

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2009-0568-AIR-E **TCEQ ID:** RN102450756 **CASE NO.:** 37491
RESPONDENT NAME: ExxonMobil Oil Corporation

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 checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: ExxonMobil Beaumont Refinery, 1795 Burt Street, Beaumont, Jefferson 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, Docket Nos. 2005-0228-AIR-E, 2008-0153-AIR-E, and 2009-0153-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on August 31, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Mr. Raymond Marlow, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8785; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Mr. Daniel Risso, Agent and Attorney-In-Fact, ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: March 3 through 6, 2009</p> <p>Date of NOV/NOE Relating to this Case: March 31, 2009 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions on November 3, 2008 during Incident No. 116761. Specifically, 2,803.71 pounds ("lbs") of volatile organic compounds ("VOCs") were released from the Number 7 Coke Drum for four minutes as a result of opening the wrong atmospheric vent valve while the Coker control system was being bypassed during repair. Since the emissions event could have been avoided by better operations and maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to prevent an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), Federal Operating Permit ("FOP") No. O-02039, Special Condition ("SC") No. 13, Air Permit Nos. 19566/PSD-TX-768M1 and PSD-TX-932, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to prevent unauthorized emissions on November 11, 2008 during Incident No. 116923. Specifically, 41.73 lbs of hydrogen sulfide and 3,852.55 lbs of sulfur dioxide were released from the Catalytic Hydrodesulfurization -1 ("CHD-1") Flare for one hour when an electrician erroneously disconnected wires that shut down Sulfur Recovery Unit ("SRU") 2 during maintenance on SRU 3. Since the emissions event could have been avoided by better operations and maintenance</p>	<p>Total Assessed: \$20,000</p> <p>Total Deferred: \$4,000 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$8,000</p> <p>Total Paid to General Revenue: \$8,000</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 type="checkbox"/> Yes <input checked="" 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 measures at the Plant:</p> <p>a. Completed action on November 10, 2008, in response to Incident No. 116761, to alter the Coker Control System to insure that Plant personnel do not open an atmospheric vent valve while a Coke Drum is still coking; and</p> <p>b. Completed action on April 1, 2009 in response to Incident No. 116923, by developing a formal written checklist and training electricians on that checklist regarding the CHD-1 Flare.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

<p>practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to prevent an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), FOP No. O-01870, SC No. 12, Air Permit No. 49138, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): JE0067I

Attachment A
Docket Number: 2009-0568-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	ExxonMobil Oil Corporation
Payable Penalty Amount:	Sixteen Thousand Dollars (\$16,000)
SEP Amount:	Eight Thousand Dollars (\$8,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Clean School Buses
Location of SEP:	Texas Air Quality Control Region 106 – Southern Louisiana-Southeast Texas

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

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to aid local school districts, area transit agencies, and local governments in need of funding assistance to pay for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. The funds will be disbursed on a needs-rated basis, using non-attainment area status, condition of buses, and economic status of the recipient as possible rating factors if competition for the funds exists. To maximize funds, retrofitting will take priority over replacement of buses. Older buses deemed not suitable for retrofitting will be permanently retired and sold only for scrap.

Acceptable retrofit technologies include particulate matter traps, diesel particulate matter filters, nitrogen oxides (NO_x) reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the United States Environmental Protection Agency ("EPA") or the California Air Resources Board.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate matter and hydrocarbon emissions from buses, to meet the new, more stringent emissions standards introduced by the EPA which will be phased in between 2007 and 2010.

C. Minimum Expenditure

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

2. Performance Schedule

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

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802-2700

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	6-Apr-2009	Screening	8-Apr-2009	EPA Due	26-Dec-2009
	PCW	20-Apr-2009				

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

CASE INFORMATION			
Enf./Case ID No.	37491	No. of Violations	2
Docket No.	2009-0568-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Raymond Marlow
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes

Culpability **Subtotal 4**

Notes

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

Economic Benefit **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance
 *Capped at the Total EB \$ Amount

