

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2008-0273-IHW-E TCEQ ID: RN102555166 CASE NO.: 35395
RESPONDENT NAME: CITGO REFINING AND CHEMICALS COMPANY L.P.

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input checked="" type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 1801 Nueces Bay Boulevard, Corpus Christi, Nueces County</p> <p>TYPE OF OPERATION: Petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are three additional pending enforcement actions regarding this facility location (2008-0837-AIR-E; 2008-1193-AIR-E; 2009-0622-AIR-E).</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired August 24,2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney: Mr. Jim Sallans, Litigation Division, MC 175, (512) 239-2053 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019 TCEQ Enforcement Coordinator: Mr. Michael Meyer, Waste Enforcement Section, MC 128, (512) 239-4492 TCEQ Regional Contact: Mr. Brad Genzer, Corpus Christi Regional Office, MC R-14, (361) 825-3106 Respondent: Mr. Mark W. Cheesman, Manager of Environmental Affairs, CITGO Refining and Chemicals Company L.P., P.O. Box 9176, Corpus Christi, Texas 78469 Respondent's Attorney: Ms. Mary Clair Lyons, Senior Counsel, Citgo Petroleum Corporation, 1293 Eldridge Parkway, Houston, Texas 77077</p>		

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 type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: November 8, 2007</p> <p>Date of NOE Relating to this Case: January 18, 2008</p> <p>Background Facts: The EDRP was filed August 15, 2008. The Respondent filed an answer on September 5, 2008. The Agreed Order was signed on January 12, 2009.</p> <p>Current Compliance Status: No outstanding Technical Requirements.</p> <p>IHW:</p> <ol style="list-style-type: none"> Failed to prevent the unauthorized discharge of industrial solid waste [30 TEX. ADMIN. CODE § 335.4]. Failed to comply with notification requirements [30 TEX. ADMIN. CODE § 335.6]. Failed to comply with manifesting requirements [30 TEX. ADMIN. CODE §§ 335.10(b) and (d)(1), and 40 CFR §§ 262.20(a) and 262.23(a)]. Failed to maintain a container storing hazardous waste in good condition [30 TEX. ADMIN. CODE § 335.69(a)(1)(A) and 335.112(a)(8), and 40 CFR §§ 262.34(a)(1)(i) and 265.171]. Failed to properly manage a hazardous waste container [30 TEX. ADMIN. CODE §§ 335.69(a)(1)(A) and 335.112(a)(8), and 40 CFR §§ 262.34(a)(1)(i) and 265.173(b)]. Failed to maintain weekly inspections at areas where containers are stored [40 CFR § 265.15(d)]. 	<p>Total Assessed: \$23,460</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: \$23,460</p> <p>The Respondent paid the \$23,460 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>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective actions:</p> <ol style="list-style-type: none"> Removed and properly disposed of stained soil and implemented a more routine and aggressive inspection procedure to ensure a higher degree of responsibility by personnel to minimize and mitigate future releases; Updated NOR to include the area across from Tank No. 64-TK-13 as a container storage area ("CSA"); Instituted training and retraining of personnel with an emphasis on operations related to manifest requirements; Transferred sludge from the leaking roll-off container at CSA 021 into a new roll-off container and properly cleaned the leaking container; Removed and properly disposed of the hazardous sludge from the tarp covering a roll-off container located across from Tank No. 2002 and ensured the hopper sack was empty and properly closed; and Began conducting weekly inspection of the CSA across from Tank No. 64-TK-13.



Penalty Calculation Worksheet (PCW)

DATES	Assigned	21-Jan-2007		
	PCW	11-Dec-2008	13-Feb-2008	EPA Due

RESPONDENT/FACILITY INFORMATION	
Respondent	CITGO Refining and Chemicals Company L.P.
Reg. Ent. Ref. No.	RN102555166
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	35395	No. of Violations	6
Docket No.	2008-0273-IHW-E	Order Type	1660
Media Program(s)	Industrial and Hazardous Waste	Enf. Coordinator	Michael Meyer
Multi-Media		EC's Team	Enforcement Team 7
Admin. Penalty \$	Limit Minimum	\$0	Maximum
			\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	<i>Subtotal 1</i>	\$11,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	114% Enhancement	<i>Subtotals 2, 3, & 7</i>	\$13,110
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Notes: The Respondent has had two NOV's for same or similar violations, 26 NOV's for dissimilar violations, three 1660 orders, four notices of intents to conduct audits and two disclosures of violations during the previous five year period.

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

Good Faith Effort to Comply	10% Reduction	<i>Subtotal 5</i>	\$1,150
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	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		(mark with x)

Notes: The Respondent achieved compliance on December 21, 2007.

