

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

**DOCKET NO.: 2004-1279-AIR-E TCEQ ID: RN102555166 CASE NO.: 18691
RESPONDENT NAME: CITGO REFINING AND CHEMICALS COMPANY, L.P.**

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	

CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL 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

SITE WHERE VIOLATION(S) OCCURRED: 1802 Nueces Bay Boulevard, Corpus Christi, Nueces County

TYPE OF OPERATION: Petroleum refinery

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: There are no complaints. There are four pending enforcement actions regarding this facility location (2008-0837-AIR-E, 2008-1193-AIR-E, 2008-0273-IHW-E, and 2009-0622-AIR-E)

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

COMMENTS RECEIVED: The *Texas Register* comment period expired July 27, 2009. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney: Ms. Kathleen C. Decker, Litigation Division, MC 175, (512) 239-6500
Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019

TCEQ Enforcement Coordinator: Mr. Samuel Short, Air Enforcement Section, MC 149, (512) 239-5363

TCEQ Enforcement Coordinator: Ms. Miriam Hall, Air Enforcement Section, MC 149, (512) 239-1044

TCEQ Regional Contact: Ms Susan Clewis, Corpus Christi Regional Office, MC R-14, (361) 825-3104

Respondent: Mr. Kevin Ferrall, Vice President and General Manager, Environmental Affairs, Citgo Refining and Chemicals Company, LP, P.O. Box 9176, 1802 Nueces Bay Boulevard, Corpus Christi, Texas 78469-0321

Respondent's Attorney: Mr. Edward C. Lewis, Fulbright & Jaworski, LLP, 1301 McKinney, Suite 5100, Houston, Texas 77010-3095.

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Dates of Investigation Relating to this Case: October 28, 2003 through March 31, 2004</p> <p>Date of NOE Relating to this Case: September 17, 2004</p> <p>Background Facts: The EDPRP was filed September 12, 2006. The Respondent filed an answer and the case was referred to SOAH on December 5, 2006. The case was consolidated with Docket No. 2002-0290-AIR-E at a preliminary hearing held on February 7, 2007. At the preliminary hearing, the ALJ granted the Respondent's request to abate the proceeding pending the outcome of a federal criminal trial. The federal trial concluded in June 2007, however, sentencing was still pending as of the date of the filing of the backup documentation. Due to the age of the case the ALJ lifted the abatement on March 6, 2009. Settlement was achieved and a signed Agreed Order was received in May 2009.</p> <p>Current Compliance Status: No outstanding technical requirements.</p> <p>AIR: Failed to prevent unauthorized emissions from the No. 2 FCCU on October 28, 2003. Data results from the emissions events show that the unit emitted 143,727.8 lbs of Volatile Organic Compounds ("VOCs"), 29,326 lbs and an average of 784 ppm of Carbon Monoxide ("CO"), 243.6 lbs and an average of 851.42 ppm of Sulfur Dioxide ("SO₂"), 16,040 lbs of Particulate Matter ("PM"), and 100% opacity. Emissions limits are 2.3 lbs/hr for VOCs, 199 lbs/hr and 500 ppm for CO, 273 lbs/hr and 300 ppm for SO₂, 32.7 lbs/hr for PM, and 20% opacity, respectively [30 TEX. ADMIN. CODE §§ 111.111(a)(1)(C), 116.115(c), 101.20(1) and (3); Permit No. 3390A and Permit No. 9604A, Special Condition Nos. 1, 8, 11 and 15; TEX. HEALTH & SAFETY CODE § 382.085(b); and 40 CFR §§ 60.102(a)(2) and 60.103(a)].</p>	<p>Total Assessed: \$10,000</p> <p>Total Deferred: \$0</p> <p><input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input type="checkbox"/> SEP Conditional Offset</p> <p>Total Paid to General Revenue: \$10,000</p> <p>The Respondent paid the administrative penalty in full.</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Order Justification: The violation involved an unauthorized emission or discharge of contaminants to the environment that was determined to be an excessive emission event.</p> <p>Excessive Emissions Event Determination Factors:</p> <ol style="list-style-type: none"> 1. The cause of the event could have been avoided through better maintenance practices and better design of the systems to monitor the parameters of the processes associated with the No. 2 FCCU. 2. The facility emitted 143,727.8 lbs of VOCs, 29,326 lbs and average of 784 ppm of CO, 243.6 lbs and an average of 851.42 ppm of SO₂, 16,040 lbs of PM and 100% opacity. 	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has taken the following corrective measures at the Plant:</p> <p>In connection with the excessive emission event that occurred on October 28, 2003 at the Plant FCCU, the Respondent submitted a corrective action plan on December 23, 2003, which was approved by the Executive Director. A new generator pilot valve was installed, the feed diversion logic system was redesigned, and a testing schedule was implemented to ensure hydraulic fluid parameters are monitored and controlled within specifications.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 17, 2004

DATES

PCW 09-Jul-2009 Screening 04-Oct-2004 Priority Due 03-Dec-2004 EPA Due 10-Feb-2005

RESPONDENT/FACILITY INFORMATION

Respondent Citgo Refining and Chemicals Company, L.P. (East Plant)

Reg. Ent. Ref. No. RN102555166

Additional ID No(s) Air Account No. NE0027V

Facility/Site Region 14-Corpus Christi Major/Minor Source Major Source

CASE INFORMATION

Enf./Case ID No. 18691 No. of Violations 1

Docket No. 2004-1279-AIR-E Order Type Findings

Case Priority 2 (SNC/HPV) Inf. Coordinator Miriam Hall

Media Program(s) Air Quality EC's Team Enforcement Team 4

Multi-Media

Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$10,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 175% Enhancement Subtotals 2, 3, & 7 \$17,500

Notes: The penalty was enhanced for two findings orders (Docket 1997-0151-IHW-E, issued October 5, 2001 and Docket 1999-0057-AIR-E issued August 22, 2002), one 1660 order (Docket 2001-1469-AIR-E, issued March 5, 2004), 9 same or similar NOV's, and 19 non-similar NOV's. The penalty was reduced for 3 Notices of Audit.

Culpability No 0% Enhancement Subtotal 4 \$0

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5 \$0

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

Notes: The Respondent does not meet the good faith effort criteria.

