

30 TAC Chapter 335, SubChapter C 335.69

Description: Equipment associated with a decommissioned cumene unit in the Phenol Acetone Production Areas was not properly decontaminated when shut down in 2001. Process vessels, pumps, exchangers, and piping contain material that meets the definition of a characteristically hazardous waste (D002, D018).

Notice of Intent Date: 03/02/2005 (375030)  
No DOV Associated

Notice of Intent Date: 03/02/2005 (375031)  
Disclosure Date: 07/14/2005

Viol. Classification: Minor  
Rqmt PERMIT Air New Source Permit No. 9334 SC 10.D

Description: no notification 30 days in advance of 11/04 seal gap measurement for Aromatics EFR tank G-359

Viol. Classification: Minor  
Rqmt PERMIT Air New Source Permits

Description: no notification 30 days in advance of refilling of Solvents IFR tank T140B, Phenol Acetone IFR tank D391, Solvents IFR tank F337

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.120

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)

Rqmt PERMIT Permit 9334 Special Condition 10D

Description: no 10 yr internal seal inspection of Aromatics IFR tank F-361

Notice of Intent Date:	04/15/2005	(380864)
No DOV Associated		
Notice of Intent Date:	05/18/2005	(396476)
No DOV Associated		
Notice of Intent Date:	08/22/2005	(434090)
No DOV Associated		
Notice of Intent Date:	08/22/2005	(434095)
No DOV Associated		
Notice of Intent Date:	11/04/2005	(438422)
No DOV Associated		
Notice of Intent Date:	12/02/2005	(451075)
No DOV Associated		
Notice of Intent Date:	01/05/2006	(452942)
No DOV Associated		
Notice of Intent Date:	01/05/2006	(452952)
No DOV Associated		
Notice of Intent Date:	05/22/2006	(454159)
No DOV Associated		
Notice of Intent Date:	04/18/2007	(582595)
No DOV Associated		
Notice of Intent Date:	08/03/2007	(593493)
No DOV Associated		
Notice of Intent Date:	08/24/2007	(594238)
No DOV Associated		
Notice of Intent Date:	09/24/2007	(596731)
No DOV Associated		
Notice of Intent Date:	10/16/2007	(599701)
No DOV Associated		
Notice of Intent Date:	10/15/2007	(599713)
No DOV Associated		
Notice of Intent Date:	01/11/2008	(616239)
No DOV Associated		
Notice of Intent Date:	02/19/2008	(639389)
No DOV Associated		
Notice of Intent Date:	04/08/2008	(654698)
No DOV Associated		
Notice of Intent Date:	04/18/2008	(654683)
No DOV Associated		
Notice of Intent Date:	05/23/2008	(682189)
No DOV Associated		

G. Type of environmental management systems (EMSs).

Non 30 TAC CH 90 Certified, ISO 14001:20

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

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

J. Early compliance.

N/A

Sites Outside of Texas

N/A

## Compliance History

Customer/Respondent/Owner-Operator:

CN601405145 Shell Chemical LP

Classification: AVERAGE

Rating: 2.24

Regulated Entity:

RN100211879 SHELL OIL DEER PARK

Classification: AVERAGE

Site Rating: 4.03

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0659W
AIR OPERATING PERMITS	PERMIT	1669
AIR OPERATING PERMITS	PERMIT	1668
AIR OPERATING PERMITS	PERMIT	1940
AIR OPERATING PERMITS	PERMIT	1941
AIR OPERATING PERMITS	PERMIT	1942
AIR OPERATING PERMITS	PERMIT	1943
AIR OPERATING PERMITS	PERMIT	1945
AIR OPERATING PERMITS	PERMIT	1946
AIR OPERATING PERMITS	PERMIT	1947
AIR OPERATING PERMITS	PERMIT	1948
AIR OPERATING PERMITS	PERMIT	2108
AIR OPERATING PERMITS	PERMIT	3179
WASTEWATER	PERMIT	WQ0000402000
WASTEWATER	PERMIT	TPDES0004863
WASTEWATER	PERMIT	TX0004863
WASTEWATER	PERMIT	WQ0000403000
WASTEWATER	PERMIT	TPDES0004871
WASTEWATER	EPA ID	TX0004871
AIR NEW SOURCE PERMITS	PERMIT	21262
AIR NEW SOURCE PERMITS	REGISTRATION	54895
AIR NEW SOURCE PERMITS	REGISTRATION	55312
AIR NEW SOURCE PERMITS	REGISTRATION	76382
AIR NEW SOURCE PERMITS	REGISTRATION	75524
AIR NEW SOURCE PERMITS	REGISTRATION	55730
AIR NEW SOURCE PERMITS	REGISTRATION	55869
AIR NEW SOURCE PERMITS	REGISTRATION	76315
AIR NEW SOURCE PERMITS	PERMIT	6949
AIR NEW SOURCE PERMITS	PERMIT	7855
AIR NEW SOURCE PERMITS	PERMIT	9856
AIR NEW SOURCE PERMITS	PERMIT	11177
AIR NEW SOURCE PERMITS	PERMIT	12152
AIR NEW SOURCE PERMITS	PERMIT	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	PERMIT	13713
AIR NEW SOURCE PERMITS	PERMIT	16429
AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	7621
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	PERMIT	10888
AIR NEW SOURCE PERMITS	PERMIT	11096
AIR NEW SOURCE PERMITS	PERMIT	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	PERMIT	12829
AIR NEW SOURCE PERMITS	PERMIT	13678
AIR NEW SOURCE PERMITS	PERMIT	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	PERMIT	9505
AIR NEW SOURCE PERMITS	PERMIT	15262
AIR NEW SOURCE PERMITS	PERMIT	15365
AIR NEW SOURCE PERMITS	PERMIT	15499
AIR NEW SOURCE PERMITS	PERMIT	15940
AIR NEW SOURCE PERMITS	PERMIT	18209
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	18738
AIR NEW SOURCE PERMITS	PERMIT	18768
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	PERMIT	23273
AIR NEW SOURCE PERMITS	PERMIT	24096
AIR NEW SOURCE PERMITS	PERMIT	24874
AIR NEW SOURCE PERMITS	PERMIT	26368
AIR NEW SOURCE PERMITS	PERMIT	27598
AIR NEW SOURCE PERMITS	PERMIT	29597
AIR NEW SOURCE PERMITS	PERMIT	32282
AIR NEW SOURCE PERMITS	PERMIT	33524
AIR NEW SOURCE PERMITS	PERMIT	34230
AIR NEW SOURCE PERMITS	PERMIT	34358
AIR NEW SOURCE PERMITS	PERMIT	35243
AIR NEW SOURCE PERMITS	PERMIT	35808
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	96
AIR NEW SOURCE PERMITS	PERMIT	97
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	747

AIR NEW SOURCE PERMITS	PERMIT	748
AIR NEW SOURCE PERMITS	PERMIT	920
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3177
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4406
AIR NEW SOURCE PERMITS	PERMIT	4596
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	PERMIT	41920
AIR NEW SOURCE PERMITS	PERMIT	41875
AIR NEW SOURCE PERMITS	PERMIT	42221
AIR NEW SOURCE PERMITS	PERMIT	42573
AIR NEW SOURCE PERMITS	PERMIT	42512
AIR NEW SOURCE PERMITS	PERMIT	43605
AIR NEW SOURCE PERMITS	PERMIT	42118
AIR NEW SOURCE PERMITS	PERMIT	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	PERMIT	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	PERMIT	47575
AIR NEW SOURCE PERMITS	PERMIT	70613
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	PERMIT	70903
AIR NEW SOURCE PERMITS	PERMIT	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	PERMIT	54061
AIR NEW SOURCE PERMITS	PERMIT	50548
AIR NEW SOURCE PERMITS	PERMIT	52565
AIR NEW SOURCE PERMITS	PERMIT	52089
AIR NEW SOURCE PERMITS	PERMIT	52088
AIR NEW SOURCE PERMITS	PERMIT	50388
AIR NEW SOURCE PERMITS	PERMIT	50423
AIR NEW SOURCE PERMITS	PERMIT	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX961
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	84538
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
WASTEWATER LICENSING	LICENSE	WQ0000402000
WATER LICENSING	LICENSE	1010320
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK	REGISTRATION	32780

Location: REGISTRATION  
 5900 HWY 225 E, DEER PARK, TX, 77536 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 25, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 25, 2003 to June 25, 2008

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

Name: Bryan Elliott Phone: 239-6162

**Site Compliance History Components**

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? Yes
3. If Yes, who is the current owner?
  - Shell Deer Park Refining Company
  - Shell Chemical LP
  - Shell Oil Company
  - Deer Park Refining Limited Partnership
4. If Yes, who was/were the prior owner(s)?
  - Equilon Enterprises LLC
5. When did the change(s) in ownership occur?
  - 06/10/2004

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

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

Effective Date: 08/30/2004 ADMINORDER 2003-1321-AIR-E

Classification: Major

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

Rqmt Prov: MAERT PERMIT

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

Effective Date: 09/26/2004 ADMINORDER 2004-0101-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 113, SubChapter C 113.120  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(a)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct flare performance testing in accordance with 40 CFR 63.11 within 180 days of startup or rule applicability.