	0% Enhancement*	<i>Subtotal 6</i>	\$0
Total EB Amounts	\$40	*Capped at the Total EB \$ Amount	
Approx. Cost of Compliance	\$7,000		

SUM OF SUBTOTALS 1-7	<i>Final Subtotal</i>	\$23,460
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0%	<i>Adjustment</i>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

<i>Final Penalty Amount</i>	\$23,460
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STATUTORY LIMIT ADJUSTMENT	<i>Final Assessed Penalty</i>	
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DEFERRAL	0% Reduction	<i>Adjustment</i>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral not offered for non-expedited settlement.

PAYABLE PENALTY	\$23,460
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Screening Date 13-Feb-2008

Docket No. 2008-0273-IHW-E

PCW

Respondent CITGO Refining and Chemicals Company L.P.

Policy Revision 2 (September 2002)

Case ID No. 35395

PCW Revision January 29, 2008

Reg. Ent. Reference No. RN102555166

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Michael Meyer

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	2	10%
	Other written NOVs	26	52%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	4	-4%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	2	-4%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 114%

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

No

Adjustment Percentage (Subtotal 3) 0%

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

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

The Respondent has had two NOVs for same or similar violations, 26 NOVs for dissimilar violations, three 1660 orders, four notices of intents to conduct audits and two disclosures of violations during the previous five year period.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 114%

Screening Date 13-Feb-2008	Docket No. 2008-0273-IHW-E	PCW		
Respondent CITGO Refining and Chemicals Company L.P.		<i>Policy Revision 2 (September 2002)</i>		
Case ID No. 35395		<i>PCW Revision January 29, 2008</i>		
Reg. Ent. Reference No. RN102555166				
Media [Statute] Industrial and Hazardous Waste				
Enf. Coordinator Michael Meyer				
Violation Number	<input type="text" value="1"/>			
Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 335.4"/>			
Violation Description	Failed to prevent the unauthorized discharge of industrial solid waste, as documented during an investigation conducted on November 7, 2007. The investigator observed stained soil at Tank Nos.1028, 2002 and 2005. Tank No. 1028 stores jet/kerosene fuels, Tank No. 2002 stores sour crude and Tank No. 2005 stores fluid cat cracker charge.			
Base Penalty		<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	x
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="25%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
Matrix Notes	Human health and the environment has been exposed to insignificant amounts of waste which did not exceed protective levels.			
Adjustment		<input type="text" value="\$7,500"/>		
		<input type="text" value="\$2,500"/>		
Violation Events				
Number of Violation Events	<input type="text" value="1"/>	<input type="text" value="43"/>	Number of violation days	
<i>mark only one with an x</i>	daily	<input type="text"/>	Violation Base Penalty	
	monthly	<input type="text"/>		
	quarterly	x		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
One quarterly event is recommended from the November 8, 2007 investigation to the date of compliance (December 21, 2007).			<input type="text" value="\$2,500"/>	
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount	<input type="text" value="\$9"/>	Violation Final Penalty Total	<input type="text" value="\$5,100"/>	
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$5,100"/>	

Economic Benefit Worksheet

Respondent CITGO Refining and Chemicals Company L.P.

Case ID No. 35395

Reg. Ent. Reference No. RN102555166

Media Industrial and Hazardous Waste

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	\$1,500	8-Nov-2007	21-Dec-2007	0.1	\$9	n/a	\$9
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Cost to develop and implement procedures to prevent the recurrence of leaks and/or unauthorized discharges as well as the cost to remove and properly dispose of the stained soil. The Date Required is the November 8, 2007 investigation and the Final Date is the date of compliance.

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

\$9

Screening Date 13-Feb-2008	Docket No. 2008-0273-IHW-E	PCW
Respondent CITGO Refining and Chemicals Company L.P.	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 35395	<i>PCW Revision January 29, 2008</i>	
Reg. Ent. Reference No. RN102555166		
Media [Statute] Industrial and Hazardous Waste		
Enf. Coordinator Michael Meyer		
Violation Number <input type="text" value="2"/>		
Rule Cite(s)	30 Tex. Admin. Code § 335.6	
Violation Description	Failed to comply with notification requirements, as documented during an investigation conducted on November 8, 2007. A container storage area near Tank No. 64-TK-13 did not appear on the Respondent's Notice of Registration ("NOR").	
Base Penalty		<input type="text" value="\$10,000"/>

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

OR	Harm				
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
				Percent <input type="text" value="0%"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	
					Percent <input type="text" value="1%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent: CITGO Refining and Chemicals Company L.P.