Economic Benefit 0% Enhancement* Subtotal 6 \$0

Total EB Amounts	\$143	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$3,500	

SUM OF SUBTOTALS 1-7 Final Subtotal \$27,500

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment \$0

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

Notes:

Final Penalty Amount \$27,500

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$10,000

DEFERRAL Reduction Adjustment \$0

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

Notes: No deferral is recommended because this is a findings order.

PAYABLE PENALTY \$10,000

Screening Date 04-Oct-2004 **Docket No.** 2004-1279-AIR-E
Respondent Citgo Refining and Chemicals Company, L.P. **PCW**
Case ID No. 18691 ember 2002)
Reg. Ent. Reference No. RN102555166 PCW Revision May 17, 2004
Additional ID No(s). Air Account No. NE0027V
Media [Statute] Air Quality
Enf. Coordinator Miriam Hall
Site Address 1802 Nueces Bay Boulevard, Corpus Christi, Nueces County

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	9	45%
	Other written NOVs	19	38%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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 (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	<i>Please Enter Yes or No</i>		
	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 150%

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

Yes <

Adjustment Percentage (Subtotal 3) 25%

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

Average Performer <

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

The penalty was enhanced for two findings orders (Docket 1997-0151-IHW-E, issued October 5, 2001 and Docket 1999-0057-AIR-E issued August 22, 2002), one 1660 order (Docket 2001-1469-AIR-E, issued March 5, 2004), 9 same or similar NOVs, and 19 non-similar NOVs. The penalty was reduced for 3 Notices of Audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 175%

Screening Date	04-Oct-2004	Docket No.	2004-1279-AIR-E	PCW
Respondent	Citgo Refining and Chemicals Company, L.P.			ember 2002)
Case ID No.	18691			PCW Revision May 17, 2004
Reg. Ent. Reference No.	RN102555166			
Additional ID No(s).	Air Account No. NE0027V			
Media [Statute]	Air Quality			
Enf. Coordinator	Miriam Hall			
Violation Number	1			
Primary Rule Cite(s)	30 Tex. Admin. Code §§ 111.111(a)(1)(C), 116.115(c), 101.20(1) and (3); Permit No. 3390A and Permit No. 9604A, Special Conditions 1, 8, 11 and 15			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 382.085(b); 40 CFR §§ 60.102(a)(2) and 60.103(a)			
Violation Description	Failure to prevent unauthorized emissions from the No. 2 Fluidized Catalytic Cracking Unit ("FCCU") which occurred on October 28, 2003. Data results from the emissions event show that the Facility emitted 143,727.8 lbs of VOCs, 29,326 lbs and an average of 784 ppm of CO, 243.6 lbs and an average of 851.42 ppm of SO ₂ , 16,040 lbs of PM, and 100% opacity. The emissions limits are 2.3 lbs/hr for VOCs, 199 lbs/hr and 500 ppm for CO, 273 lbs/hr and 300 ppm for SO ₂ , 32.7 lbs/hr for PM, and 20% opacity, respectively.			
	Base Penalty	\$10,000		

>> Environmental, Property and Human Health Matrix

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	X			Percent 100%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent

Matrix Notes The event resulted in the release of a significant amount of pollutants which exceed levels protective of human health and/or the environment.

Adjustment \$0

Base Penalty Subtotal \$10,000

Violation Events

Number of Violation Events 1

	daily		Violation Base Penalty \$10,000
	monthly		
	quarterly		
	semiannual		
	annual		
	single event	X	

One single event is recommended based on the emissions event which occurred and was documented on October 28, 2003.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$12	Violation Final Penalty Total \$27,500
This violation Final Assessed Penalty (adjusted for limits) \$10,000	

Economic Benefit Worksheet

Respondent Citgo Refining and Chemicals Company, L.P. (East P
Case ID No. 18691
Reg. Ent. Reference No. RN102555166
Additional ID No(s) Air Account No. NE0027V
Media [Statute] Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,500	28-Oct-2003	23-Dec-2003	0.2	\$12	n/a	\$12

Notes for DELAYED costs: Estimated cost to replace valve and perform maintenance to ensure proper operations.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance \$1,500 **TOTAL** \$12

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600127922	Citgo Refining and Chemicals Company L.P.	Classification: AVERAGE	Rating: 15.67
Regulated Entity:	RN102555166	CITGO CORPUS CHRISTI REFINERY EAST PLANT	Classification: AVERAGE	Site Rating: 34.86
ID Number(s):	AIR NEW SOURCE PERMITS	PERMIT		17670
	AIR NEW SOURCE PERMITS	PERMIT		2494A
	AIR NEW SOURCE PERMITS	PERMIT		2695A
	AIR NEW SOURCE PERMITS	PERMIT		2696A
	AIR NEW SOURCE PERMITS	PERMIT		2697A
	AIR NEW SOURCE PERMITS	PERMIT		2699A
	AIR NEW SOURCE PERMITS	PERMIT		2700A
	AIR NEW SOURCE PERMITS	PERMIT		2703A
	AIR NEW SOURCE PERMITS	PERMIT		2704A
	AIR NEW SOURCE PERMITS	PERMIT		2705A
	AIR NEW SOURCE PERMITS	PERMIT		2706A
	AIR NEW SOURCE PERMITS	PERMIT		2708A
	AIR NEW SOURCE PERMITS	PERMIT		3119A
	AIR NEW SOURCE PERMITS	PERMIT		3123A
	AIR NEW SOURCE PERMITS	PERMIT		3390A
	AIR NEW SOURCE PERMITS	PERMIT		3857A
	AIR NEW SOURCE PERMITS	PERMIT		4728A
	AIR NEW SOURCE PERMITS	PERMIT		5418A
	AIR NEW SOURCE PERMITS	PERMIT		5946A
	AIR NEW SOURCE PERMITS	PERMIT		6722A
	AIR NEW SOURCE PERMITS	PERMIT		8653A
	AIR NEW SOURCE PERMITS	PERMIT		9604A
	AIR NEW SOURCE PERMITS	PERMIT		17670A
	AIR NEW SOURCE PERMITS	PERMIT		10733A
	AIR NEW SOURCE PERMITS	PERMIT		12005A
	AIR NEW SOURCE PERMITS	PERMIT		2709A
	AIR NEW SOURCE PERMITS	PERMIT		4979A
	AIR NEW SOURCE PERMITS	PERMIT		19044
	AIR NEW SOURCE PERMITS	PERMIT		20156
	AIR NEW SOURCE PERMITS	PERMIT		21303
	AIR NEW SOURCE PERMITS	PERMIT		21358
	AIR NEW SOURCE PERMITS	PERMIT		21706
	AIR NEW SOURCE PERMITS	PERMIT		22312
	AIR NEW SOURCE PERMITS	PERMIT		22418
	AIR NEW SOURCE PERMITS	PERMIT		23834
	AIR NEW SOURCE PERMITS	PERMIT		28092
	AIR NEW SOURCE PERMITS	PERMIT		30099
	AIR NEW SOURCE PERMITS	PERMIT		42533
	AIR NEW SOURCE PERMITS	PERMIT		46637
	AIR NEW SOURCE PERMITS	PERMIT		46641
	AIR NEW SOURCE PERMITS	PERMIT		46640
	AIR NEW SOURCE PERMITS	PERMIT		46642
	AIR NEW SOURCE PERMITS	PERMIT		47656
	AIR NEW SOURCE PERMITS	PERMIT		49265
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		NE0027V
	AIR NEW SOURCE PERMITS	PERMIT		5418
	AIR NEW SOURCE PERMITS	PERMIT		6748
	AIR NEW SOURCE PERMITS	PERMIT		10309
	AIR NEW SOURCE PERMITS	REGISTRATION		56720
	AIR NEW SOURCE PERMITS	AFS NUM		4835500003
	AIR NEW SOURCE PERMITS	REGISTRATION		71021
	AIR NEW SOURCE PERMITS	PERMIT		53921
	AIR NEW SOURCE PERMITS	PERMIT		54775
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX653M1
	AIR NEW SOURCE PERMITS	PERMIT		72654
	AIR NEW SOURCE PERMITS	PERMIT		74515
	AIR NEW SOURCE PERMITS	REGISTRATION		74376
	AIR NEW SOURCE PERMITS	REGISTRATION		75017
	AIR NEW SOURCE PERMITS	REGISTRATION		75340
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX831
	AIR NEW SOURCE PERMITS	REGISTRATION		76930