Effective Date: 08/20/2005 ADMINORDER 2004-0867-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.224(11)  
 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(c)

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

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.224(14)

Description: Failure to cease the burning of waste in the Phenol-3 BIF on October 12, 2003.

Effective Date: 02/20/2006 ADMINORDER 2005-0765-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.721(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Minor

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

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

Effective Date: 02/20/2006

ADMINORDER 2005-0734-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:

Special Condition 1 PERMIT

Description: Failed to prevent a power outage at Switchback 6B13 which resulted in unauthorized emissions from the HIPA Flare, HIPA Vent, Benji Vent (PC5500A), and Relief Valves RV0624, RV3033B, and RV0298 on May 9, 2004. Category A.11.i(6).

Classification: Major

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

Rqmt Prov:

Also No. 3219, GC #8 PERMIT

Description: Failed to maintain the ratio of hydrogen to acetylene in the converter resulting in the flaring of off-specification product resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on June 17, 2004.

Classification: Major

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

Rqmt Prov:

SC #1 PERMIT

Description: Failed to prevent the lifting of Relief Valve RV3033B on the fat acid storage tank (T-75B) on June 27, 2004 which resulted in unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:

Also No. 3219, GC #8 PERMIT

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

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:

NSR Permit #3173, Special Condition #1 PA

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

Classification: Major

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

Rqmt Prov:

Also Permit No. 3219, Gen. Condition 8 PERMIT

Description: Failed to control the ammonia concentration in the sour hydrogen feed resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on May 22, 2004. Category A.11.i(6).

Classification: Minor

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

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

Effective Date: 05/12/2006

ADMINORDER 2005-1614-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov:

Permit No 3214, Gen Cond. No. 8 OP

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

Classification: Moderate

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

Rqmt Prov:

General Condition #8 PERMIT

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

Classification: Moderate

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

Rqmt Prov:

Permit No. 3219, Max. Allow. Em. Rate Ta PERMIT

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

Classification: Moderate

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

Rqmt Prov:

Permit No. 3219, Gen. Cond. No. 8 OP

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

Effective Date: 08/29/2006

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4  
30 TAC Chapter 101, SubChapter A 101.5

30 TAC Chapter 111, SubChapter B 111.201

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4  
30 TAC Chapter 101, SubChapter A 101.5

30 TAC Chapter 111, SubChapter B 111.201

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

Classification: Moderate

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

Rqmt Prov:

mact rates PERMIT

Description: Exceeded maximum allowable emission rates for hydrogen sulfide.

Classification: Moderate

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

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	06/25/2003	(157750)
2	06/26/2003	(60695)
3	06/28/2003	(33595)
4	07/23/2003	(284079)
5	07/23/2003	(295231)
6	07/25/2003	(157705)
7	07/25/2003	(157709)
8	08/06/2003	(114294)
9	08/12/2003	(148558)
10	08/23/2003	(36650)
11	08/26/2003	(295233)
12	08/29/2003	(149848)
13	09/22/2003	(295235)
14	09/25/2003	(295217)
15	10/22/2003	(249626)
16	10/23/2003	(295219)
17	10/27/2003	(295237)
18	10/28/2003	(252341)
19	11/21/2003	(295220)

20	11/26/2003	(295238)
21	11/30/2003	(248256)
22	12/17/2003	(295221)
23	12/23/2003	(295239)
24	01/02/2004	(257380)
25	01/02/2004	(252698)
26	01/04/2004	(251319)
27	01/14/2004	(254260)
28	01/21/2004	(252556)
29	01/22/2004	(295240)
30	01/26/2004	(295222)
31	01/28/2004	(261052)
32	02/23/2004	(248995)
33	02/23/2004	(432673)
34	02/27/2004	(295223)
35	03/16/2004	(295208)
36	03/24/2004	(295225)
37	03/31/2004	(260311)
38	04/16/2004	(256199)
39	04/21/2004	(295209)
40	04/23/2004	(295226)
41	05/19/2004	(256196)
42	05/19/2004	(295206)
43	05/19/2004	(295211)
44	05/25/2004	(268601)
45	05/25/2004	(295228)
46	05/25/2004	(266874)
47	05/26/2004	(273578)
48	06/03/2004	(270210)
49	06/09/2004	(272409)
50	06/18/2004	(271341)
51	06/18/2004	(270854)
52	06/21/2004	(295213)
53	06/23/2004	(352010)
54	07/14/2004	(260134)
55	07/22/2004	(352011)
56	07/26/2004	(352004)
57	08/11/2004	(288458)
58	08/11/2004	(288745)
59	08/11/2004	(287418)
60	08/11/2004	(287399)
61	08/16/2004	(279252)
62	08/16/2004	(279239)
63	08/23/2004	(352012)
64	08/24/2004	(352003)
65	08/24/2004	(352005)
66	08/31/2004	(272715)
67	08/31/2004	(267451)
68	08/31/2004	(268068)
69	08/31/2004	(292677)
70	09/07/2004	(292099)
71	09/22/2004	(352013)
72	09/30/2004	(287575)
73	10/04/2004	(352006)
74	10/18/2004	(335028)
75	10/20/2004	(352007)
76	10/20/2004	(352014)
77	11/11/2004	(289756)
78	11/12/2004	(290146)
79	11/12/2004	(288819)
80	11/22/2004	(285617)
81	11/22/2004	(352015)
82	11/23/2004	(352008)
83	11/29/2004	(339553)
84	12/05/2004	(268602)
85	12/10/2004	(338725)
86	12/11/2004	(341292)
87	12/11/2004	(342406)
88	12/11/2004	(342558)
89	12/14/2004	(341177)
90	12/14/2004	(342547)
91	12/15/2004	(340217)
92	12/17/2004	(339115)
93	12/20/2004	(352016)
94	12/21/2004	(342546)
95	12/27/2004	(352009)
96	12/28/2004	(290091)
97	12/28/2004	(338893)
98	12/29/2004	(342425)
99	12/30/2004	(342431)
100	12/30/2004	(344374)
101	12/30/2004	(344491)
102	01/04/2005	(288475)
103	01/04/2005	(285114)
104	01/04/2005	(288902)
105	01/04/2005	(342600)
106	01/04/2005	(293105)
107	01/05/2005	(289527)