Case ID No. 35395

Reg. Ent. Reference No. RN102555166

Media: Industrial and Hazardous Waste

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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	\$100	8-Nov-2007	21-Dec-2007	0.1	\$1	n/a	\$1
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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimate of cost to update the Facility's Notice of Registration. The Date Required is the November 8, 2007 investigation and the Final Date is the date of compliance.

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

\$100

TOTAL

\$1

PCW

Screening Date 13-Feb-2008

Docket No. 2008-0273-IHW-E

Respondent CITGO Refining and Chemicals Company L.P.

Policy Revision 2 (September 2002)

Case ID No. 35395

PCW Revision January 29, 2008

Reg. Ent. Reference No. RN102555166

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Michael Meyer

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 335.10(b) and (d)(1) and 40 Code of Federal Regulations ("CFR") §§ 262.20(a) and 262.23(a)

Violation Description Failed to comply with manifesting requirements, as documented during an investigation conducted on November 8, 2007. Specifically, Manifest No. 00970662 was not dated by the Respondent as the generator, Manifest Nos. 00693191 and 001976346 were not dated by the transporter or receiving facility; and Manifest No. 001976672 contained an incorrect waste code.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0%
	Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			x	1%

Matrix Notes

At the least 70 percent of the rule requirement has been met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 4 Number of violation days 4

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$400

Four single events are recommended (one event per manifest).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$816

This violation Final Assessed Penalty (adjusted for limits) \$816

Economic Benefit Worksheet

Respondent: CITGO Refining and Chemicals Company L.P.

Case ID No.: 35395

Reg. Ent. Reference No.: RN102555166

Media: Industrial and Hazardous Waste

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
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

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	\$100	8-Nov-2007	21-Dec-2007	0.1	\$1	n/a	\$1
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)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to properly complete manifests. The Date Required is the November 8, 2007 investigation and the Final Date is the date of compliance.

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

\$100

TOTAL

\$1

Screening Date 13-Feb-2008

Docket No. 2008-0273-IHW-E

PCW

Respondent CITGO Refining and Chemicals Company L.P.

Policy Revision 2 (September 2002)

Case ID No. 35395

PCW Revision January 29, 2008

Reg. Ent. Reference No. RN102555166

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Michael Meyer

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 335.69(a)(1)(A) and 335.112(a)(8) and 40 CFR §§ 262.34(a)(1)(i) and 265.171

Violation Description Failed to maintain a container storing hazardous waste in good condition, as documented during an investigation conducted on November 8, 2007. Specifically, a 25 yard roll-off container located at Container Storage Area ("CSA") NOR 021 was leaking primary sludge waste (F037).

Base Penalty

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

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

Human health and the environment has been exposed to insignificant amounts of waste which did not exceed protective levels.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

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

Violation Base Penalty

One quarterly event is recommended from the November 8, 2007 investigation to the date of compliance (December 21, 2007).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent CITGO Refining and Chemicals Company L.P.

Case ID No. 35395

Reg. Ent. Reference No. RN102555166

Media Industrial and Hazardous Waste

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
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

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)	\$5,000	8-Nov-2007	21-Dec-2007	0.1	\$29	n/a	\$29

Notes for DELAYED costs

Estimated cost to remove the hazardous sludge from the container's tarp and properly dispose of the sludge. The Date Required is the November 8, 2007 investigation and the Final Date is the date of compliance.

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

\$5,000

TOTAL

\$29

Screening Date 13-Feb-2008

Docket No. 2008-0273-IHW-E

PCW

Respondent CITGO Refining and Chemicals Company L.P.

Policy Revision 2 (September 2002)

Case ID No. 35395

PCW Revision January 29, 2008

Reg. Ent. Reference No. RN102555166

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Michael Meyer

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 335.69(a)(1)(A) and 335.112(a)(8) and 40 CFR §§ 262.34(a)(1)(i) and 265.173(b)

Violation Description Failed to properly manage a hazardous waste container, as documented during an investigation conducted on November 8, 2007. Specifically, approximately one cubic foot of hazardous primary sludge waste (F037) was laying on a tarp covering a 25-yard roll-off container located across from Tank No. 2002.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				10%
	Potential			x	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Human health or the environment will or could be exposed to insignificant amounts of waste which do not exceed protective levels.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1 Number of violation days 1

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,000

One single event is recommended based on the investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$2,040

This violation Final Assessed Penalty (adjusted for limits) \$2,040

Economic Benefit Worksheet

Respondent: CITGO Refining and Chemicals Company L.P.

Case ID No.: 35395

Reg. Ent. Reference No.: RN102555166

Media: Industrial and Hazardous Waste

Violation No.: 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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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)	\$100	8-Nov-2007	21-Dec-2007	0.1	\$1	n/a	\$1

Notes for DELAYED costs

Cost to remove hazardous waste from the tarp and properly dispose of the waste. The Date Required is the November 8, 2007 investigation and the Final Date is the date of compliance.