AIR NEW SOURCE PERMITS	REGISTRATION	76737
AIR NEW SOURCE PERMITS	REGISTRATION	76742
AIR NEW SOURCE PERMITS	REGISTRATION	76880
AIR NEW SOURCE PERMITS	REGISTRATION	76883
AIR NEW SOURCE PERMITS	REGISTRATION	77066
AIR NEW SOURCE PERMITS	REGISTRATION	77680
AIR NEW SOURCE PERMITS	REGISTRATION	77094
AIR NEW SOURCE PERMITS	REGISTRATION	77050
AIR NEW SOURCE PERMITS	REGISTRATION	78081
AIR NEW SOURCE PERMITS	REGISTRATION	78541
AIR NEW SOURCE PERMITS	REGISTRATION	78522
AIR NEW SOURCE PERMITS	REGISTRATION	78851
AIR NEW SOURCE PERMITS	REGISTRATION	78850
AIR NEW SOURCE PERMITS	REGISTRATION	78195
AIR NEW SOURCE PERMITS	REGISTRATION	79234
AIR NEW SOURCE PERMITS	REGISTRATION	79760
AIR NEW SOURCE PERMITS	PERMIT	80407
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1086
AIR NEW SOURCE PERMITS	PERMIT	80693
AIR NEW SOURCE PERMITS	REGISTRATION	80521
AIR NEW SOURCE PERMITS	REGISTRATION	80564
AIR NEW SOURCE PERMITS	PERMIT	80801
AIR NEW SOURCE PERMITS	REGISTRATION	83336
AIR NEW SOURCE PERMITS	REGISTRATION	83016
AIR NEW SOURCE PERMITS	REGISTRATION	86253
AIR NEW SOURCE PERMITS	REGISTRATION	83882
AIR NEW SOURCE PERMITS	REGISTRATION	83913
AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0027V
AIR OPERATING PERMITS	PERMIT	1423
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD051161990
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30532
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50160
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50160
WASTEWATER	PERMIT	WQ0000467000
WASTEWATER	PERMIT	TPDES0006211
WASTEWATER	PERMIT	TX0006211
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30532
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50160

Location: 1801 NUECES BAY BLVD, CORPUS CHRISTI, TX, 78407

TCEQ Region: REGION 14 - CORPUS CHRISTI

Date Compliance History Prepared: April 07, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: November 30, 1999 to November 30, 2004

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

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

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator? Citgo Refining and Chemicals Company L.P.
Champlin Refining Company.
4. If Yes, who was/were the prior owner(s)/operator(s) ? Citgo Refining and Chemicals Company L.P.
5. When did the change(s) in owner or operator occur? 09/25/2002
6. Rating Date: 9/1/2004 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 10/05/2001 ADMINORDER 1997-0151-IHW-E
Classification: Major
Citation: 30 TAC Chapter 335, SubChapter A 335.4
Rqmt Prov: 10 ORDER
Description: Unauthorized discharge of industrial waste into or adjacent to waters in the state.

Effective Date: 08/22/2002 ADMINORDER 1999-0057-AIR-E
Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special condition 5 PERMIT
Description: Failed to maintain results of outer floating roof seal inspections on Tank Nos. 5005, 5006, and 5007

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC 3 and 6 PERMIT
Description: Failed to maintain records of monthly and year-to-date throughput for Tank Nos. 5001 through 5008

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 2494A PERMIT
Description: Failed to operate storage tank Nos. 5006 and 5008 within the temperature limits represented in permit application for Permit No. 2494A

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(a)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(d)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to provide notification of Tank No. 1016 startup date, maintain records of internal floating roof tank inspections, and failed to submit a report describing control equipment and certifying control equipment meets specifications.

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

Rqmt Prov: GP 5 PERMIT
SP 3 PERMIT
Description: Failed to maintain records and provide, as requested, the annual throughput of each diesel storage tank in Area 91, ie., Tanks Nos.4001, 4002, and 4003

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

Rqmt Prov: SC 16D PERMIT
Description: Failed to provide seal inspection records to verify seal integrity on Storage Tank No. 1027

and failed to provide notification of tank seal inspections for Tank No. 1027.

Classification: Minor

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

Rqmt Prov: 16G PERMIT

Description: Failed to maintain records which include the monthly and year-to-date VOC throughput for Tank #s 13,14,20,40,41,42,50,929 and 930 and failed to maintain accurate calculated emissions for these tanks and Tank Nos 4, 1023, and 1027.