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date 8-Apr-2009

Docket No. 2009-0568-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 37491

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator Raymond Marlow

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)	13	65%
	Other written NOVs	16	32%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	13	260%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	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)	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 403%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Penalty enhancement due to 13 NOVs for same or similar violations, 16 NOVs issued for dissimilar violations, 13 Agreed Orders containing a denial of liability, and two Findings Orders. Penalty reduction due to two letters of intended audits and one letter in which violations were disclosed.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 403%

Screening Date 8-Apr-2009	Docket No. 2009-0568-AIR-E	PCW		
Respondent ExxonMobil Oil Corporation		<small>Policy Revision 2 (September 2002)</small>		
Case ID No. 37491		<small>PCW Revision October 30, 2008</small>		
Reg. Ent. Reference No. RN102450756				
Media [Statute] Air				
Enf. Coordinator Raymond Marlow				
Violation Number 1				
Rule Cite(s)	30 Tex. Admin. Code §§ 101.20(3), 116.115(c) and 122.143(4), Federal Operating Permit ("FOP") No. O-02039, Special Condition ("SC") No. 13, Air Permit Nos. 19566/PSD-TX-768M1 and PSD-TX-932, SC No. 1, and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to prevent unauthorized emissions on November 3, 2008, during Incident No. 116761. Specifically, 2,803.71 pounds ("lbs") of volatile organic compounds ("VOCs") were released from the Number 7 Coke Drum for four minutes as a result of opening the wrong atmospheric vent valve while the Coker control system was being bypassed during repair. Since the emissions event could have been avoided by better operations and maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to prevent an affirmative defense were not met.			
	Base Penalty	\$10,000		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual			x
	Potential			
			Percent	25%
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
			Percent	0%
Matrix Notes	Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.			
	Adjustment	\$7,500		
				\$2,500
Violation Events				
	Number of Violation Events	1	Number of violation days	1
<small>mark only one with an x</small>	daily			
	weekly			
	monthly			
	quarterly		x	
	semiannual			
	annual			
	single event			
			Violation Base Penalty	\$2,500
	One quarterly event is recommended for the emissions event that occurred on November 3, 2008.			
Good Faith Efforts to Comply		25.0% Reduction		\$625
		Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary				
Ordinary	x			
N/A			(mark with x)	
Notes	The Respondent completed corrective actions on November 10, 2008 prior to the March 31, 2009 NOE.			
			Violation Subtotal	\$1,875
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount	\$1	Violation Final Penalty Total	\$11,950
			This violation Final Assessed Penalty (adjusted for limits)	\$10,000

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37491
Reg. Ent. Reference No. RN102450756
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	3-Nov-2008	10-Nov-2008	0.02	\$1	n/a	\$1

Notes for DELAYED costs

Estimated cost of alterations to the Coker control system to prevent opening of an atmospheric vent valve while a Coke Drum is still coking. The date required is the date of the emissions event. The final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$1