198	01/05/2005	(288541)
109	01/05/2005	(344370)
110	01/06/2005	(344373)
111	01/06/2005	(289146)
112	01/07/2005	(288436)
113	01/09/2005	(289381)
114	01/10/2005	(286434)
115	01/10/2005	(287676)
116	01/10/2005	(279219)
117	01/20/2005	(381814)
118	01/24/2005	(381811)
119	01/26/2005	(342583)
120	01/31/2005	(342585)
121	02/01/2005	(342419)
122	02/22/2005	(350798)
123	02/22/2005	(381812)
124	02/23/2005	(371820)
125	03/22/2005	(381813)
126	03/23/2005	(381809)
127	03/28/2005	(381810)
128	04/01/2005	(346780)
129	04/22/2005	(419640)
130	04/22/2005	(419642)
131	04/22/2005	(55179)
132	04/29/2005	(344372)
133	05/03/2005	(373899)
134	05/09/2005	(37829)
135	05/18/2005	(55182)
136	05/25/2005	(380203)
137	06/17/2005	(392662)
138	06/20/2005	(55185)
139	06/21/2005	(419641)
140	06/21/2005	(419643)
141	06/28/2005	(394944)
142	07/06/2005	(398907)
143	07/13/2005	(374690)
144	07/18/2005	(55188)
145	07/18/2005	(37933)
146	07/18/2005	(37934)
147	07/20/2005	(400891)
148	07/21/2005	(400399)
149	07/28/2005	(379300)
150	08/02/2005	(400361)
151	08/03/2005	(399624)
152	08/05/2005	(341201)
153	08/05/2005	(341194)
154	08/05/2005	(341195)
155	08/05/2005	(341198)
156	08/05/2005	(341200)
157	08/10/2005	(403710)
158	08/15/2005	(453221)
159	08/16/2005	(404329)
160	08/16/2005	(404327)
161	08/18/2005	(404406)
162	08/22/2005	(400922)
163	08/22/2005	(55181)
164	08/23/2005	(401945)
165	08/23/2005	(404915)
166	08/25/2005	(405926)
167	08/30/2005	(401403)
168	09/23/2005	(440775)
169	09/23/2005	(440776)
170	09/27/2005	(55193)
171	09/28/2005	(431096)
172	10/04/2005	(405964)
173	10/05/2005	(407310)
174	10/05/2005	(406803)
175	10/05/2005	(431097)
176	10/05/2005	(431095)
177	10/10/2005	(406428)
178	10/24/2005	(468331)
179	10/24/2005	(55195)
180	10/28/2005	(433389)
181	10/28/2005	(405406)
182	11/03/2005	(431819)
183	11/04/2005	(431796)
184	11/04/2005	(431865)
185	11/14/2005	(371956)
186	11/23/2005	(433921)
187	11/23/2005	(55197)
188	11/28/2005	(437043)
189	11/28/2005	(468332)
190	11/30/2005	(437117)
191	12/08/2005	(418800)
192	12/16/2005	(451110)
193	12/21/2005	(55199)
194	12/22/2005	(55200)
195	12/27/2005	(468333)
196	01/24/2006	(451885)
197	01/24/2006	(468334)
198	01/24/2006	(55201)

199	02/16/2006	(454090)
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201	02/21/2006	(575174)
202	02/21/2006	(454835)
203	02/23/2006	(455872)
204	02/23/2006	(455897)
205	02/23/2006	(439108)
206	02/24/2006	(438342)
207	02/24/2006	(468329)
208	02/25/2006	(456944)
209	02/25/2006	(457085)
210	02/27/2006	(457162)
211	02/27/2006	(456661)
212	02/28/2006	(457143)
213	02/28/2006	(457152)
214	03/03/2006	(455540)
215	03/09/2006	(457675)
216	03/15/2006	(458469)
217	03/17/2006	(451544)
218	03/20/2006	(431859)
219	03/20/2006	(571632)
220	03/21/2006	(575176)
221	03/23/2006	(290016)
222	03/23/2006	(468330)
223	03/28/2006	(405965)
224	04/03/2006	(455004)
225	04/21/2006	(575180)
226	04/24/2006	(449499)

227	04/24/2006	(498125)
228	04/25/2006	(449838)
229	04/26/2006	(455005)
230	04/27/2006	(440023)
231	04/28/2006	(462216)
232	05/10/2006	(266908)
233	05/10/2006	(268067)
234	05/12/2006	(461088)
235	05/17/2006	(461235)
236	05/17/2006	(466235)
237	05/22/2006	(498126)
238	05/22/2006	(575183)
239	05/26/2006	(460174)
240	05/26/2006	(460095)
241	05/26/2006	(460156)
242	05/26/2006	(460637)
243	05/30/2006	(459416)
244	05/30/2006	(460198)
245	05/31/2006	(480622)
246	05/31/2006	(455293)
247	06/12/2006	(455296)
248	06/13/2006	(457735)
249	06/14/2006	(480612)
250	06/15/2006	(449850)
251	06/16/2006	(575186)
252	06/20/2006	(498127)
253	06/21/2006	(467546)
254	06/23/2006	(467537)
255	06/23/2006	(467329)
256	06/28/2006	(467525)
257	06/30/2006	(463111)
258	06/30/2006	(466561)
259	07/10/2006	(482757)
260	07/11/2006	(482755)
261	07/11/2006	(482760)
262	07/11/2006	(482407)
263	07/14/2006	(467608)
264	07/24/2006	(520133)
265	07/24/2006	(575189)
266	07/26/2006	(487301)
267	07/27/2006	(486448)
268	07/31/2006	(482753)
269	08/08/2006	(482747)
270	08/14/2006	(480383)
271	08/16/2006	(392732)
272	08/18/2006	(457259)
273	08/18/2006	(457480)
274	08/22/2006	(575192)
275	08/23/2006	(457432)
276	08/25/2006	(510170)
277	08/28/2006	(479997)
278	08/29/2006	(509957)
279	08/29/2006	(479999)
280	08/30/2006	(509636)
281	08/31/2006	(457283)
282	09/07/2006	(510326)
283	09/22/2006	(575194)
284	09/25/2006	(520134)
285	09/29/2006	(487313)
286	10/04/2006	(510017)
287	10/04/2006	(512388)
288	10/05/2006	(510021)
289	10/05/2006	(512393)

290	10/05/2006	(512392)
291	10/13/2006	(510023)
292	10/23/2006	(575196)
293	10/24/2006	(544406)
294	10/26/2006	(512394)

295	10/27/2006	(515112)
296	10/31/2006	(513138)
297	10/31/2006	(509694)
298	10/31/2006	(343595)
299	11/03/2006	(513228)
300	11/03/2006	(513328)
301	11/06/2006	(515706)
302	11/16/2006	(512687)
303	11/16/2006	(514711)
304	11/21/2006	(517284)
305	11/22/2006	(575198)
306	11/27/2006	(544407)
307	11/30/2006	(379581)
308	12/07/2006	(488023)
309	12/07/2006	(488025)
310	12/07/2006	(487985)
311	12/07/2006	(488004)
312	12/15/2006	(508968)
313	12/21/2006	(534053)
314	12/27/2006	(544408)
315	12/27/2006	(544409)
316	12/29/2006	(343599)
317	01/19/2007	(531892)
318	01/22/2007	(575202)
319	01/31/2007	(537439)
320	01/31/2007	(538238)
321	01/31/2007	(538659)
322	02/17/2007	(532455)
323	02/20/2007	(457345)
324	02/22/2007	(575167)
325	02/22/2007	(575175)
326	02/23/2007	(532463)
327	02/23/2007	(532452)
328	02/27/2007	(532471)
329	03/01/2007	(509707)
330	03/05/2007	(406521)
331	03/21/2007	(575177)
332	03/23/2007	(575168)
333	04/12/2007	(554202)
334	04/19/2007	(575169)
335	04/23/2007	(575181)
336	04/25/2007	(542681)
337	04/25/2007	(532459)
338	04/26/2007	(541475)
339	04/30/2007	(542592)
340	04/30/2007	(542683)
341	05/07/2007	(537121)
342	05/08/2007	(542690)
343	05/09/2007	(467500)
344	05/14/2007	(542697)
345	05/16/2007	(575170)
346	05/18/2007	(542652)
347	05/22/2007	(575184)
348	05/29/2007	(559183)
349	05/30/2007	(560809)
350	06/20/2007	(575171)
351	06/22/2007	(575187)
352	06/25/2007	(563779)
353	06/25/2007	(564308)
354	06/27/2007	(564822)
355	06/27/2007	(564828)
356	07/06/2007	(565810)
357	07/10/2007	(565422)
358	07/20/2007	(575172)
359	07/20/2007	(575173)
360	07/23/2007	(575178)
361	07/23/2007	(575190)
362	08/01/2007	(567841)

363	08/03/2007	(568522)
364	08/13/2007	(571026)
365	08/14/2007	(567884)
366	08/15/2007	(571883)
367	08/17/2007	(571025)
368	08/22/2007	(607528)
369	09/18/2007	(571877)
370	09/19/2007	(572770)
371	09/20/2007	(601572)
372	09/24/2007	(607529)
373	10/12/2007	(560777)
374	10/16/2007	(593594)
375	10/18/2007	(601573)
376	10/25/2007	(596852)
377	11/06/2007	(593367)