Classification: Moderate

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

Rqmt Prov: GP 6D PERMIT

Description: Failed to maintain records of the annual floating roof seal inspections on Tank Nos. 57, 82, 83, 201, 202, 211, 212, 222, 223, 301, 402, 403, 1011, 1014, 1029, 1030, & 1031.

Classification: Moderate

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

Rqmt Prov: 9604A, SP 1 PERMIT

Description: Failed to comply with the emissions limitations set forth in the MAER table in Permit No. 9604A for Storage Tank No. 202.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.324(1)(C)
30 TAC Chapter 115, SubChapter D 115.325(1)
30 TAC Chapter 115, SubChapter D 115.326(2)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Unknown PERMIT

Description: Failed to properly conduct fugitive monitoring in accordance with 40 CFR Part 60, Appendix A, Method 21 and by failing to monitor on an annual basis, with a hydrocarbon gas analyzer, the emissions from all process drains.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to comply with the 3 % limitation of total number of valves designated as difficult-to-monitor or hard-to-monitor (HTM) in the SOCFI and Petroleum Refinery Units.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.322(5)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to mark pipeline and pressure relief valves in gaseous VOC service in a manner readily obvious to monitoring personnel.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)
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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to provide notification of actual date of initial startup of Boiler B, failed to notify the TNRCC in the change in the type of fuel used in Boiler B within 60 days prior to making the change, and failed to notify the TNRCC of the date of construction.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.42

40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.43
40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.44

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

Description: Failed to conduct a performance test on Boiler B as required by 40 CFR 60 Subpart D

Classification: Moderate

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 comply with the maximum hourly NOx emission rate listed in the MAER Table for the CO Boiler Stack on October 21, 1997 for at least five hours.

Classification: Moderate

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

Rqmt Prov: SC 6 PERMIT

Description: Failed to install, calibrate, and maintain a continuous emission monitoring system (CEMS) to measure and record the in-stack concentration of NOx from the CO Boiler Stack within 12 months of the permit renewal date.

Classification: Moderate

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

Rqmt Prov: 5946A, SC 8 PERMIT

Description: Failed to comply with the combined total fuel consumed limit of 438 MMBtu/hr for Boilers 60-B-1C, 61-B-1B on March 31, 1997

Classification: Moderate

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

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

Rqmt Prov: 1 and 3 PERMIT

Description: Failed to comply with the 25.60 PPH emission limit for NOx as stated in the MAER table of Permit 22312 for Boiler E.

Classification: Moderate

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

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

Rqmt Prov: SC 10D PERMIT

Description: Failed to report, within 24 hours of detection, all equipment malfunctions for Boiler E for the second quarter of 1997 through the second quarter of 1998.

Classification: Minor

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

Rqmt Prov: SC 12 PERMIT

Description: Failed to submit a complete report, on a qrtly basis, regarding Boiler E for the first quarter of 1996, the third and fourth quarters of 1997, and the 1st quarter of 1998.

Classification: Moderate

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

Rqmt Prov: 9604A, GP 6G PERMIT

Description: Failed to maintain monthly VOC emission records for its loading operations at the tanker truck loading station, also known as the truck rack (EPN 521) from 1/1/97 thru 5/98.

Classification: Moderate

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

Rqmt Prov: SC 2 PERMIT

Description: Failed to comply with the maximum firing rate of 34.3 MMBtu/hr for the ADP Heater (17-H-1) by operating at a rate of 40.8 on 6/30/97

Classification: Moderate

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

Rqmt Prov: 6722A, SC 12&13 PERMIT

Description: Failed to maintain, from January 1, 1997 thru May 12, 1998, cumene production records, denoted as cumulative BPY as required by Special condition 12 to ensure continuous compliance with the annual limit of 4,467,965 barrels.

Classification: Moderate

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

Rqmt Prov: SC 16 PERMIT

Description: Failed to maintain, from 1/1/97 thru 5/12/98, cyclohexane production records denoted as cumulative BPY, to ensure continuous compliance with the emission limits of TNRCC Permit No. 20156.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 4 PERMIT

Description: Failed to control the H2S concentration in the refinery fuel gas to a concentration below 230 milligrams per day dry standard cubic meters (0.10 grains per dry standard cubic foot).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to maintain a daily record of the average coke burn-off rate, in thousands of kilograms per hour, and the hours of operation for the FCCU catalyst regenerator at FCCU #2 from 1/1/97 thru 5/12/98.

Classification: Moderate

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

Rqmt Prov: GP 7 PERMIT

Description: Failed to vent all carbon compound waste gases, including those from the relief valves other than those for "fire only" emergency purposes, to a flare.

Classification: Major

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

Description: Failed to obtain permit authorization from May 12, 1998 through the present to operate the Cumene Flare as a process flare.

Classification: Moderate

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

Description: Failed to maintain a flare operation log since January 1, 1997 for both the Cumene Flare and the Corrugated Plate Interceptor Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(6)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(g)(7)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.13(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(iii)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(d)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to conduct performance tests or request waivers from testing on the Cumene Flare, the Fluor Flare, and the CPI Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.10(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.10(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to install controls on the desalter before the termination of the waiver period, i.e. Jan 7, 1995, and failed to provide change of information, as related to the desalter and CPI separator, to the Administrator within 30 days after the change.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete Total Annual Benzene (TAB) reports containing the information listed in 40 CFR 61.357(a)(1) thru 61.347(a)(6) as required by 40 CFR 61.357(d)(2) and quarterly certifications as required from 1st qtr 95 thru 1st qtr 98.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(c)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit on schedule a Notification of Compliance Status report as required by Subparts G and H of 40 CFR ch 63 for the new MTBE Unit and failed to submit on schedule an NCS report as required by Subpart H of 40 CFR ch 63 for Aromatic Units.

Classification: Moderate

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

Rqmt Prov: SC 3 PERMIT

Description: Exceeded the crude oil throughput limit for Storage Tank No. 5008.

Classification: Moderate

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

Rqmt Prov: SC 8D and 10D PERMIT

1D PERMIT

5D and 7D PERMIT

6722A, SC 9D PERMIT

GP 7D PERMIT

SC 11D, 12D, 13D PERMIT

SC 1D and 2D PERMIT

SC 1D PERMIT

SC 2D PERMIT

SC 4D PERMIT

SC 5D and 7D PERMIT

SC 6D PERMIT

SC 7D PERMIT

SC 8D PERMIT

Description: Failed to maintain a list of non-accessible valves for each permit as stated in the fugitive monitoring special conditions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.7
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 5 PERMIT

Description: Failed to notify TNRC of needed maintenance on visible openings on Tank Nos. 5001, 5002, and 5008 in the seal or seal fabric or record the corrective action taken.