Screening Date 8-Apr-2009	Docket No. 2009-0568-AIR-E	PCW														
Respondent ExxonMobil Oil Corporation		<small>Policy Revision 2 (September 2002)</small>														
Case ID No. 37491		<small>PCW Revision October 30, 2008</small>														
Reg. Ent. Reference No. RN102450756																
Media [Statute] Air																
Enf. Coordinator Raymond Marlow																
Violation Number <input type="text" value="2"/>																
Rule Cite(s)	30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), FOP No. O-01870, SC No. 12, Air Permit No. 49138, SC No. 1, and Tex. Health & Safety Code § 382.085(b)															
Violation Description	Failed to prevent unauthorized emissions on November 11, 2008, during Incident No. 116923. Specifically, 41.73 lbs of hydrogen sulfide and 3,852.55 lbs of sulfur dioxide were released from the Catalytic Hydrodesulfurization -1 ("CHD-1") Flare for one hour when an electrician erroneously disconnected wires that shut down Sulfur Recovery Unit ("SRU") 2 during maintenance on SRU 3. Since the emissions event could have been avoided by better operations and maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to prevent an affirmative defense were not met.															
	Base Penalty	<input type="text" value="\$10,000"/>														
>> Environmental, Property and Human Health Matrix																
	Harm															
	Major Moderate Minor															
OR	Actual	<input type="text" value=""/>														
	Potential	<input type="text" value=""/>														
		<input type="text" value="x"/>														
	Percent	<input type="text" value="25%"/>														
>> Programmatic Matrix																
	Falsification Major Moderate Minor															
	<input type="text" value=""/>	<input type="text" value=""/>														
	<input type="text" value=""/>	<input type="text" value=""/>														
	Percent	<input type="text" value="0%"/>														
Matrix Notes	Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.															
	Adjustment	<input type="text" value="\$7,500"/>														
		<input type="text" value="\$2,500"/>														
Violation Events																
	Number of Violation Events <input type="text" value="1"/>	Number of violation days <input type="text" value="1"/>														
	<table border="1" style="border-collapse: collapse;"> <tr><td>daily</td><td><input type="text" value=""/></td></tr> <tr><td>weekly</td><td><input type="text" value=""/></td></tr> <tr><td>monthly</td><td><input type="text" value=""/></td></tr> <tr><td>quarterly</td><td><input checked="" type="text" value="x"/></td></tr> <tr><td>semiannual</td><td><input type="text" value=""/></td></tr> <tr><td>annual</td><td><input type="text" value=""/></td></tr> <tr><td>single event</td><td><input type="text" value=""/></td></tr> </table>	daily	<input type="text" value=""/>	weekly	<input type="text" value=""/>	monthly	<input type="text" value=""/>	quarterly	<input checked="" type="text" value="x"/>	semiannual	<input type="text" value=""/>	annual	<input type="text" value=""/>	single event	<input type="text" value=""/>	Violation Base Penalty <input type="text" value="\$2,500"/>
daily	<input type="text" value=""/>															
weekly	<input type="text" value=""/>															
monthly	<input type="text" value=""/>															
quarterly	<input checked="" type="text" value="x"/>															
semiannual	<input type="text" value=""/>															
annual	<input type="text" value=""/>															
single event	<input type="text" value=""/>															
	<div style="border: 1px solid black; padding: 5px; width: fit-content;"> One quarterly event is recommended for the emissions event that occurred on November 11, 2008. </div>															
Good Faith Efforts to Comply																
	10.0% Reduction	<input type="text" value="\$250"/>														
	Before NOV NOV to EDPRP/Settlement Offer															
Extraordinary	<input type="text" value=""/>	<input type="text" value=""/>														
Ordinary	<input type="text" value=""/>	<input checked="" type="text" value="x"/>														
N/A	<small>(mark with x)</small>															
Notes	<div style="border: 1px solid black; padding: 5px;"> The Respondent completed corrective action on April 1, 2009 prior to the Settlement Offer. </div>															
	Violation Subtotal	<input type="text" value="\$2,250"/>														
Economic Benefit (EB) for this violation																
	Statutory Limit Test															
Estimated EB Amount <input type="text" value="\$29"/>	Violation Final Penalty Total	<input type="text" value="\$12,325"/>														
	This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$10,000"/>														

Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation
Case ID No. 37491
Reg. Ent. Reference No. RN102450756
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	11-Nov-2008	1-Apr-2009	0.39	\$29	n/a	\$29
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost of creating a formal written checklist and the training of electricians on that checklist regarding the CHD-1 Flare. The date required is the date of the emissions event. The final date is the date that all corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$29

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600920748 ExxonMobil Oil Corporation	Classification: AVERAGE	Rating: 3.75
Regulated Entity:	RN102450756 EXXONMOBIL BEAUMONT REFINERY	Classification: AVERAGE	Site Rating: 17.26