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

\$100

TOTAL

\$1

Screening Date 13-Feb-2008

Docket No. 2008-0273-IHW-E

PCW

Respondent CITGO Refining and Chemicals Company L.P.

Policy Revision 2 (September 2002)

Case ID No. 35395

PCW Revision January 29, 2008

Reg. Ent. Reference No. RN102555166

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Michael Meyer

Violation Number 6

Rule Cite(s) 40 CFR § 265.15(d)

Violation Description

Failed to maintain records of weekly inspections at areas where containers are stored, as documented during an investigation conducted on November 8, 2007. Specifically, the Respondent admitted to not maintaining records of weekly inspections of the container storage areas.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes

100 percent of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 2

43 Number of violation days

mark only one with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$5,000

Two monthly events are recommended from the November 8, 2007 investigation to the date of compliance (December 21, 2007).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$10,200

This violation Final Assessed Penalty (adjusted for limits) \$10,200

Economic Benefit Worksheet

Respondent CITGO Refining and Chemicals Company L.P.

Case ID No. 35395

Reg. Ent. Reference No. RN102555166

Media Industrial and Hazardous Waste

Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

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)	\$200	08-No-2007	21-Dec-2007	0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to develop and implement procedures for conducting weekly inspections. The Date Required is the November 8, 2007 investigation and the Final Date is date of compliance.

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
0				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

\$200

TOTAL

\$0

Compliance History

Customer/Respondent/Owner-Operator:	CN600127922	Citgo Refining and Chemicals Company, L.P.	Classification: AVERAGE	Rating: 2.92
Regulated Entity:	RN102555166	CITGO CORPUS CHRISTI REFINERY EAST PLANT	Classification: AVERAGE	Site Rating: 5.68
ID Number(s):	AIR NEW SOURCE PERMITS	REGISTRATION		83882
	AIR NEW SOURCE PERMITS	REGISTRATION		83913
	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		19623
	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 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
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 Rating Date: September 01 07 Repeat Violator: YES

TCEQ Region: REGION 14 - CORPUS CHRISTI

Date Compliance History Prepared: February 04, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 05, 2003 to February 04, 2008

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

Name: Michael Meyer Phone: (512) 239-4492

Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? Yes
- Has there been a (known) change in ownership of the site during the compliance period? Yes
- If Yes, who is the current owner? Citgo Refining and Chemicals Company, L.P.
- If Yes, who was/were the prior owner(s)? Champlin Refining Company
Citgo Petroleum Corporation
- When did the change(s) in ownership occur? 10/01/2007

Components (Multimedia) for the Site :

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

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).

2 Effective Date: 08/31/2007

ADMINORDER 2007-0170-AIR-E

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: TCEQ Air Permit 5418A General Conditions PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, 20 pounds of the Hazardous Air Pollutant benzene was released from the UDEX Unit Fugitives during an emissions event that began June

21, 2006 and lasted five minutes.
3 Effective Date: 12/20/2007 ADMINORDER 2007-0594-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 3123A, SC 1 PERMIT
Permit No. 3123A, Special Condition 3 PERMIT
Description: Failed to prevent an unauthorized emissions event that occurred on November 15, 2006.

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	03/03/2003	(158876)
2	03/31/2003	(158879)
3	04/04/2003	(246547)
4	04/28/2003	(158884)
5	05/22/2003	(158888)
6	06/13/2003	(33932)
7	06/13/2003	(28894)
8	06/13/2003	(28895)
9	06/13/2003	(62480)
10	06/24/2003	(158892)
11	07/22/2003	(158896)
12	08/11/2003	(149101)
13	08/11/2003	(149496)
14	08/15/2003	(147279)
15	08/19/2003	(295716)
16	09/19/2003	(295718)
17	10/30/2003	(252796)
18	10/30/2003	(249984)
19	10/30/2003	(252955)
20	10/30/2003	(295720)
21	10/30/2003	(250829)
22	11/21/2003	(295722)
23	12/29/2003	(295723)
24	01/27/2004	(295725)
25	01/29/2004	(258191)
26	02/02/2004	(261589)
27	02/09/2004	(256114)
28	02/09/2004	(256568)
29	02/09/2004	(256569)
30	02/23/2004	(295705)
31	03/01/2004	(264188)
32	03/01/2004	(264223)
33	03/25/2004	(295709)
34	03/27/2004	(283414)
35	04/15/2004	(266190)
36	04/28/2004	(295710)
37	05/10/2004	(270683)
38	05/24/2004	(272559)
39	05/25/2004	(295712)
40	05/28/2004	(272866)
41	06/23/2004	(276515)
42	06/24/2004	(269190)
43	06/30/2004	(352239)
44	07/01/2004	(278271)
45	07/01/2004	(278139)
46	07/19/2004	(268646)
47	07/22/2004	(352240)
48	08/30/2004	(352241)
49	08/31/2004	(291703)
50	09/15/2004	(298570)