Classification: Moderate

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

Rqmt Prov: SC 2 PERMIT

Description: Exceeded the Crude Heater (11-H-1) fired duty maximum rate of 440 MMBtu/hour on three days, June 30, 1998(441 MMBtu/hr) 9/30/98 (444 MMBtu/hr) and 7/29/99 (447 MMBtu/hr).

Classification: Minor

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

Rqmt Prov: SC 3 PERMIT

Description: Exceeded the Vacuum Heater (11-H-2) fired duty maximum rate of 132 MMBtu/hour on 7/29/99.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5946A, SC 6 PERMIT
6722A, SC 7 PERMIT
9604A, SP 2 PERMIT
SC 1 PERMIT
SC 2 and 4 PERMIT
SC 3 and 4 PERMIT
SC 4 and 7 PERMIT
SC 4 PERMIT
SC 5 PERMIT
SC 7 PERMIT
SP 4 PERMIT

Description: Exceeded, from 3/13/99 thru 3/23/99 the hydrogen sulfide concentration limit of 230 mg/dscm (0.10 grain per dry standard cubic foot) in refinery fuel gas which serves combustion devices in the East Plant.

Classification: Moderate

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

Rqmt Prov: SC 9 PERMIT

Description: Failed to implement fugitive monitoring in the preheat train and pump suction areas within 180 days after the issuance of the permit amendments.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(d)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 11F PERMIT
5946A - SC 6, 6722A - SC 7 PERMIT
8653A - SC5F PERMIT
GP 7F PERMIT
SC 10F and 10G PERMIT
SC 1F PERMIT
SC 2F PERMIT
SC 4F PERMIT
SC 6F PERMIT
SC 7F PERMIT
SC 8F PERMIT

Description: Failed to properly conduct fugitive monitoring in accordance with 40 CFR Part 60, Appendix A, Method 21. Gas analyzer Bacharach TLV KK0530 was placed in service on April 22, 1998 without conducting the required precision test.

Classification: Moderate

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

Rqmt Prov: GC 8, SC 11 PERMIT

Description: Exceeded the short term VOC emission rate for the Crude and Vacuum Heaters, 11-H-1 and 11-H-2 and failed to conduct stack sampling within 90 days from completion of construction. Stack testing was required on or before February 22, 1998.

Classification: Moderate

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

Rqmt Prov: 2A PERMIT
6722A -SC 9A PERMIT
SC 12A and 13A PERMIT
SC 1A PERMIT
SC 2A PERMIT
SC 5A and 7A PERMIT
SC 6A PERMIT
SC 8A and 10A PERMIT
SC 8A PERMIT

Description: Failed to maintain a list of equipment from the fugitive monitoring program due to vapor pressure or size limitations.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Exceeded the 250 ppm in-stack dioxide (SO₂) concentration limit for the Shell Claus Off-gas Treating unit tail gas incinerator.

Classification: Moderate

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

Rqmt Prov: SC 5 PERMIT

Description: Exceeded the gasoline loading throughput limit of 720,000 barrels of gasoline per year at the No. 2 barge dock.

Classification: Moderate

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

Rqmt Prov: SC 2 PERMIT

Description: Exceeded the ADP Heater (17-H-1) maximum fired duty rate of 34.3 MMBtu/hour on 12/31/98.

Classification: Minor

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

Rqmt Prov: 9604A - GP 6D PERMIT

Description: Failed to maintain complete annual floating seal inspection records on Tanks Nos. 57, 82, 83, 201, 202, 211, 212, 221-223, 301, 402,403,1011, 1014,1029 and 1031 for 1998.

Classification: Moderate

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

Rqmt Prov: SC 11E and 12E PERMIT

Description: Failed to submit, on a quarterly basis, a certification statement signed by the permit holder that the records of fuel supplier certification submitted represent all of the fuel supplied or combusted during the quarter.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit timely and/or complete reportable upset notifications.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.6(b)
30 TAC Chapter 101, SubChapter A 101.7(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to create complete records of reportable and non-reportable by-pass upsets, maintenance, start-ups, and shutdowns with unauthorized emissions as soon as practicable, but no later than two weeks after upsets occurred.

Classification: Moderate

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

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

Description: Failed to include excess emissions occurring during maintenance, startups, shutdowns, upsets, and downtime in the Annual Emissions Inventory Update submitted on March 15, 1999.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.327(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the executive director of the shutdown, as it occurred, of the Aromatics Disproportionation Unit when it was brought off-line in June 98 and the old Methyl T-Butyl Ether (MTBE) Unit which was brought off-line around August 1994.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to comply with the three percent limitation of total number of valves designated as difficult-to-monitor/hard-to-monitor in the SOCMU Units and Petroleum Refinery Units.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(f)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to maintain an up-to-date, complete, and readily accessible log for the fugitive monitoring program.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(e)(2)(i)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Exceeded the 6.0 Megagrams (Mg) of benzene yearly limit for facility waste, for the years 1998 thru 2000.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(5)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete Total Annual Benzene report for 1998.

Classification: Moderate

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

Rqmt Prov: 3119A, GC8 PERMIT

Description: Exceeded the SO₂ hourly maximum allowable emission rate of 26.44 pounds per hour.

Classification: Moderate

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

Description: Emitted unauthorized VOC and benzene emissions and had excessive opacity

Classification: Moderate

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

Description: Emitted unauthorized VOC and benzene emissions from the BTX wastewater stripper on March 8 through March 19, 1999 for a total of 262 hours and from the CPI flare pilot light outages on 8/9 thru 8/15/98.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121

Rqmt Prov: - PERMIT

Description: Failed to comply with the maximum daily average limit of 10 milligrams per liter for total Fluoride for Nov 98, Jan 99, and Feb 99.

Effective Date: 03/05/2004

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Classification: Moderate

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

Rqmt Prov: 20156 PERMIT

Description: Failed to limit emissions released from the Hydrar Unit to the levels allowed.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 101, SubChapter A 101.27(a)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.116(a)
40 CFR Chapter 52, SubChapter C, PT 52, SubPT A 52.21

Description: Failed to obtain appropriate regulatory authority for sour water and acid gas flares as installed and operated at the East and West Plants and to pay emissions fees or maintain flare logs for these flares.