ID Number(s):			
	AIR NEW SOURCE PERMITS	REGISTRATION	71938
	AIR NEW SOURCE PERMITS	PERMIT	655
	AIR NEW SOURCE PERMITS	PERMIT	1519
	AIR NEW SOURCE PERMITS	PERMIT	3913
	AIR NEW SOURCE PERMITS	PERMIT	7018
	AIR NEW SOURCE PERMITS	PERMIT	7208
	AIR NEW SOURCE PERMITS	PERMIT	7760
	AIR NEW SOURCE PERMITS	PERMIT	10291
	AIR NEW SOURCE PERMITS	PERMIT	11306
	AIR NEW SOURCE PERMITS	PERMIT	12139
	AIR NEW SOURCE PERMITS	PERMIT	12817
	AIR NEW SOURCE PERMITS	PERMIT	13120
	AIR NEW SOURCE PERMITS	PERMIT	15261
	AIR NEW SOURCE PERMITS	PERMIT	18276
	AIR NEW SOURCE PERMITS	PERMIT	18277
	AIR NEW SOURCE PERMITS	PERMIT	19566
	AIR NEW SOURCE PERMITS	PERMIT	20862
	AIR NEW SOURCE PERMITS	PERMIT	22999
	AIR NEW SOURCE PERMITS	PERMIT	24159
	AIR NEW SOURCE PERMITS	PERMIT	26121
	AIR NEW SOURCE PERMITS	PERMIT	27000
	AIR NEW SOURCE PERMITS	PERMIT	26860
	AIR NEW SOURCE PERMITS	PERMIT	27539
	AIR NEW SOURCE PERMITS	PERMIT	26859
	AIR NEW SOURCE PERMITS	PERMIT	30543
	AIR NEW SOURCE PERMITS	PERMIT	31227
	AIR NEW SOURCE PERMITS	PERMIT	33642
	AIR NEW SOURCE PERMITS	PERMIT	33907
	AIR NEW SOURCE PERMITS	PERMIT	34543
	AIR NEW SOURCE PERMITS	PERMIT	34963
	AIR NEW SOURCE PERMITS	PERMIT	37234
	AIR NEW SOURCE PERMITS	PERMIT	40837
	AIR NEW SOURCE PERMITS	PERMIT	42051
	AIR NEW SOURCE PERMITS	PERMIT	42730
	AIR NEW SOURCE PERMITS	PERMIT	42852
	AIR NEW SOURCE PERMITS	PERMIT	42951
	AIR NEW SOURCE PERMITS	PERMIT	43132
	AIR NEW SOURCE PERMITS	PERMIT	43433
	AIR NEW SOURCE PERMITS	PERMIT	43675
	AIR NEW SOURCE PERMITS	PERMIT	44038
	AIR NEW SOURCE PERMITS	PERMIT	45695
	AIR NEW SOURCE PERMITS	PERMIT	46329
	AIR NEW SOURCE PERMITS	PERMIT	46434
	AIR NEW SOURCE PERMITS	PERMIT	46534
	AIR NEW SOURCE PERMITS	PERMIT	46743
	AIR NEW SOURCE PERMITS	PERMIT	47064
	AIR NEW SOURCE PERMITS	PERMIT	47063
	AIR NEW SOURCE PERMITS	PERMIT	47062
	AIR NEW SOURCE PERMITS	PERMIT	47175
	AIR NEW SOURCE PERMITS	PERMIT	47358
	AIR NEW SOURCE PERMITS	PERMIT	47589
	AIR NEW SOURCE PERMITS	PERMIT	47815
	AIR NEW SOURCE PERMITS	PERMIT	48110
	AIR NEW SOURCE PERMITS	PERMIT	49135
	AIR NEW SOURCE PERMITS	PERMIT	49138
	AIR NEW SOURCE PERMITS	PERMIT	49142
	AIR NEW SOURCE PERMITS	PERMIT	49143
	AIR NEW SOURCE PERMITS	PERMIT	49145
	AIR NEW SOURCE PERMITS	PERMIT	49596
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE00671
	AIR NEW SOURCE PERMITS	REGISTRATION	72166