51	09/16/2004	(334411)
52	09/28/2004	(283343)
53	10/12/2004	(335820)
54	10/29/2004	(352243)
55	11/19/2004	(339890)
56	11/19/2004	(336845)
57	11/19/2004	(341541)
58	11/19/2004	(336653)
59	11/19/2004	(339919)
60	11/22/2004	(341305)
61	11/23/2004	(352244)
62	11/30/2004	(341912)
63	12/20/2004	(352242)
64	12/20/2004	(381902)
65	12/30/2004	(342227)
66	01/21/2005	(345684)
67	01/24/2005	(381903)
68	02/03/2005	(348348)
69	02/23/2005	(381900)
70	03/08/2005	(453246)
71	03/11/2005	(372798)
72	03/24/2005	(373888)
73	03/24/2005	(374168)
74	03/28/2005	(374190)
75	03/28/2005	(381901)
76	04/26/2005	(419743)
77	05/06/2005	(378559)
78	05/23/2005	(419744)
79	06/03/2005	(393464)
80	06/03/2005	(392988)
81	06/16/2005	(395438)
82	06/23/2005	(419745)
83	07/07/2005	(395347)
84	07/18/2005	(393465)
85	07/22/2005	(440879)
86	08/18/2005	(405799)
87	08/22/2005	(402137)
88	08/26/2005	(440880)
89	09/20/2005	(440881)
90	10/11/2005	(434051)
91	10/25/2005	(468522)
92	11/16/2005	(405717)
93	11/17/2005	(436667)
94	11/28/2005	(468523)
95	12/01/2005	(435829)
96	12/22/2005	(468524)
97	01/02/2006	(450793)
98	01/02/2006	(450794)
99	01/24/2006	(468525)
100	02/09/2006	(453193)
101	02/21/2006	(451197)
102	02/24/2006	(468521)
103	03/07/2006	(454499)
104	03/08/2006	(458417)
105	03/20/2006	(498260)
106	03/27/2006	(459448)
107	04/06/2006	(459050)
108	04/13/2006	(459661)
109	04/13/2006	(459665)
110	04/18/2006	(455371)
111	04/24/2006	(498261)
112	05/23/2006	(498262)
113	05/24/2006	(467417)
114	06/05/2006	(466364)
115	06/06/2006	(467393)
116	06/23/2006	(498263)
117	07/19/2006	(482242)
118	07/21/2006	(484425)

119	07/24/2006	(520275)
120	08/09/2006	(572255)
121	08/17/2006	(520276)
122	08/21/2006	(489885)
123	08/21/2006	(520277)
124	08/22/2006	(487181)
125	08/24/2006	(482569)
126	08/31/2006	(483126)
127	09/13/2006	(510995)
128	09/25/2006	(520278)
129	10/12/2006	(514095)
130	10/12/2006	(514897)
131	10/12/2006	(514878)
132	10/16/2006	(515256)
133	10/18/2006	(515782)
134	10/18/2006	(510953)
135	10/24/2006	(544597)
136	11/15/2006	(516860)
137	11/15/2006	(518976)
138	11/27/2006	(544598)
139	11/29/2006	(512162)
140	12/19/2006	(544599)
141	12/21/2006	(534104)
142	12/29/2006	(534672)
143	01/04/2007	(516900)
144	01/08/2007	(512157)
145	01/22/2007	(544600)
146	02/12/2007	(539381)
147	02/16/2007	(540236)
148	02/18/2007	(540855)
149	02/22/2007	(575434)
150	02/26/2007	(538209)
151	03/20/2007	(538211)
152	03/26/2007	(575435)
153	04/04/2007	(554293)
154	04/23/2007	(575436)
155	04/23/2007	(575440)
156	04/25/2007	(540902)
157	05/04/2007	(558318)
158	05/08/2007	(558508)
159	05/16/2007	(575437)
160	05/25/2007	(561868)
161	06/01/2007	(559013)
162	06/21/2007	(563744)
163	06/22/2007	(575438)
164	07/13/2007	(562870)
165	07/13/2007	(564523)
166	07/13/2007	(567064)
167	07/23/2007	(575439)
168	08/17/2007	(565565)
169	08/20/2007	(607562)
170	08/27/2007	(573505)
171	08/31/2007	(572127)
172	09/14/2007	(570950)
173	09/24/2007	(607563)
174	10/02/2007	(594482)
175	10/03/2007	(608617)
176	10/17/2007	(596344)
177	10/22/2007	(481761)
178	11/28/2007	(598481)
179	01/18/2008	(598045)
180	02/02/2008	(594422)