378	11/06/2007	(565492)
379	11/15/2007	(597968)
380	11/15/2007	(597891)
381	11/19/2007	(572257)
382	11/19/2007	(599691)
383	11/20/2007	(619483)
384	11/27/2007	(597446)
385	11/30/2007	(608138)
386	11/30/2007	(601276)
387	12/04/2007	(600886)
388	12/20/2007	(619484)
389	12/20/2007	(610419)
390	01/07/2008	(598077)
391	01/17/2008	(599615)
392	01/17/2008	(619485)
393	01/17/2008	(600635)
394	01/17/2008	(599822)
395	01/17/2008	(599668)
396	01/22/2008	(613355)
397	01/25/2008	(615969)
398	01/25/2008	(615999)
399	01/25/2008	(597769)
400	01/25/2008	(615280)
401	01/28/2008	(616080)
402	01/28/2008	(616082)
403	02/01/2008	(607448)
404	02/01/2008	(614303)
405	02/01/2008	(615075)
406	02/01/2008	(613923)
407	02/01/2008	(614301)
408	02/04/2008	(614031)
409	02/05/2008	(610680)
410	02/13/2008	(616505)
411	02/14/2008	(616503)
412	02/19/2008	(671990)
413	02/28/2008	(637020)
414	03/07/2008	(612807)
415	03/10/2008	(617388)
416	03/12/2008	(637217)
417	03/24/2008	(616741)
418	03/24/2008	(638443)
419	03/28/2008	(600448)
420	03/31/2008	(610634)
421	04/09/2008	(610636)
422	04/11/2008	(610638)
423	04/11/2008	(637073)
424	04/17/2008	(671992)
425	04/21/2008	(639674)
426	04/22/2008	(653495)
427	04/24/2008	(671991)
428	05/02/2008	(650560)
429	05/20/2008	(654015)
430	05/20/2008	(654943)

431	05/23/2008	(637956)
432	05/23/2008	(638051)
433	05/23/2008	(654353)
434	06/01/2008	(640777)
435	06/06/2008	(654842)
436	06/10/2008	(671393)
437	06/17/2008	(682693)
438	06/18/2008	(683279)

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

Date	06/28/2003	(33595)		
Self Report?		NO	Classification:	Moderate
Citation:		5C THC Chapter 382, SubChapter A 382.085(a)		
Description:		Failed to prevent an emissions release by good design, operation, and maintenance practices.		
Date	07/31/2003	(157709)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	09/30/2003	(295219)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	11/30/2003	(295239)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	01/04/2004	(251319)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:		PERMIT TCEQ AIR PERMIT #19849, SC #1		
Description:		Shell allowed 237 lbs of unauthorized emissions of mesityl oxide (a highly irritating ketone, which overflowed Tank T-40-16 due to an inaccurate level indicator and failure to respond to a high level alarm from the back up high level alarm system.		

Date	01/14/2004	(254260)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:		PERMIT TCEQ AIR PERMIT #3219, SC #4		
Description:		Main induced-draft fan on Boiler H-8610 shut down when governor seized due to dirty oil (inadequate attention to the status of the oil). The (large) boiler tripped on loss of the fan. Two olefin plants were shut down due to insufficient steam supply to the steam turbines driving the large critical compressors.		
Date	01/21/2004	(252556)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter G 116.715(a)		
Rqmt Prov:		PERMIT TCEQ AIR PERMIT #21262, SC #1		
Description:		Shell damaged the lube oil pump for the Recycle Gas Compr. Either possible root cause (failure to prime the pump or improperly installing the new motive screws ) avoidably damaged those screws. Shell failed to control SO2 emissions during a startup activity.		
Date	04/30/2004	(295228)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:		TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	06/30/2004	(352011)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:		TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	07/13/2004	(260134)		
Self Report?		NO	Classification:	Minor
Citation:		30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)		
		30 TAC Chapter 116, SubChapter B 116.115(c)		
		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT TCEQ AIR PERMIT #920, SC #1		
Description:		Failure to report an emissions event in a timely manner.		
Date	08/31/2004	(272715)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)		
		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT No. 3219 and PSD-TX-974, GC #8		
Description:		Failure to operate within the permit limits.		
Date	08/31/2004	(267451)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter G 116.715(a)		
		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT No. 21262 and PSD-TX-928		
Description:		Failure to prevent unauthorized emissions.		
Date	09/22/2004	(335028)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 290, SubChapter D 290.46(m)		
Description:		Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.		
Date	09/30/2004	(352007)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		
		TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	11/22/2004	(285617)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)		
		5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:		PERMIT No. 3219 and PSD-TX-974, GC #8		
Description:		Failure to operate within the permit limits.		
Self Report?		NO	Classification:	Minor
Citation:		30 TAC Chapter 101, SubChapter F 101.201(b)(7)		
Description:		Failure to indicate the air contaminants from the flare completely in the final report.		
Date	11/30/2004	(352009)		
Self Report?		YES	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(1)		
		TWC Chapter 26 26.121(a)		
Description:		Failure to meet the limit for one or more permit parameter		
Date	12/14/2004	(340217)		
Self Report?		NO	Classification:	Moderate
Citation:		30 TAC Chapter 305, SubChapter F 305.125(4)		
		30 TAC Chapter 305, SubChapter F 305.125(5)		
		TWC Chapter 26 26.121(a)(1)		
Description:		Failure to prevent the unauthorized discharge of untreated or partially treated process, sanitary, balast, and utility wastewaters through outfall 008. The permittee is authorized to discharge storm water and fire water only to outfall 008. See attached Table 1.		
Date	12/28/2004	(290091)		
Self Report?		NO	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:		PERMIT No. 3219 and PSD-TX-974, GC #8		
Description:		Failure to avoid loss of cooling in the PRC surface condensate system.		

Date	12/30/2004	(344491)		
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:				PA Permit #21262/PSD-TX-928, SC#1
Description:				Failure to control emissions.
Date	12/30/2004	(344374)		
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov:				PA Permit #s:21262,PSD-TX-928, SC #1
Description:				Failure to Control Emissions
Date	01/04/2005	(342600)		
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT No. 3219 and PSD-TX-974, GC # 8
Rqmt Prov:				Failure to control hydrate formation in the demethanizer column.
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description:				Failure to report emissions event in a timely manner.
Date	01/07/2005	(288436)		
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT No. 21262 and PSD-TX-928
Rqmt Prov:				Exceeded permit limits during an avoidable emissions event.
Description:				
Date	01/09/2005	(289381)		
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT TCEQ Air Permit #3219 and PSD-TX-974
Rqmt Prov:				Exceeded permit limits during an avoidable emissions event.
Description:				
Date	03/31/2005	(419640)		
Self Report?		YES	Classification:	Moderate
Citation:				30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)
Description:				Failure to meet the limit for one or more permit parameter
Date	04/29/2005	(344372)		
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 116, SubChapter B 116.110(a) 5C THC Chapter 382, SubChapter A 382.085(b)
Description:				Failure to control emissions.
Date	05/31/2005	(575185)		
Self Report?		YES	Classification:	Moderate
Citation:				30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)
Description:				Failure to meet the limit for one or more permit parameter
Date	06/20/2005	(395120)		
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT No. 9334, Gen. Condition #8
Rqmt Prov:				Failure to prevent spill during tank heel transfer.
Description:				
Self Report?		NO	Classification:	Minor
Citation:				30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A) 30 TAC Chapter 101, SubChapter F 101.201(b)(B)
Description:				Failure to submit an emissions event in a timely manner.
Date	07/31/2005	(419643)		
Self Report?		YES	Classification:	Moderate
Citation:				30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)
Description:				Failure to meet the limit for one or more permit parameter
Date	07/31/2005	(575191)		
Self Report?		YES	Classification:	Moderate
Citation:				30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)
Description:				Failure to meet the limit for one or more permit parameter
Date	08/17/2005	(404327)		
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 117, SubChapter B 117.206(e)(2)
Description:				Failure to maintain ammonia emissions below 10ppm on furnace 110.
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 117, SubChapter B 117.206(e)(2)
Description:				Failure to maintain ammonia emissions below 10ppm on furnace 150.
Self Report?		NO	Classification:	Moderate
Citation:				30 TAC Chapter 117, SubChapter B 117.206(e)(2)
Description:				Failure to maintain ammonia emissions below 10ppm on furnace 180.
Date	09/30/2005	(468331)		
Self Report?		YES	Classification:	Moderate
Citation:				30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)  
Description: Failure to meet the limit for one or more permit parameter  
Date 10/10/2005 (406428)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control emissions.  
Date 11/30/2005 (575199)  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter  
Date 12/08/2005 (418800)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to maintain compliance with the effluent permit limits. Effluent violations were reported for ammonia-nitrogen at outfall 104 in 07/05 and for calcium, nickel and fecal coliform at outfall 001 in 03/05.  
Date 02/23/2006 (439108)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA 3219 AND PSD-TX-974  
Description: Exceeded permit limits during an avoidable emissions event.  
Date 02/27/2006 (438342)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to control unauthorized emissions.  
Date 04/04/2006 (455004)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA NSR Permit #3173, Special Condition #1  
Description: Failure to control unauthorized emissions for Incident #64365.  
Date 05/17/2006 (461235)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1946, Special Condition 15H  
OP 1946, Special Condition 1A  
Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1668, Special Condition 1A  
Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1668, Special Condition 1A  
PERMIT 3219, Special Conditions 5 and 6  
Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions .  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1946, Special Condition 1A  
OP 1946, Special Condition 21  
PERMIT 3216, Special Condition 6E  
PERMIT 3218, Special Condition 8E  
Description: Nine OELs in HT2; 2 OELs in CIPX  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 18576, Special Condition 7E  
OP 1946, Special Condition 1A  
OP 1946, Special Condition 21  
Description: Failure to seal 18 OELs in IRU.  
Self Report? NO Classification: Minor

Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)		
Rqmt Prov:	OP 1946, Special Condition 1A OP 1946, Special Condition 21 PERMIT 3217, Special Condition 3E		
Description:	Failure to seal OELs in BD3.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1946, Special Condition 21 PERMIT 3216, Special Condition 1 PERMIT 3216, Special Condition 5		
Description:	Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP 1946, Special Condition 21 PERMIT 3216, Special Conditions 1 and 4		
Description:	The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.		
Date 05/31/2006	(455293)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)		
Rqmt Prov:	5C THC Chapter 382, SubChapter D 382.085(b) PERMIT No. 3219 and PSD-TX-974 MAERT		
Description:	Failure to prevent an operator error resulting in unauthorized emissions.		
Date 06/15/2006	(457735)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 9334 MAERT		
Description:	Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.		
Date 06/16/2006	(510170)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT Self-reporting Requirements		
Description:	Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.		
Date 06/28/2006	(467525)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT #21262, Special Condition #1		
Description:	Failure to prevent overpressure of Secondary Debutanizer Column, V-613.		
Date 06/30/2006	(520133)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 07/14/2006	(467608)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT No 3219 MAERT		
Description:	Failure to prevent unauthorized emissions during decoking of furnace FOL170.		
Date 07/31/2006	(440775)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 07/31/2006	(575192)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 08/18/2006	(457259)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 266, SC 7E PERMIT 3985A, SC 7E OP O-01947, Special Condition 13 OP O-01947, Special Condition 1A		
Description:	3 OELs in SITEFE and 1 OEL in WRACKFE		
Date 08/23/2006	(457432)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)		

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: OP 1948, Special Condition 1A  
Description: Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13  
OP 1948, Special Condition 1A  
PERMIT 19849, Special Condition 11E  
10 OELs in MPLANTFE

Description: NO Classification: Minor  
Self Report?

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13  
OP 1948, Special Condition 1A  
PERMIT 1968, Special Condition 3E  
PERMIT 19849, Special Condition 11E  
PERMIT 3173, Special Condition 6E

Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFEE; 1 OEL in HPLANTFE  
Self Report? NO Classification: Minor  
Citation:

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13  
OP 1948, Special Condition 1A  
PERMIT 3173, Special Condition 6F

Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005

Self Report? NO Classification: Minor  
Citation:

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

Rqmt Prov: OP 1948, Special Condition 13  
PERMIT 19849, Special Condition 7D

Description: Failure to inspect Tank T667B by the due date of March 2005

Self Report? NO Classification: Moderate  
Citation:

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 13  
PERMIT 3173, Special Condition 1

Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.

Self Report? NO Classification: Moderate  
Citation:

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: OP 1948, Special Condition 1H(iv)

Description: Failure to repair Component No. 200706 in IPACRUFEE within seven days

Self Report? NO Classification: Minor  
Citation:

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

Rqmt Prov: OP 1948, Special Condition 1A

Description: Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere

Date 08/28/2006 (479997)

Self Report? NO Classification: Moderate  
Citation:

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 3219, Special Condition 2I  
OP O-1668, Special Condition 15  
OP O-1668, Special Condition 1H(v)

Description: Failure to repair Component No. 64110.P in OP2FUG within 15 days

Self Report? NO Classification: Minor  
Citation:

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

Rqmt Prov: PERMIT 3219, Special Condition 2E  
OP O-1668, Special Condition 15

Description:	OP O-1668, Special Condition 1A		
Self Report?	Forty-nine incidences of open-ended lines in OP2FUG	Classification:	Minor
Citation:	NO		
	30 TAC Chapter 115, SubChapter D 115.352(4)		
	30 TAC Chapter 115, SubChapter H 115.783(5)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3214, Special Condition 5E		
	OP O-1668, Special Condition 15		
	OP O-1668, Special Condition 1A		
Description:	26 OELs in OL3FUG and 4 OELs in PYR3FUG	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4)		
	30 TAC Chapter 115, SubChapter H 115.783(5)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3214, Special Condition 5E		
	PERMIT 3219, Special Condition 2E		
	OP O-1668, Special Condition 15		
	OP O-1668, Special Condition 1A		
Description:	28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 3219, Maximum Allowable Emission Rates		
	OP O-1668, Special Condition 15		
Description:	Exceedance of VOC MAER in tpy for the Olefins Flare System		
Date	08/29/2006		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 15E		
	OP O-1943, Special Condition 17		
	OP O-1943, Special Condition 1A		
Description:	One OEL in ACUFUG and one OEL in FUGOXU	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 7		
	OP O-1943, Special Condition 17		
Description:	Incomplete records of furnace firing rates for the ACU furnace, EPN H902	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)		
Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b)		
	OP O-1943, Special Condition 1A		
Description:	Failure to conduct internal inspection of Tank F-361 by the due date of May 2005	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 8		
	OP O-1943, Special Condition 17		
Description:	Operation of the East Property Flare with visible emissions	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(4)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to visually inspect Tank G-359 by the due date of August 16, 2005	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 10D		
	OP O-1943, Special Condition 17		
Description:	Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(2)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 9334, Special Condition 10D		
	OP O-1943, Special Condition 17		
	OP O-1943, Special Condition 1A		
Description:	Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.	Classification:	Moderate
Date	08/31/2006		
Self Report?	NO	Classification:	Moderate

Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 48912, Special Condition 5 OP O-2108, Special Condition 15		
Description:	Failure to analyze wastewater for isobutylaldehyde	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 115, SubChapter B 115.132(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-2108, Special Condition 1A		
Description:	Failure to meet the control requirements for VOC water separators NAPI and SAPI		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-2108, Special Condition 1A		
Description:	Failure to obtain vapor pressure sample from T-1318		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-2108, Special Condition 1A		
Description:	Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301 (513328)		
Date 11/03/2006		Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Shell failed to submit a CAP in a timely manner.		
Date 11/14/2006	(512687)	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(II) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP #O-01669, Special Condition #1A		
Description:	Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)(II).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.100(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP #O-01669, Special Condition #1A OP FOP #O-01669, Special Condition #1D		
Description:	Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).		
Date 11/30/2006	(544408)	Classification:	Moderate
Self Report?	YES		
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 12/31/2006	(544409)	Classification:	Moderate
Self Report?	YES		
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 02/23/2007	(532452)	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP O-01946, Special Condition 1A OP FOP O-01946, Special Condition 1M(iv) OP FOP O-01946, Special Condition 21 PA NSR #18576, Special Condition 7H PA NSR #3216, Special Condition 6H PA NSR #3217, Special Condition 3H		
Description:	Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP FOP # O-01946, Special Condition 1A		

OP FOP #O-01946, Special Condition 21  
 PA NSR 3216, Special Condition 2  
 PA NSR 3218, Special Condition 2

**Description:** Failure to maintain 94 LDAR components with identification tags as required by 40 CFR 61.242-1(d) as well NSR Permits #3216 and #3218.