AIR NEW SOURCE PERMITS	REGISTRATION	71990
AIR NEW SOURCE PERMITS	PERMIT	52713
AIR NEW SOURCE PERMITS	PERMIT	52733
AIR NEW SOURCE PERMITS	PERMIT	52926
AIR NEW SOURCE PERMITS	PERMIT	53561
AIR NEW SOURCE PERMITS	REGISTRATION	55220
AIR NEW SOURCE PERMITS	REGISTRATION	55233
AIR NEW SOURCE PERMITS	REGISTRATION	54963
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AIR NEW SOURCE PERMITS	REGISTRATION	75794
AIR NEW SOURCE PERMITS	REGISTRATION	76388
AIR NEW SOURCE PERMITS	REGISTRATION	75736
AIR NEW SOURCE PERMITS	PERMIT	75302
AIR NEW SOURCE PERMITS	REGISTRATION	55737
AIR NEW SOURCE PERMITS	REGISTRATION	75572
AIR NEW SOURCE PERMITS	REGISTRATION	75426
AIR NEW SOURCE PERMITS	REGISTRATION	75528
AIR NEW SOURCE PERMITS	REGISTRATION	75508
AIR NEW SOURCE PERMITS	REGISTRATION	75845
AIR NEW SOURCE PERMITS	REGISTRATION	76054
AIR NEW SOURCE PERMITS	REGISTRATION	70003
AIR NEW SOURCE PERMITS	PERMIT	56259
AIR NEW SOURCE PERMITS	REGISTRATION	70001
AIR NEW SOURCE PERMITS	AFS NUM	4824500018
AIR NEW SOURCE PERMITS	REGISTRATION	70104
AIR NEW SOURCE PERMITS	PERMIT	70613
AIR NEW SOURCE PERMITS	REGISTRATION	70541
AIR NEW SOURCE PERMITS	PERMIT	56617
AIR NEW SOURCE PERMITS	PERMIT	48623
AIR NEW SOURCE PERMITS	REGISTRATION	70376
AIR NEW SOURCE PERMITS	PERMIT	49134
AIR NEW SOURCE PERMITS	PERMIT	49125
AIR NEW SOURCE PERMITS	PERMIT	49146
AIR NEW SOURCE PERMITS	PERMIT	49148
AIR NEW SOURCE PERMITS	PERMIT	49151
AIR NEW SOURCE PERMITS	REGISTRATION	71024
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AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M
AIR NEW SOURCE PERMITS	PERMIT	70805
AIR NEW SOURCE PERMITS	REGISTRATION	70983
AIR NEW SOURCE PERMITS	REGISTRATION	70794
AIR NEW SOURCE PERMITS	REGISTRATION	71302
AIR NEW SOURCE PERMITS	REGISTRATION	71378
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992
AIR NEW SOURCE PERMITS	REGISTRATION	71100
AIR NEW SOURCE PERMITS	REGISTRATION	71277
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AIR NEW SOURCE PERMITS	PERMIT	50669
AIR NEW SOURCE PERMITS	PERMIT	53040
AIR NEW SOURCE PERMITS	PERMIT	53560
AIR NEW SOURCE PERMITS	PERMIT	52284
AIR NEW SOURCE PERMITS	PERMIT	55291
AIR NEW SOURCE PERMITS	PERMIT	56799
AIR NEW SOURCE PERMITS	PERMIT	56709
AIR NEW SOURCE PERMITS	PERMIT	52598
AIR NEW SOURCE PERMITS	PERMIT	52599
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AIR NEW SOURCE PERMITS	PERMIT	54091
AIR NEW SOURCE PERMITS	PERMIT	55031
AIR NEW SOURCE PERMITS	PERMIT	54487
AIR NEW SOURCE PERMITS	PERMIT	54486
AIR NEW SOURCE PERMITS	PERMIT	71741
AIR NEW SOURCE PERMITS	PERMIT	71048
AIR NEW SOURCE PERMITS	PERMIT	50583
AIR NEW SOURCE PERMITS	REGISTRATION	105370
AIR NEW SOURCE PERMITS	PERMIT	54768