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

1 Date: 04/04/2003 (246547)

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		
2	Date:	04/30/2003 (158888)		
	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		
3	Date:	08/18/2003 (147279)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Rqmt Prov:	PERMIT WQ0000467-000		
	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)		
	Rqmt Prov:	PERMIT WQ0000467-000		
	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)		
	Rqmt Prov:	PERMIT WQ0000467-000		
	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)		
	Rqmt Prov:	PERMIT WQ0000467-000		
	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)		
	Rqmt Prov:	PERMIT WQ0000467-000		
	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)		
	Rqmt Prov:	PERMIT WQ0000467-000		
	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)		
	Rqmt Prov:	PERMIT WQ0000467-000		
	Description:	Failure to properly operate and maintain the clarifier at the East Plant.		
4	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)		
	Rqmt Prov:	PERMIT Air Permit No. 3390A PERMIT VERP No. 46641		
	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.		
5	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)		
	Rqmt Prov:	PA Permit 2695A - General Conditions		

- 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.
- 6 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)
- Rqmt Prov: PERMIT 9604A
- 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)
- Rqmt Prov: PERMIT 9604A
- Description: Failure to maintain the Cumene Flare in good working order.
- 7 Date: 02/06/2004 (256114)
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
- Rqmt Prov: PERMIT 3123A
- 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.
- 8 Date: 02/06/2004 (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.
- 9 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.
- 10 Date: 04/30/2004 (295712)
- 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
- 11 Date: 05/21/2004 (272559)
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
- Rqmt Prov: PA 3119A
- 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.
- 12 Date: 06/23/2004 (276515)
- Self Report? NO Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
- Rqmt Prov: PA 9604A
- 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.
- 13 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)
- Rqmt Prov: PA 5418A & 20156
- 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
Rqmt Prov: PA 5418A & 20156
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)
Rqmt Prov: PA 5418A & 20156
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)
Rqmt Prov: PA 5418A & 20156
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.

14 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)
Rqmt Prov: PERMIT Special Condition No. 3
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.

15 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.

16 Date: 12/29/2004 (342227)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)
Description: Failure to submit all additional or more detailed information requested for TCEQ STEERS No. 39028 within the time frame established in the request. Information requested to be submitted by September 22, 2004 was received on November 24, 2004.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(12)
Description: All additional information necessary to evaluate the emissions event (TCEQ STEERS No. 39028) which occurred on or about May 4, 2004 was not provided in the final record.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
Description: Failure to submit in writing an analysis of the probable cause of an emissions event (TCEQ STEERS No. 39028) within 60 days from the date of the request.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
Description: Failure to prevent the occurrence of visible emissions with an opacity of greater than 20% averaged over a six- minute period for emissions released from the No. 2 FCCU during an emissions event (TCEQ STEERS No. 39028) that occurred on or about May 4, 2004.

	Self Report?	NO	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 60.102(a)(2)		
	Description:	Failure to maintain compliance with applicable requirements specified in New Source Performance Standards (NSPS) for Petroleum Refineries 40 Code of Federal Regulations (CFR) Part 60 Subpart J.		
17	Date:	03/31/2005 (419743)		
	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		
18	Date:	07/18/2005 (393465)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Rqmt Prov:	PERMIT TPDES Permit No. 00467-003		
	Description:	Failure to comply with the 0.5 mg/l daily maximum permit limit for BTEX.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 319, SubChapter A 319.4		
	Rqmt Prov:	PERMIT TPDES Permit No. 00467-003		
	Description:	Failure to meet minimum self-monitoring requirements for sample collection and laboratory analysis.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Rqmt Prov:	PERMIT TPDES Permit No. 00467-001		
	Description:	Failure to comply with the maximum pH permit limit of 9.0 su (standard units).		
19	Date:	12/31/2005 (468525)		
	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		
20	Date:	08/24/2006 (482569)		
	Self Report?	NO	Classification:	Moderate
	Citation:	TWC Chapter 26 26.121(a)(1)		
	Rqmt Prov:	PERMIT TPDES Permit No. WQ0000467-001		
	Description:	Failure to prevent an unauthorized discharge of approximately 6 barrels of slop oil into the Corpus Christi Inner Harbor.		
21	Date:	08/31/2006 (483126)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 335, SubChapter C 335.69(a) 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)		
	Description:	Failure to meet accumulation time limits as required for storage of hazardous waste without a permit.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A) 30 TAC Chapter 335, SubChapter E 335.112(a)(8) 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174		
	Description:	Failure to inspect all container storage areas as required.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
	Rqmt Prov:	OP PP III.D.		
	Description:	Failure to inspect Permitted Units as per permit requirements.		
22	Date:	11/28/2006 (512162)		
	Self Report?	NO	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)(1) 30 TAC Chapter 335, SubChapter A 335.4		
	Description:	Failure to prevent discharge of industrial or other waste into or adjacent to any water in the state.		
23	Date:	03/31/2007 (575436)		
	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		
24	Date:	05/31/2007 (575438)		
	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		