Classification: Moderate

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

Rqmt Prov: 3390A PERMIT

Description: Failed to limit emissions released from the Unibon Unit to the levels allowed.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201
30 TAC Chapter 101, SubChapter F 101.211
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notifications of upset emissions in a timely manner; to provide proper notification for maintenance events; and to maintain complete records regarding emission events.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 3119A PERMIT

Description: Failed to comply with emissions limits applicable to the East and West Plant sulfur recovery units.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.102(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 9604A PERMIT
GP PERMIT

Description: Failed to comply with limits on emissions from Fluid Catalytic Cracking units.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent fuel gas burned in combustion devices from containing excess hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
30 TAC Chapter 335, SubChapter C 335.69(a)(3)
30 TAC Chapter 335, SubChapter C 335.69(d)(1)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)

Rqmt Prov: II.B.9 PERMIT
IV.B.1 PERMIT

Description: Failed to submit notification of hazardous waste (HW) management areas, to comply with the accumulation time requirements, to properly label drums of HW, maintain a container of HW closed, mark containers with an accumulation start date, timely submit certification of waste minimization and limit HW to permitted wastes

Classification: Moderate

Citation: 30 TAC Chapter 327 327.5(a)
30 TAC Chapter 335, SubChapter A 335.4
TWC Chapter 26 26.121

Description: Failure to prevent the unauthorized discharge of industrial or other waste and to initiate response actions.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121
30 TAC Chapter 319, SubChapter A 319.11
30 TAC Chapter 319, SubChapter A 319.7

Rqmt Prov: Effluent limitations PERMIT

Description: Failure to comply with TPDES permits, including failure to properly operate process wastewater and stormwater collection systems, limit effluent characteristics, use proper sample collection & storage procedures, to record all required information for storm water collection, to record QA/QC data for pH & Cl.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-5
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(b)
40 CFR Part 60, Subpart QQQ 60.692-3(a)

Description: Failed to meet the requirements of 40 CFR, Part 60, Subpart QQQ, including failure to prevent oil carryover from oil-water (o/w) separators, to equip o/w storage vessels with fixed roofs & o/w tank with closed vent system and control devices, to submit reports or conduct inspection; operated the CPI sep without flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(e)(2)(ii)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(2)

Description: Failed to meet NESHAP req. for benzene wastes, including failure to conduct inspections of drain systems, equip tanks, submit complete total annual benzene report & determine quantity from each waste stream, determine the flow-weighted annual avg appropriately, limit the benzene quantity of uncontrolled waste streams.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.120(b)(3)
40 CFR Part 63, Subpart G 63.120(b)(4)
40 CFR Part 63, Subpart G 63.122(a)

Description: Failed to comply with the requirements for external floating roof tank seal gap repair and reporting.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 60, Subpart A 60.18

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the flare pilot operation requirements applicable to the Fluor flare or to obtain regulatory authority for uncombusted emissions from that flare.

Classification: Moderate

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

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with emission limits during vessel loading operations.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Rqmt Prov: 46642 PERMIT

Description: Failure to demonstrate initial compliance with emission tests of Compressor Nos. 1A, 1B, and 1C (EPNs 062, 063, and 064).

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	12/02/1999	(142303)
2	12/02/1999	(246550)

3	12/02/1999	(332774)
4	12/16/1999	(144050)
5	12/22/1999	(158914)
6	01/07/2000	(246546)
7	01/07/2000	(332772)
8	02/03/2000	(158918)
9	02/18/2000	(158873)
10	03/21/2000	(158880)
11	03/27/2000	(30857)
12	04/10/2000	(142304)
13	04/12/2000	(287458)
14	04/20/2000	(158881)
15	05/24/2000	(158885)
16	06/12/2000	(246548)
17	06/12/2000	(332773)
18	06/12/2000	(370895)
19	06/14/2000	(158889)
20	07/19/2000	(142305)
21	07/28/2000	(158893)
22	08/08/2000	(142306)
23	08/14/2000	(142307)
24	08/15/2000	(142308)
25	08/21/2000	(158897)
26	08/29/2000	(142309)
27	09/29/2000	(158900)
28	10/24/2000	(158903)
29	10/26/2000	(142310)
30	11/21/2000	(158907)
31	12/27/2000	(158911)
32	01/11/2001	(142312)
33	01/22/2001	(158915)
34	01/29/2001	(142313)
35	01/30/2001	(142314)
36	01/30/2001	(142315)
37	01/30/2001	(142316)
38	01/30/2001	(142317)
39	02/12/2001	(142311)
40	02/26/2001	(158874)
41	02/27/2001	(142318)
42	03/27/2001	(158877)
43	03/28/2001	(142319)
44	04/23/2001	(158882)
45	05/29/2001	(158886)
46	06/07/2001	(142320)
47	07/02/2001	(158890)
48	07/31/2001	(158894)
49	08/08/2001	(IE0001143011001
50	08/14/2001	(39636)
51	08/17/2001	(39784)
52	08/30/2001	(158898)
53	08/31/2001	(142321)
54	09/20/2001	(246549)
55	09/27/2001	(158901)
56	10/03/2001	(142322)
57	11/01/2001	(158904)
58	12/03/2001	(158908)
59	12/17/2001	(142323)
60	12/27/2001	(158912)
61	01/25/2002	(142324)
62	01/28/2002	(158916)
63	01/31/2002	(142325)

64	03/04/2002	(158875)
65	03/07/2002	(142326)
66	03/27/2002	(158878)
67	04/22/2002	(158883)
68	05/20/2002	(158887)
69	05/23/2002	(142327)
70	05/23/2002	(142328)
71	06/10/2002	(142329)
72	06/10/2002	(142330)
73	06/12/2002	(142331)
74	06/12/2002	(142332)
75	06/21/2002	(142333)
76	07/02/2002	(158891)
77	08/02/2002	(158895)
78	08/26/2002	(158899)
79	09/23/2002	(284321)
80	09/26/2002	(158902)
81	09/30/2002	(12547)
82	10/30/2002	(15118)
83	10/30/2002	(158905)
84	12/09/2002	(158909)
85	01/06/2003	(158913)
86	01/28/2003	(158917)
87	01/30/2003	(22329)
88	03/03/2003	(158876)
89	03/31/2003	(158879)
90	04/04/2003	(246547)
91	04/28/2003	(158884)
92	05/22/2003	(158888)
93	06/13/2003	(28894)
94	06/13/2003	(28895)
95	06/13/2003	(33932)
96	06/13/2003	(62480)
97	06/24/2003	(158892)
98	07/22/2003	(158896)
99	08/11/2003	(149101)
100	08/11/2003	(149496)
101	08/15/2003	(147279)
102	08/19/2003	(295716)
103	09/19/2003	(295718)
104	10/30/2003	(249984)
105	10/30/2003	(250829)
106	10/30/2003	(252796)
107	10/30/2003	(252955)
108	10/30/2003	(295720)
109	11/21/2003	(295722)
110	12/29/2003	(295723)
111	01/27/2004	(295725)
112	01/29/2004	(258191)
113	02/02/2004	(261589)
114	02/09/2004	(256114)
115	02/09/2004	(256568)
116	02/09/2004	(256569)
117	02/23/2004	(295705)
118	03/01/2004	(264188)
119	03/01/2004	(264223)
120	03/25/2004	(295709)
121	03/27/2004	(283414)
122	04/15/2004	(266190)
123	04/28/2004	(295710)
124	05/10/2004	(270683)