AIR NEW SOURCE PERMITS	REGISTRATION	72569
AIR NEW SOURCE PERMITS	REGISTRATION	72780
AIR NEW SOURCE PERMITS	REGISTRATION	73120
AIR NEW SOURCE PERMITS	REGISTRATION	72646
AIR NEW SOURCE PERMITS	PERMIT	55522
AIR NEW SOURCE PERMITS	PERMIT	55654
AIR NEW SOURCE PERMITS	PERMIT	55617
AIR NEW SOURCE PERMITS	PERMIT	56428
AIR NEW SOURCE PERMITS	PERMIT	52240
AIR NEW SOURCE PERMITS	PERMIT	P802
AIR NEW SOURCE PERMITS	PERMIT	52300
AIR NEW SOURCE PERMITS	REGISTRATION	72659
AIR NEW SOURCE PERMITS	REGISTRATION	74104
AIR NEW SOURCE PERMITS	REGISTRATION	74072
AIR NEW SOURCE PERMITS	REGISTRATION	73897
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AIR NEW SOURCE PERMITS	REGISTRATION	74399
AIR NEW SOURCE PERMITS	REGISTRATION	74615
AIR NEW SOURCE PERMITS	PERMIT	75132
AIR NEW SOURCE PERMITS	PERMIT	75054
AIR NEW SOURCE PERMITS	REGISTRATION	74990
AIR NEW SOURCE PERMITS	REGISTRATION	75143
AIR NEW SOURCE PERMITS	REGISTRATION	75172
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AIR NEW SOURCE PERMITS	REGISTRATION	74993
AIR NEW SOURCE PERMITS	REGISTRATION	74994
AIR NEW SOURCE PERMITS	REGISTRATION	74995
AIR NEW SOURCE PERMITS	REGISTRATION	74997
AIR NEW SOURCE PERMITS	REGISTRATION	75133
AIR NEW SOURCE PERMITS	PERMIT	75180
AIR NEW SOURCE PERMITS	REGISTRATION	75329
AIR NEW SOURCE PERMITS	REGISTRATION	75308
AIR NEW SOURCE PERMITS	REGISTRATION	75279
AIR NEW SOURCE PERMITS	REGISTRATION	75267
AIR NEW SOURCE PERMITS	REGISTRATION	75281
AIR NEW SOURCE PERMITS	REGISTRATION	76471
AIR NEW SOURCE PERMITS	REGISTRATION	76838
AIR NEW SOURCE PERMITS	EPA ID	PSDTX799
AIR NEW SOURCE PERMITS	EPA ID	PSDTX802
AIR NEW SOURCE PERMITS	REGISTRATION	76779
AIR NEW SOURCE PERMITS	REGISTRATION	76467
AIR NEW SOURCE PERMITS	PERMIT	76869
AIR NEW SOURCE PERMITS	REGISTRATION	77009
AIR NEW SOURCE PERMITS	REGISTRATION	77375
AIR NEW SOURCE PERMITS	REGISTRATION	77460
AIR NEW SOURCE PERMITS	REGISTRATION	77712
AIR NEW SOURCE PERMITS	REGISTRATION	77844
AIR NEW SOURCE PERMITS	REGISTRATION	77932
AIR NEW SOURCE PERMITS	REGISTRATION	78100
AIR NEW SOURCE PERMITS	REGISTRATION	77363
AIR NEW SOURCE PERMITS	REGISTRATION	78516
AIR NEW SOURCE PERMITS	REGISTRATION	78190
AIR NEW SOURCE PERMITS	REGISTRATION	78247
AIR NEW SOURCE PERMITS	REGISTRATION	78250
AIR NEW SOURCE PERMITS	REGISTRATION	78290
AIR NEW SOURCE PERMITS	REGISTRATION	78475
AIR NEW SOURCE PERMITS	REGISTRATION	78609
AIR NEW SOURCE PERMITS	REGISTRATION	78676
AIR NEW SOURCE PERMITS	REGISTRATION	78792
AIR NEW SOURCE PERMITS	REGISTRATION	78799
AIR NEW SOURCE PERMITS	REGISTRATION	78982
AIR NEW SOURCE PERMITS	REGISTRATION	79185
AIR NEW SOURCE PERMITS	REGISTRATION	79620
AIR NEW SOURCE PERMITS	REGISTRATION	79853