**Self Report?** NO **Classification:** Minor

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

**Rqmt Prov:** 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Description:** Failure to cap 57 open-ended valves/lines per 30 TAC115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

**Self Report?** NO **Classification:** Minor

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

**Rqmt Prov:** OP FOP O-01946, Special Condition 21  
 PA NSR Permit 3216, Special Condition 5

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

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** OP FOP O-01946, Special Condition 1A  
 OP FOP O-01946, Special Condition 21  
 PA NSR Permit 3219, Special Condition 4

**Description:** Failure to continuously monitor for the presence of a flare pilot light on the OP3ELFLA unit, on two separate occasions for a total of 156 hours, as required by 40 CFR 60.18(f)(2), 40 CFR 63.11(b)(5), and NSR #3219, SC#4.

**Self Report?** NO **Classification:** Minor

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

**Rqmt Prov:** OP FOP O-01946, Special Condition 21  
 PA NSR Permit 3216, Special Condition 1

**Description:** Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** OP FOP O-01946, Special Condition 1M(ii)

**Description:** Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).

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

**Citation:** 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

**Rqmt Prov:** OP FOP O-01946, Special Condition 1M(ii)

**Description:** Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).

**Self Report?** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

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

**Description:** Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c) 5C THC Chapter 382, SubChapter A 382.085(b) OP FOP O-01946, Special Condition 28		
Rqmt Prov:	Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).		
Description:			
Date 02/27/2007	(532471)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter A 382.085(b) OP FOP #O-01947, General Terms & Conditions		
Rqmt Prov:	Failure to submit PCC within 30 days as required.		
Description:			
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(C) 5C THC Chapter 382, SubChapter A 382.085(b) OP FOP #O-01947, General Terms & Conditions		
Rqmt Prov:	Failure to submit a Deviation report within 30 days as required.		
Description:			
Date 02/28/2007	(575168)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 02/28/2007	(575177)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 03/31/2007	(575169)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 04/30/2007	(575170)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 05/14/2007	(542697)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.211(a)		
Description:	Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.		
Date 05/31/2007	(575171)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 06/30/2007	(575172)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 07/31/2007	(575173)		
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 08/29/2007	(543555)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter D 382.085(b) OP Title V O-01669, General Terms/Condition		
Rqmt Prov:	failed to submit a permit compliance certification and a deviation report in a timely manner.		
Description:			
Date 08/31/2007	(601572)		
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 09/30/2007	(601573)		
Self Report?	YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date 02/05/2008	(610680)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1) 5C THSC Chapter 382 382.085(b)		

Rqmt Prov:	PERMIT NSR 18576, Special Condition 7H PERMIT NSR 3217, Special Condition 3H OP O-01946 Special Conditions 1M(iv) OP O-01946 Special Conditions 1A		
Description:	Failure to affix and maintain leaking component tags on Leak Detection and Repair components.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3216, Special Condition 2 PERMIT NSR 3218, Special Condition 2 OP O-01946 Special Condition 1A OP O-01946 Special Condition 21		
Description:	Failure to affix permanent identification tags on 76 LDAR components.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 18576, Special Condition 7E PERMIT NSR 3216, Special Condition 6E PERMIT NSR 3217, Special Condition 3E		
	PERMIT NSR 3218, Special Condition 8E OP O-01946 Special Condition 1A OP O-01946 Special Condition 1M(v) OP O-01946 Special Condition 21		
Description:	Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a second valve. (CATEGORY C10 violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) OP O-01946 Special Condition 1M(ii)		
Rqmt Prov:			
Description:	Failure to stay below the maximum operating limit for vents in HRVOC service.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) OP O-01946 Special Condition 1M(ii)		
Rqmt Prov:			
Description:	Failure to meet HRVOC monitoring/recordkeeping requirements.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3216, Special Condition 11C OP O-01946 Special Condition 21		
Description:	Failure to continuously monitor and record the H2S concentration on the fuel gas on analyzer AI104 at the OP-2 fuel blend drum.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01946 Special Condition 21 PERMIT Special Condition 11B		
Description:	Failure to continuously monitor the Gross Heating Value (GHV) measurement of the fuel gas.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3216, Special Condition 5 OP O-01946 Special Condition 21		
Description:	Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007. (617388)		
Date 03/10/2008			
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1)		
Description:	Shell failed to submit a Corrective Action Plan (CAP) in a timely manner. (610634)		
Date 04/01/2008			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3214, SC 5(E) PERMIT NSR 3214, SC 6(E) PERMIT NSR 3219, SC 2(E) PERMIT NSR 3219, SC 8 OP O-01668, SC 1(A)		

	OP O-01668, SC 1(H)(v) OP O-01668, SC 15(A)		
Description:	Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3214, SC 5(H) PERMIT NSR 3214, SC 6(H) PERMIT NSR 3219, SC 2(H) PERMIT NSR 3219, SC 8 OP O-01668, SC 1(A) OP O-01668, SC 1(H)(v) OP O-01668, SC 15(A)		
Description:	Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.782(b)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(v)		
Description:	Failure to repair valve 76372A within 7 days.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 56496, GC 8 PERMIT NSR 56496, SC 1 OP O-01668, SC 15(A)		
Description:	Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx) and FOL-710 (22 block hrs for 25 lbs excess NOx).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 56496, SC 5 OP O-01668, SC 15(A)		
Description:	Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.136(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(A)		
Description:	Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.764(a)(6) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(iv)		
Description:	Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3219, SC 16  PERMIT NSR 3219, SC 5 OP O-01668, SC 1(A) OP O-01668, SC 15(A)		
Description:	Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(ii)		
Description:	Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.		

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.722(c)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(ii)		
Description:	Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(H)(ii)		
Description:	Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter C 122.210(a) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 15(B)		
Description:	Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	OP O-01668, SC 1(A)		
Description:	Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19. (639062)		
Date	04/09/2008		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.114(a)(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3173, SC 3 PERMIT NSR 3173, SC 8(D) PERMIT NSR 3995A, SC 8(D) PERMIT NSR19849, SC 7(D) OP O-01948, SC 1(A) OP O-01948, SC 13(A)		
Description:	Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THSC Chapter 382 382.085(b) PERMIT NSR 1968, SC 3(E) PERMIT NSR 19849, SC 11(E) PERMIT NSR 19849, SC 13 PERMIT NSR 19849, SC 14 PERMIT NSR 3173, SC 6(E) OP O-01948, 13(A) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv)		
Description:	Failure to seal open-ended lines.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(1)(A) 30 TAC Chapter 115, SubChapter H 115.782(b)(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3173, SC 6(I) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv) OP O-01948, SC 13(A)		
Description:	Failure to repair connector 702527 in IPACRUFE (in HRVOC service) within 15 days		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 115, SubChapter H 115.782(a) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		
Rqmt Prov:	PERMIT NSR 3173, SC 6(H) OP O-01948, SC 1(A) OP O-01948, SC 1(H)(iv) OP O-01948, SC 13(A)		
Description:	Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(3) 30 TAC Chapter 122, SubChapter B 122.143(4)		

5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-01948, SC 1(H)(i)  
 Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).

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

Rqmt Prov: OP O-01948, SC 1(H)(ii)  
 Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8 hours for the HIPA flare and the A&S flare.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01948, SC 1(H)(iii)  
 Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01948, SC 1(H)(ii)  
 Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.  
 Date 04/11/2008 (637073)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)  
 Rqmt Prov: OP O-01947, SC 1(H)(iii)  
 Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01947, SC 1(H)(ii)  
 Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.