125 05/24/2004 (272559)
 126 05/25/2004 (295712)
 127 05/28/2004 (272866)
 128 06/23/2004 (276515)
 129 06/24/2004 (269190)
 130 06/30/2004 (352239)
 131 07/01/2004 (278139)
 132 07/01/2004 (278271)
 133 07/19/2004 (268646)
 134 07/22/2004 (352240)
 135 08/30/2004 (352241)
 136 08/31/2004 (291703)
 137 09/15/2004 (298570)
 138 09/16/2004 (334411)
 139 09/28/2004 (283343)
 140 10/12/2004 (335820)
 141 10/29/2004 (352243)
 142 11/19/2004 (336653)
 143 11/19/2004 (336845)
 144 11/19/2004 (339890)
 145 11/19/2004 (339919)
 146 11/22/2004 (341305)
 147 11/23/2004 (352244)
 148 11/30/2004 (341912)

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

Date: 12/02/1999 (332774) CN600127922
 Self NO Classification Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 12/31/1999 (158918) CN600127922
 Self 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: 01/07/2000 (246546) CN600127922
 Self NO Classification Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self NO Classification Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 06/12/2000 (370895) CN600127922
 Self NO Classification Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 10/31/2000 (158907) CN600127922
 Self 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: 01/31/2001 (158874) CN600127922

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: 02/07/2001 (142311)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: UNAUTHORIZED EMISSIONS

Date: 08/31/2001 (158901) CN600127922

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: 09/20/2001 (246549) CN600127922
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 10/31/2001 (158908) CN600127922
 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: 12/31/2001 (158916) CN600127922
 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: 06/30/2002 (158895) CN600127922
 Self Report? YES Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2002 (158902) CN600127922
 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: 09/30/2002 (158905) CN600127922
 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: 11/30/2002 (158913) CN600127922
 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: 04/04/2003 (246547) CN600127922
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

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

Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 04/30/2003 (158888) CN600127922
 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: 08/18/2003 (147279) CN600127922
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 WQ0000467-000 PERMIT

Description: Failure to limit the effluent characteristics to those specified in the permit.
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
 WQ0000467-000 PERMIT

Description: Failure to maintain required records for each measurement or sample collected and analyzed at the facility.
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
 30 TAC Chapter 319, SubChapter A 319.7(c)
 WQ0000467-000 PERMIT

Description: Failure to maintain a record of quality assurance/quality control (QA/QC) data for the analysis of total residual chlorine.

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
 30 TAC Chapter 319, SubChapter A 319.7(c)
 WQ0000467-000 PERMIT
 Description: Failure to monitor and record temperatures inside ovens used in the analysis of Total Suspended Solids (TSS).

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
 WQ0000467-000 PERMIT
 Description: Failure to use the appropriate reagent for the analysis of total residual chlorine.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
 WQ0000467-000 PERMIT
 Description: Failure to properly operate and maintain the storm water collection system.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
 WQ0000467-000 PERMIT
 Description: Failure to properly operate and maintain the clarifier at the East Plant.
 Date: 10/31/2003 (249984)

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
 Description: Failure to provide initial notification of an emissions event within 24 hours of discovery.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)(1)
 Air Permit No. 3390A PERMIT
 VERP No. 46641 PERMIT
 Description: Failure to obtain regulatory authority for, or satisfy all criteria of 30 Texas Admin. Code §101.222 to exempt from compliance limitations, the emissions released during an emissions event.
 Date: 02/03/2004 (258191)

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
 Description: Failure to provide required information in the notification of a reportable emissions, released as a result of emissions events at the Vacuum Unit on November 18, 2003, to the commission's regional office within 24 hours of discovery.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 Description: Failure to provide required information in the final record of a reportable emissions, released as a result of emissions events at the Vacuum Unit on November 18, 2003, to the commission's regional office no later than two weeks after the end of the emission event.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 Permit 2695A - General Conditions PA
 Description: Failure to obtain regulatory authority for the emissions released from the 11-H2 Vacuum Heater facility during an emissions event on November 18, 2003.
 Specifically, all criteria identified in §101.222(b) were not satisfied as required.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 Description: Failure to obtain regulatory authority for the opacity based emissions released from the 11-H2 Vacuum Heater facility during an emissions event on November 18, 2003.
 Specifically, all criteria identified in §101.222(b) were not satisfied as required.

Date: 02/06/2004 (256569)

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)
 9604A PERMIT
 Description: Failure to operate the Cumene Flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours.

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 9604A PERMIT

Description: Failure to maintain the Cumene Flare in good working order.
(256114)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
3123A PERMIT

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222(b)(2), (b)(3), (b)(6), and (b)(9), for reportable emissions resulting from an emissions event.
(256568)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Failure to obtain regulatory authority for, or satisfy all criteria of 30 Texas Admin. Code §101.222(b), to exempt from compliance limitations, the emissions released during an emissions event.

Date: 04/15/2004 (266190)

Self Report? NO Classification Moderate

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

Description: Failure to meet the demonstration criteria of 30 TAC 101.222.

Date: 04/30/2004 (295712) CN600127922

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: 05/21/2004 (272559)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
3119A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222 for emissions involving the SRU during an emissions event which began on January 5, 2004.

Date: 06/23/2004 (276515)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
9604A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222 for emissions involving the Fluor Flare during an emissions event which began on March 3, 2004.