AIR NEW SOURCE PERMITS	REGISTRATION	79506
AIR NEW SOURCE PERMITS	REGISTRATION	79641
AIR NEW SOURCE PERMITS	REGISTRATION	80078
AIR NEW SOURCE PERMITS	REGISTRATION	80495
AIR NEW SOURCE PERMITS	PERMIT	80203
AIR NEW SOURCE PERMITS	REGISTRATION	80819
AIR NEW SOURCE PERMITS	REGISTRATION	80595
AIR NEW SOURCE PERMITS	REGISTRATION	80461
AIR NEW SOURCE PERMITS	REGISTRATION	80978
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992M1
AIR NEW SOURCE PERMITS	REGISTRATION	80037
AIR NEW SOURCE PERMITS	REGISTRATION	81505
AIR NEW SOURCE PERMITS	REGISTRATION	81398
AIR NEW SOURCE PERMITS	REGISTRATION	81188
AIR NEW SOURCE PERMITS	REGISTRATION	82073
AIR NEW SOURCE PERMITS	REGISTRATION	83337
AIR NEW SOURCE PERMITS	REGISTRATION	82555
AIR NEW SOURCE PERMITS	PERMIT	82413
AIR NEW SOURCE PERMITS	REGISTRATION	82685
AIR NEW SOURCE PERMITS	REGISTRATION	82299
AIR NEW SOURCE PERMITS	REGISTRATION	84577
AIR NEW SOURCE PERMITS	REGISTRATION	84778
AIR NEW SOURCE PERMITS	REGISTRATION	89318
AIR NEW SOURCE PERMITS	REGISTRATION	87985
AIR NEW SOURCE PERMITS	REGISTRATION	85988
AIR NEW SOURCE PERMITS	REGISTRATION	85464
AIR NEW SOURCE PERMITS	REGISTRATION	84615
AIR NEW SOURCE PERMITS	REGISTRATION	84900
AIR NEW SOURCE PERMITS	REGISTRATION	87903
AIR NEW SOURCE PERMITS	REGISTRATION	89728
AIR NEW SOURCE PERMITS	REGISTRATION	84867
AIR NEW SOURCE PERMITS	REGISTRATION	88089
AIR NEW SOURCE PERMITS	REGISTRATION	87414
AIR NEW SOURCE PERMITS	REGISTRATION	88127
AIR NEW SOURCE PERMITS	REGISTRATION	82611
AIR NEW SOURCE PERMITS	REGISTRATION	82818
AIR NEW SOURCE PERMITS	REGISTRATION	82697
AIR NEW SOURCE PERMITS	REGISTRATION	82776
AIR NEW SOURCE PERMITS	REGISTRATION	84000
AIR NEW SOURCE PERMITS	REGISTRATION	84085
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AIR NEW SOURCE PERMITS	REGISTRATION	84116
AIR NEW SOURCE PERMITS	REGISTRATION	82446
AIR NEW SOURCE PERMITS	REGISTRATION	82535
AIR NEW SOURCE PERMITS	REGISTRATION	85174
AIR NEW SOURCE PERMITS	REGISTRATION	86452
AIR NEW SOURCE PERMITS	REGISTRATION	85876
AIR NEW SOURCE PERMITS	REGISTRATION	84158
AIR NEW SOURCE PERMITS	REGISTRATION	84159
AIR NEW SOURCE PERMITS	REGISTRATION	85192
AIR NEW SOURCE PERMITS	REGISTRATION	83382
AIR NEW SOURCE PERMITS	REGISTRATION	85990
AIR NEW SOURCE PERMITS	REGISTRATION	85376
AIR NEW SOURCE PERMITS	REGISTRATION	83296
AIR NEW SOURCE PERMITS	REGISTRATION	83912
AIR NEW SOURCE PERMITS	REGISTRATION	82813
AIR NEW SOURCE PERMITS	REGISTRATION	84673
AIR NEW SOURCE PERMITS	REGISTRATION	84607
AIR NEW SOURCE PERMITS	REGISTRATION	87029
AIR NEW SOURCE PERMITS	REGISTRATION	88261
AIR NEW SOURCE PERMITS	REGISTRATION	87499
AIR NEW SOURCE PERMITS	REGISTRATION	84704
AIR NEW SOURCE PERMITS	REGISTRATION	85014
AIR NEW SOURCE PERMITS	REGISTRATION	87735
AIR NEW SOURCE PERMITS	REGISTRATION	85158
AIR NEW SOURCE PERMITS	REGISTRATION	87500
AIR NEW SOURCE PERMITS	REGISTRATION	88020