25 Date: 07/31/2007 (607562)
 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

26 Date: 08/17/2007 (565565)
 Self Report? NO Classification: Moderate
 Citation: TWC Chapter 26 26.121(a)(1)
 Description: Failure to prevent an un-permitted discharge of commingled process wastewater, storm water, cooling tower blow-down, and fire water via outfall 003
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT TPDES Permit No. 00467-001
 Description: Failure to comply with the daily maximum effluent permit limit for biochemical oxygen demand (BOD) and chemical oxygen demand (COD) for 12/2005 at outfall 001.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.4
 Rqmt Prov: PERMIT TPDES Permit No. 00467-003
 Description: Failure to analyze total chrome at storm water outfall 003 for the month of November 2005. On 11/26/2005, a discharge occurred at outfall 003 with a corresponding rain event. A sample was collected during the discharge for laboratory analyses of the required permit parameters. The in-house laboratory did not perform the total chromium analysis due to a laboratory error.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PERMIT TPDES Permit No. 00467-003
 Description: Failure to comply with the daily maximum effluent permit limit for oil and grease for 07/2007 at outfall 003.

27 Date: 08/31/2007 (572127)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 115, SubChapter D 115.322(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 Rqmt Prov: PERMIT 19044, SC 2E
 PERMIT 20156, SC 1E
 PERMIT 21303, SC 5E
 PERMIT 21706, SC 6E
 PERMIT 2695A, Special Condition 10E
 PERMIT 2697A, SC 9E
 PERMIT 2703A, SC 5E
 PERMIT 2708A, SC 8E
 PERMIT 3123A, SC 7E
 PERMIT 3857A, 13E
 PERMIT 46640, SC 6E
 PERMIT 46641, SC 14E
 PERMIT 5418A, SC 8E
 PERMIT 6722A, SC 10E
 PERMIT 72654, SC 3E
 PERMIT 9604A/PSD-TX-653, SC18E
 OP FOP O-01423, Special Term & Condition 1A
 Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve. According to the TCEQ Enforcement Initiation Criteria, this is a Category C violation, Subcategory 10.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.322(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(g)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
 Rqmt Prov: OP FOP O-01423, Special Term & Condition 1A
 Description: Failure to make a first attempt at repair within five days.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.322(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT 21303, SC 5H
PERMIT 2697A, SC 9I
PERMIT 2703A, 5I
PERMIT 2708A, SC 8I
PERMIT 46640, SC 6I
PERMIT 46641, SC 14I
PERMIT 5418A, SC 8I
PERMIT 6722A, SC 10I
PERMIT 9604A/PSD-TX-653, SC 18H
OP FOP O-1423, Special Term & Condition 1A
Description: Failure to make an effective repair or delay of repair placement within the appropriate time limits.

18 Date: 10/03/2007 (608617)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

F. Environmental audits.

- 1 Notice of Intent Date: 06/24/2004 (334400)
Disclosure Date: 12/21/2004
Viol. Classification: Major
Citation: 30 TAC Chapter 101, SubChapter F
Description: Failure to report emission events.
- 2 Notice of Intent Date: 07/07/2004 (334350)
No DOV Associated
- 3 Notice of Intent Date: 07/27/2004 (509717)
No DOV Associated
- 4 Notice of Intent Date: 06/02/2005 (403329)
Disclosure Date: 12/01/2005
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
Description: Failed to control 63 open-ended lines by cap, plug, blind, or double block valves.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
Description: Failure to maintain records of weekly visual inspections documenting inspection of non-leaking pumps.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT R
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
Description: Failure to properly complete DOR forms.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
Description: Failure to submit monitoring reports on time and Reports did not contain all information required by the regulations.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
Description: Failure to tag components in the ADP and BTX units.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
Description: The 5 to 15 day report submitted in July 2005 generated by the fugitive software had inaccurate or not probable dates that reported excessive deviations.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H
Description: Failure to identify compressor leaks in semi-annual report for 2004 MACT or HON units.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
Description: Failure to include complete downtime information in several MACT reports for the East Plant.
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H

Description: Failure to include reason for delay of repair on the 2004 HON and MACT semiannual reports.