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

Rqmt Prov: OP O-01947, SC 1(H)(ii)  
 Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.  
 Date 04/11/2008 (610638)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02108, SC 1(A)  
 OP O-02108, SC 15(A)  
 PERMIT Permit 19849, SC 11(E)  
 Description: Failure to seal three (3) open-ended lines (OEL's) from March 20, 2007 to March 30, 2007 in ENVSOFLR1 (tag nos. 188.P, 185, and 188).

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

Rqmt Prov: OP O-02108, SC 1(A)  
 Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02108, SC 1(A)  
 Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.

F. Environmental audits.

Notice of Intent Date: 06/12/2003 (251440)  
 Disclosure Date: 09/04/2003  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.116(a)  
 Description: Failure to maintain and compile inspection reports that document all of the elements required by the applicable regulations.

Notice of Intent Date: 08/12/2003 (251504)  
 No DOV Associated  
 Notice of Intent Date: 09/05/2003 (251740)  
 No DOV Associated  
 Notice of Intent Date: 09/05/2003 (251760)  
 No DOV Associated  
 Notice of Intent Date: 10/20/2003 (263020)

No DOV Associated  
Notice of Intent Date: 10/20/2003 (263024)  
No DOV Associated  
Notice of Intent Date: 10/20/2003 (263025)  
No DOV Associated  
Notice of Intent Date: 10/20/2003 (263029)

No DOV Associated  
Notice of Intent Date: 10/20/2003 (263033)  
Disclosure Date: 12/07/2004  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)

30 TAC Chapter 115, SubChapter B 115.136(a)(4)

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

Notice of Intent Date: 11/20/2003 (449697)  
No DOV Associated  
Notice of Intent Date: 02/20/2004 (265126)  
No DOV Associated  
Notice of Intent Date: 08/06/2004 (334038)  
Disclosure Date: 10/12/2004  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(5)

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

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

Notice of Intent Date: 08/06/2004 (334047)  
Disclosure Date: 08/26/2004  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.3(b)(2)

30 TAC Chapter 335, SubChapter A 335.1(59)

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

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

30 TAC Chapter 335, SubChapter R 335.504

30 TAC Chapter 335, SubChapter R 335.511

30 TAC Chapter 335, SubChapter R 335.513

30 TAC Chapter 335, SubChapter C 335.62

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

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

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

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

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

Viol. Classification: Moderate  
Rqmt PERMIT 1. General b.

Description: discharge of process water to storm water impoundment basins

Notice of Intent Date: 08/27/2004 (334576)  
No DOV Associated  
Notice of Intent Date: 10/12/2004 (349555)  
No DOV Associated  
Notice of Intent Date: 10/28/2004 (263123)  
No DOV Associated  
Notice of Intent Date: 11/11/2004 (349565)  
No DOV Associated  
Notice of Intent Date: 01/04/2005 (349867)  
Disclosure Date: 06/17/2005  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.320

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(d)(5)

Description: documentation was not readily available to fully demonstrate that a formal refinery maximum achievable control technology applicability determination (ie >5% HAPS) had been made for equipment in light crude service

Viol. Classification: Minor  
Citation:

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: one New Source Performance Standard (NSPS) notification for Start of Construction and Start of Operation for the CGHT unit could not be located

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(a)(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(b)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)

Description: documentation was not readily available to fully demonstrate that the process to determine if a project triggered NSPS "Modification" was being completed for NSPS Subpart GGG compliance

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)

30 TAC Chapter 101, SubChapter A 101.10(c)

30 TAC Chapter 101, SubChapter A 101.10(d)

30 TAC Chapter 101, SubChapter A 101.10(e)

40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30(a)

Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.100

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)

Description: documentation was not readily available to demonstrate the development of a formal startup, shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual report was submitted

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.320

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(i)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(f)(1)(ii)

Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability determination for miscellaneous process vents

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(6)

Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no leaks were detected, it is unclear whether there was complete compliance with HON requirements

Viol. Classification: Moderate

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

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)

Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not been performed as required by benzene waste NESHAP regulations

Viol. Classification: Moderate

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

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(b)

Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access hatches and other openings are properly closed and gasketed had not been performed as required by the benzene waste NESHAP regulations

Notice of Intent Date: 01/06/2005 (349868)

No DOV Associated

Notice of Intent Date: 01/05/2005 (371573)

No DOV Associated

Notice of Intent Date: 01/27/2005 (350720)

No DOV Associated

Notice of Intent Date: 01/27/2005 (350721)

Disclosure Date: 03/23/2005

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(b)

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

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

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

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

Notice of Intent Date: 01/27/2005 (350723)

Disclosure Date: 07/06/2005

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C-262.34

30 TAC Chapter 335, SubChapter C 335.69

Description: Equipment associated with a decommissioned cumene unit in the Phenol Acetone Production Areas was not properly decontaminated when shut down in 2001. Process vessels, pumps, exchangers, and piping contain material that meets the definition of a characteristically hazardous waste (D002, D018).

Notice of Intent Date: 03/02/2005 (375030)

No DOV Associated

Notice of Intent Date: 03/02/2005 (375031)

Disclosure Date: 07/14/2005

Viol. Classification: Minor

Rqmt PERMIT Air New Source Permit No. 9334 SC 10.D

Description: no notification 30 days in advance of 11/04 seal gap measurement for Aromatics EFR tank G-359

Viol. Classification: Minor

Rqmt PERMIT Air New Source Permits

Description: no notification 30 days in advance of refilling of Solvents IFR tank T140B, Phenol Acetone IFR tank D391, Solvents IFR tank F337

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)

Rqmt PERMIT Permit 9334 Special Condition 10D

Description: no 10 yr internal seal inspection of Aromatics IFR tank F-361

Notice of Intent Date:	04/15/2005	(380864)
No DOV Associated		
Notice of Intent Date:	05/18/2005	(396476)
No DOV Associated		
Notice of Intent Date:	08/22/2005	(434090)
No DOV Associated		
Notice of Intent Date:	08/22/2005	(434095)
No DOV Associated		
Notice of Intent Date:	11/04/2005	(438422)
No DOV Associated		
Notice of Intent Date:	12/02/2005	(451075)
No DOV Associated		
Notice of Intent Date:	01/05/2006	(452942)
No DOV Associated		
Notice of Intent Date:	01/05/2006	(452952)
No DOV Associated		
Notice of Intent Date:	05/22/2006	(454159)
No DOV Associated		
Notice of Intent Date:	04/18/2007	(562595)
No DOV Associated		
Notice of Intent Date:	08/03/2007	(593493)
No DOV Associated		
Notice of Intent Date:	08/24/2007	(594238)
No DOV Associated		
Notice of Intent Date:	09/24/2007	(596731)
No DOV Associated		
Notice of Intent Date:	10/16/2007	(599701)
No DOV Associated		
Notice of Intent Date:	10/15/2007	(599713)
No DOV Associated		
Notice of Intent Date:	01/11/2008	(616239)
No DOV Associated		
Notice of Intent Date:	02/19/2008	(639389)
No DOV Associated		
Notice of Intent Date:	04/08/2008	(654698)
No DOV Associated		
Notice of Intent Date:	04/18/2008	(654683)
No DOV Associated		
Notice of Intent Date:	05/23/2008	(682189)
No DOV Associated		

G. Type of environmental management systems (EMSs).

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

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

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

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER  
DOCKET NO. 2008-1092-AIR-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Shell Oil Company and Shell Chemical LP ("the Respondents") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondents presented this agreement to the Commission.

The Respondents understand that they have certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondents agree to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondents.