Date: 08/31/2004 (291703)

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.162(a)
5418A & 20156 PA

Description: Failure to demonstrate compliance with the fugitive emission standards for all components in HON service at the BTX and Hydrar Units as directed by § 63.162(a) and (f).

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.166

Description: Failure to equip process sampling stations with a closed-purge, closed-loop, or closed-vent system

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.167
5418A & 20156 PA

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

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.325(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.180(b)
5418A & 20156 PA

Description: Failure to demonstrate that fugitive monitoring was being performed in accordance

with Method 21 of 40 CFR part 60, appendix A.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.182(d)
Description: Failure to submit an accurate and complete HON semiannual report due on or about July 2003 for the reporting period of January through June 2003.

Self Report? NO Classification Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.182(d)
Description: Failure to include in the BTX and Hydrar Unit HON semiannual reports the number and percent of connectors leaking, and the total number of connectors monitored. Additionally, the number and percent of valves leaking and the total number of valves monitored are incorrect.

Self Report? NO Classification Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5418A & 20156 PA
Description: Failure to maintain and provide, upon request, lists of equipment excluded from fugitive emission monitoring requirements due to vapor pressure, operating pressure and/or size. Additionally, the operator failed to demonstrate that the weekly AVO inspections of connectors and/or flanges are being conducted.

Date: 11/19/2004 (341305)
Self Report? NO Classification Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Special Condition No. 3 PERMIT
Description: Failure to satisfy all demonstrations criteria as listed under 30 Tex. Admin. Code § 101.222 and gain authority for emissions released from an event that occurred on April 14, 2004, TCEQ incident No. 37963.

Date: 11/29/2004 (341912)
Self Report? NO Classification Minor
Citation: 30 TAC Chapter 327 327.3(b)
Description: The regulated entity failed to notify the TCEQ of a reportable incident as soon as possible, but no later than 24 hours. The CASA Line Filter at CITGO East in Corpus Christi, Texas released approx. 10 barrels of 2-Oil to the ground on 09/18/04, however, CITGO personnel did not notify the TCEQ until 09/28/04.

F. Environmental audits.

Notice of Intent Date: 06/24/2004 (334400)
Notice of Intent Date: 07/07/2004 (334338)
No DOV Associated
Notice of Intent Date: 07/27/2004 (509717)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
AGAINST
CITGO REFINING AND
CHEMICALS COMPANY, L.P.
RN102555166**

§
§
§
§
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§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2004-1279-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 Citgo Refining and Chemicals Company, L.P. ("Citgo") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Litigation Division, and Citgo, represented by Edward C. Lewis, of the law firm of Fulbright & Jaworski, LLP, presented this agreement to the Commission.

Citgo understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Citgo agrees to waive all notice and procedural rights.

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

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

I. FINDINGS OF FACT

1. Citgo owns and operates a petroleum refinery located at 1802 Nueces Bay Boulevard, Corpus Christi, Nueces County, Texas ("the Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. During an investigation conducted from October 28, 2003 through March 31, 2004, TCEQ staff documented that Citgo failed to prevent unauthorized emissions from the No. 2 Fluidized Catalytic Cracking Unit Electro-Static Precipitator ("FCCU") which occurred on October 28, 2003. Data results from the emissions events show that the FCCU emitted 143,727.8 pounds ("lbs") of VOCs, 29,326 lbs and an average of 784 parts per million ("ppm") of CO, 243.6 lbs and an average of 851.42 ppm of SO₂, 16,040 lbs of particulate matter ("PM"), and 100% opacity. The emissions limits are 2.3 lbs/hr for VOCs, 199 lbs/hr and 500 ppm for CO, 273 lbs/hr and 300 ppm for SO₂, 32.7 lbs/hr for PM, and 20% opacity, respectively.
4. In connection with the excessive emission event that occurred on October 28, 2003 at the East Plant FCCU, Citgo submitted a corrective action plan on December 23, 2003, which was approved by the Executive Director. A new regenerator pilot valve was installed, the feed diversion logic system was redesigned, and a testing schedule was implemented to ensure hydraulic fluid parameters are monitored and controlled within specifications.
5. Citgo received notice of the violation on or about September 22, 2004.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, Citgo is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE ch. 382, and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3, Citgo failed to prevent unauthorized emissions from the No. 2 FCCU on October 28, 2003, in violation of 30 TEX. ADMIN. CODE §§ 111.111(a)(1)(C), 116.115(c), 101.20(1) and (3); Permit No. 3390A and Permit No. 9604A, Special Condition Nos. 1, 8, 11 and 15; TEX. HEALTH & SAFETY CODE § 382.085(b); and 40 CODE OF FEDERAL REGULATIONS §§ 60.102(a)(2) and 60.103(a).
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Citgo 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.
4. An administrative penalty in the amount of ten thousand dollars (\$10,000.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Citgo has paid the ten thousand dollars (\$10,000.00) of the administrative penalty.

III. ORDERING PROVISIONS

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

1. Citgo is assessed an administrative penalty in the amount of ten thousand dollars (\$10,000.00), as set forth in Section II, Paragraph 4 above, for a violation of TCEQ rules and state statutes. The payment of this administrative penalty and Citgo's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violation 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: Citgo Refining and Chemicals Company, L.P., Docket No. 2004-1279-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

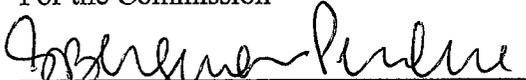
2. The provisions of this Agreed Order shall apply to and be binding upon Citgo.
3. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Citgo if the Executive Director determines that Citgo has not complied with one or more of the terms or conditions in this Agreed Order.
4. 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.
5. This Agreed Order, issued by the Commission, shall not be admissible against Citgo 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.
6. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

7. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

7/10/09

Date

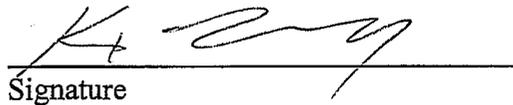
I, the undersigned, have read and understand the attached Agreed Order in the matter of Citgo Refining and Chemicals Company, L.P. ("Citgo"). I represent that I am authorized to agree to the attached Agreed Order on behalf of Citgo, and do agree to the specified terms and conditions. I further acknowledge 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, Citgo waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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



Signature

5/19/09

Date

KEVIN FERRAN

Name (printed or typed)

VP/GM CORPUS CHRISTI, PEFINER

Title

Authorized Representative of
Citgo Refining and Chemicals Company, L.P.