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

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2008-0273-IHW-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Citgo Refining and Chemical Company, L.P. ("Citgo") under the authority of TEX. WATER CODE ch. 7, TEX. HEALTH & SAFETY CODE ch. 361, and 40 CODE OF FEDERAL REGULATIONS pts 262 and 265, ("CFR"). The Executive Director of the TCEQ, represented by the Litigation Division, and Citgo represented by Mary Clair Lyons, appear before the Commission and together stipulate that:

1. Citgo owns and operates a petroleum refinery located at 1801 Nueces Bay Boulevard, Corpus Christi, Nueces County, Texas (the "Facility").
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 361 and TCEQ rules.
3. The Commission and Citgo agree that the Commission has jurisdiction to enter this Agreed Order, and that Citgo is subject to the Commission's jurisdiction.
4. Citgo received notice of the violations alleged in Section II ("Allegations") on or about January 23, 2008.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Citgo of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of twenty-three thousand four hundred sixty dollars (\$23,460.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Citgo has paid twenty-three thousand four hundred sixty dollars (\$23,460.00) of the administrative penalty.
7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Citgo have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that Citgo has implemented the following corrective measures at the Facility in response to this enforcement action:
 - a. removed and properly disposed of stained soil and implemented a more routine and aggressive inspection procedure to ensure a higher degree of responsibility by personnel to minimize and mitigate future releases;
 - b. updated Notice of Registration ("NOR") to include the area across from Tank No. 64-TK-13 as a container storage area ("CSA");
 - c. instituted training and retraining of personnel with an emphasis on operations related to manifest requirements;
 - d. transferred sludge from the leaking roll-off container at CSA 021 into a new roll-off container and properly cleaned the leaking container;
 - e. removed and properly disposed of the hazardous sludge from the tarp covering a roll-off container located across from Tank No. 2002 and ensured the hopper sack was empty and properly closed; and
 - f. began conducting weekly inspection of the CSA across from Tank No. 64-TK-13.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Citgo has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

Citgo is alleged to have violated:

1. 30 TEX. ADMIN. CODE § 335.4, as documented on November 8, 2007, by failing to prevent the unauthorized discharge of industrial solid waste.
2. 30 TEX. ADMIN. CODE § 335.6, as documented on November 8, 2007, by failing to comply with notification requirements. On the date of the investigation, a container storage area near Tank No. 64-TK-13 did not appear on the Facility's NOR.
3. 30 TEX. ADMIN. CODE §§ 335.10(b) and (d)(1), and 40 CODE OF FEDERAL REGULATIONS §§ 262.20(a) and 23(a), as documented during the November 8, 2007 inspection, by failing to comply with manifesting requirements. Specifically, Manifest No. 00970662 was not dated by the generator, Manifest Nos. 00693191 and 001976346 were not dated by the transporter or receiving facility; and Manifest No. 001976672 contained an incorrect waste code.
4. 30 TEX. ADMIN. CODE § 335.69(a)(1)(A) and 335.112(a)(8), and 40 CODE OF FEDERAL REGULATIONS §§ 262.34(a)(1)(i) and 265.171, as documented during the November 8, 2007 inspection, by failing to maintain a container storing hazardous waste in good condition. Specifically, a 25-yard roll-off container was documented as leaking primary sludge waste (F037).
5. 30 TEX. ADMIN. CODE §§ 335.69 (a)(1)(A) and 335.112(a)(8), and 40 CODE OF FEDERAL REGULATIONS §§ 262.34(a)(1)(i) and 265.173(b)), as documented during the November 8, 2007 inspection, by failing to properly manage a hazardous waste container. Specifically, approximately one cubic foot of hazardous waste was laying on a trap covering a 25-yard roll-off container located across from Tank No-2002.
6. 40 CODE OF FEDERAL REGULATIONS §§ 265.15(d), as documented during the November 8, 2007 investigation, by failing to maintain weekly inspections at areas where containers are stored.

III. DENIALS

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

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Citgo pay an administrative penalty as set forth in Section I, Paragraph No. 6 above. The payment of this administrative penalty and Citgo's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "re: Citgo Refining and Chemicals Company, L.P., Docket No. 2008-0273-IHW-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The provisions of this Agreed Order shall apply to and be binding upon Citgo. Citgo is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
3. 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.
4. 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.
5. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Citgo, or three days after the date on which the Commission mails notice of the Order to Citgo, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

7/21/2009

Date

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

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

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- 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 me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

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



Signature

MWC

1/12/09

Date



Name (Printed or typed)
Authorized representative of
Citgo Refining and Chemicals Company, L.P.

GM/VP Corpus Christi Refinery

Title