The Commission makes the following Findings of Fact and Conclusions of Law:

## I. FINDINGS OF FACT

1. Shell Oil Company operates a petroleum refinery and Shell Chemical LP operates a chemical manufacturing plant at 5900 Highway 225 East in Deer Park, Harris County, Texas (the "Plants").
2. The Plants consist of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation conducted on May 5, 2008, TCEQ staff documented that Shell Oil Company failed to prevent unauthorized emissions. Specifically, an emissions event occurred due to a faulty water boot level indicator on February 12, 2008 at the Distillation 2 Unit Column C-5102 that lasted for five minutes resulting in the release of 1,811.99 pounds ("lbs") of volatile organic compounds ("VOCs") and 2.96 lbs of hydrogen sulfide ("H<sub>2</sub>S"). Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
4. During an investigation conducted on May 16, 2008, TCEQ staff documented that Shell Oil Company failed to prevent unauthorized emissions. Specifically, an emissions event occurred due to the tripping of Sulfur Unit seven on February 15, 2008 at the East Property Flare that lasted for two hours and four minutes resulting in the release of 295.53 lbs of VOCs, 47.40 lbs of H<sub>2</sub>S, 262.70 lbs of carbon monoxide ("CO"), 51.60 lbs of nitrogen oxides ("NO<sub>x</sub>"), 3.80 lbs of particulate matter ("PM"), and 4,371.80 lbs of sulfur dioxide ("SO<sub>2</sub>"). Since sufficient information was not provided as to the cause of the event, the emissions event did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
5. During an investigation conducted on April 3, 2008, TCEQ staff documented that Shell Chemical LP failed to prevent unauthorized emissions. Specifically, an emissions event occurred due to low feed flow rates to the Acetylene Converter on March 7, 2008 at the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare that lasted for four hours resulting in the aggregate release of 1,905 lbs of VOCs, nine lbs of H<sub>2</sub>S, 2,436 lbs of CO, 339 lbs of NO<sub>x</sub>, and 912 lbs of SO<sub>2</sub>. Since this emissions event was due to operator error, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
6. During an investigation conducted on June 3, 2008, TCEQ staff documented that Shell Oil Company failed to prevent unauthorized emissions. Specifically, an emissions event occurred due to the tripping of the wet gas compressor on March 17, 2008 at the Coker Flare that lasted for five hours and 54 minutes resulting in the release of 850.36 lbs of VOCs, 277.48 lbs of H<sub>2</sub>S, 2,006.34 lbs of CO, 277.78 lbs of NO<sub>x</sub>, 22.09 lbs of PM, and 26,054.61 lbs of SO<sub>2</sub>. Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
7. During an investigation conducted on November 7, 2007, TCEQ staff documented that Shell Oil Company failed to prevent unauthorized emissions. Specifically, an excessive emissions event which occurred due to heavy rain accumulation on a floating tank roof occurred from August 18 through 30, 2007 at Storage Tank TA319 that lasted for 284 hours and 15 minutes resulting in the release of 26,531 lbs of VOCs, including 4,510 lbs of highly reactive VOCs, and 104 lbs of H<sub>2</sub>S.

Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

8. During an investigation conducted on June 11, 2008, TCEQ staff documented that Shell Chemical LP failed to prevent unauthorized emissions. Specifically, an emissions event occurred due to reduced supply of boiler feedwater on April 23, 2008 at Olefins 3 Elevated Flare that lasted for 35 minutes resulting in the release of 66.50 lbs of H<sub>2</sub>S, 10.90 lbs of CO, 1.50 lbs of NO<sub>x</sub>, and 6,133 lbs of SO<sub>2</sub>. Since this emissions event could have been avoided by good operation practices, it did not meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
9. The Respondents received notices of the violations on May 21 and 27, June 18, July 1 and 28, 2008.
10. The Executive Director recognizes that the Respondents have implemented the following corrective measures at the Plants:
  - a. On February 28, 2008, Shell Oil Company replaced the faulty electrical components from Sulfur Recovery Units No. 6 and No. 7 to address the February 15, 2008 emissions event, and to prevent recurrence of same or similar incidents;
  - b. By April 4, 2008, Shell Chemical LP lowered the proactive monitoring setpoint and tuned acetylene converter outlet flare valve to address the March 7, 2008 emissions event, and to prevent recurrence of same or similar incidents;
  - c. By May 8, 2008, Shell Oil Company reviewed expectations and monitoring requirements for all unit alarms with emphasis on startup and shutdown activities with operating personnel, and converted hand switch 1099 and 278 to pressure control valves in order to address the February 12, 2008 emissions event, and to prevent recurrence of same or similar incidents;
  - d. On August 26, 2008, Shell Oil Company submitted the Corrective Action Plan ("CAP") in response to the Excessive Emissions Event letter dated June 30, 2008, in order to address the August 18 through 30, 2007 excessive emissions event and to prevent recurrence of same or similar incidents;
  - e. By October 20, 2008, Shell Oil Company reviewed guidelines for Naphtha draw with Coker control operators and installed a critical priority alarm to the coker frac accumulator drum, in order to address the March 17, 2008 emissions event and to prevent recurrence of same or similar incidents;
  - f. By October 26, 2008, Shell Chemical LP reviewed guidelines for bypass capacities and impact awareness with operating personnel, updated the sulfur curtailment operating procedures, and created a red tag drill simulating curtailment exercises to improve response time of all units on the curtailment list, in order to address the April 23, 2008 emissions event and to prevent recurrence of same or similar incidents; and

- g. On December 1, 2008, Shell Oil Company received approval of the CAP submitted on August 26, 2008, and its implementation from the Houston Region in order to address the August 18 through 30, 2007 excessive emissions event and to prevent recurrence of same or similar incidents.

## II. CONCLUSIONS OF LAW

1. The Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, Shell Oil Company failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, Shell Oil Company failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. As evidenced by Findings of Fact No. 5, Shell Chemical LP failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), New Source Review ("NSR") Permit No. 3219/PSD-TX-974, Special Condition No. 6, and TEX. HEALTH & SAFETY CODE § 382.085(b).
5. As evidenced by Findings of Fact No. 6, Shell Oil Company failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. As evidenced by Findings of Fact No. 7, Shell Oil Company failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), Flexible Permit No. 21262/PSD-TX-928, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b).
7. As evidenced by Findings of Fact No. 8, Shell Chemical LP failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), NSR Permit No. 3219/PSD-TX-974, Special Condition No. 6, and TEX. HEALTH & SAFETY CODE § 382.085(b).
8. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondents 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 Seventy-One Thousand Nine Hundred Dollars (\$71,900) is justified by the facts recited in this Agreed Order, and considered in light of the

factors set forth in TEX. WATER CODE § 7.053. The Respondents have paid Thirty-Five Thousand Nine Hundred Fifty Dollars (\$35,950) of the administrative penalty. Thirty-Five Thousand Nine Hundred Fifty Dollars (\$35,950) shall be conditionally offset by the Respondents' completion of a Supplemental Environmental Project.

### III. ORDERING PROVISIONS

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

1. The Respondents are assessed an administrative penalty in the amount of Seventy-One Thousand Nine Hundred Dollars (\$71,900) as set forth in Section II, Paragraph 9 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondents' compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Shell Oil Company and Shell Chemical LP, Docket No. 2008-1092-AIR-E" to:  

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. The Respondents shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 9 above, Thirty-Five Thousand Nine Hundred Fifty Dollars (\$35,950) of the assessed administrative penalty shall be offset with the condition that the Respondents implement the SEP defined in Attachment A, incorporated herein by reference. The Respondents' obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondents. The Respondents are ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plants' operations referenced in this Agreed Order.
4. If the Respondents fail to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondents' failure to comply is not a violation of this Agreed Order. The Respondents shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondents shall notify the Executive Director within seven days after the Respondents become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondents if the Executive Director determines that the Respondents have not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondents in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

*[Signature]*  
For the Executive Director

Date 4/28/2009

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

I understand that by entering into this Agreed Order, Shell Oil Company and Shell Chemical LP waive certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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

*[Signature]*  
Signature

JAN 29 2009  
Date

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

GENERAL MANAGER  
Title

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

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

John Srdline  
For the Executive Director

Date 4/28/2009

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

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

Amir Farid  
Signature

JAN 29 2009  
Date

AMIR FARID  
Name (Printed or typed)  
Authorized Representative of  
Shell Chemical LP

GENERAL MGR  
Title

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

Attachment A  
Docket Number: 2008-1092-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

**Respondents:** Shell Oil Company and Shell Chemical LP

**Payable Penalty Amount:** Seventy-One Thousand Nine Hundred Dollars (\$71,900)

**SEP Amount:** Thirty-Five Thousand Nine Hundred Fifty Dollars (\$35,950)

**Type of SEP:** Pre-approved

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

**Location of SEP:** Harris County

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

**1. Project Description**

A. Project

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

**2. Performance Schedule**

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

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

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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

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

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

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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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