AIR NEW SOURCE PERMITS	REGISTRATION	85184
AIR NEW SOURCE PERMITS	REGISTRATION	86449
WASTEWATER	PERMIT	WQ0003426000
WASTEWATER	PERMIT	TPDES0118737
WASTEWATER	PERMIT	TX0118737
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2045
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	SOLID WASTE REGISTRATION # (SWR)	30587
STORMWATER	PERMIT	TXR05K942
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30587
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30587

Location:

1795 BURT ST, BEAUMONT, TX, 77701

TCEQ Region:

REGION 10 - BEAUMONT

Date Compliance History Prepared:

July 21, 2009

Agency Decision Requiring Compliance History:

Enforcement

Compliance Period:

April 23, 2004 to April 23, 2009

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

Name: Raymond Marlow, P. G.

Phone: 409-899-8785

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? | No |
| 3. If Yes, who is the current owner/operator? | N/A |
| 4. If Yes, who was/were the prior owner(s)/operator(s) ? | N/A |
| 5. When did the change(s) in owner or operator occur? | N/A |
6. Rating Date: 9/1/2008 Repeat Violator: NO

Components (Multimedia) for the Site :

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

- N/A Effective Date: 09/26/2004 ADMINORDER 2002-0722-AIR-E
- Classification: Moderate
- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
- Rqmt Prov: Special Conditions 8 and 10 PERMIT
- Description: Failed to repair Valve 3005 while the Hydrocracker facility was shutdown.
- Classification: Moderate
- Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
- Rqmt Prov: Special Condition No. 10 PERMIT
 Special Conditions 1.F. & 8 PERMIT
- Description: Failed to perform monthly monitoring of accessible valves following installation or discovery in order to establish two consecutive months of leak-free operation.
- Classification: Minor
- Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(i)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
- Rqmt Prov: Special Condition No. 10 PERMIT
- Description: Failed to report Valve 5922 in the 40 CFR Subpart VV semi-annual equipment leaks report for the period from July 1, 2000, through December 31, 2000,
- Classification: Minor
- Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 5C THC Chapter 382, SubChapter A 382.085(b)
- Description: Failed to record daily notations for 24 days in the flare log for Process Flares (Emission Point Nos. 60FLR#003 and 60FLR#005) from January 1, 2001, through December 31, 2001
- Classification: Moderate
- Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
- Rqmt Prov: MAER PERMIT
- Description: Failed to limit sulfur dioxide (SO2) emissions of Crude B Vacuum Heater H-3102 Stack (Emission Point No. 05STK_002) on August 14, 2001.
- Classification: Moderate

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

Rqmt Prov: MAER and Special Condition No. 35 PERMIT

Description: Failed to limit emissions of carbon monoxide (CO), particulate matter of ten microns or greater (PM10), and oxides of nitrogen (NOX) from the HDC Second Stage Furnace H-3303 Stack.

Classification: Moderate

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

Rqmt Prov: MAER PERMIT

Description: Failed to limit the hourly CO emissions from the HDC Stabilizer Reboiler Heater H-3304 Stack (Emission Point No. 20STK_004) during a two-hour event which began on December 12, 2001, at 0800 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18277/PSD-TX-802 PERMIT
19566/PSD-TX-768M1 PERMIT
Special Condition 6.B. and 8 PERMIT
Special Condition No. 5 PERMIT
Special Condition No. 7 PERMIT

Description: Failed to limit the SO2 emissions from 14 emission points during events which occurred on 7/22, 12/20/2001, and 01/21/2002. Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H2S) to less than 150 parts per million by volume (ppmv) during events which occurred on 07/22, 12/20/2001.

Classification: Moderate

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

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Description: Failed to limit hourly SO2 emissions from Boiler 22 (Emission Point No. 033S01) to the applicable Permitted MAER limits during an event which occurred at 1800 hours on June 15, 2001.

Classification: Moderate

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

Rqmt Prov: MAER and Special Condition No. 1 PERMIT
Special Condition No. 2 PERMIT

Description: Failed to limit the H2S concentration in the fuel gas to 150 ppmv during an event which occurred at 1715 hours on June 15, 2001, and was caused by the infrequent purging of the dryer treater beds.

Classification: Moderate

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

Description: Failed to monitor Pressure Relief Valve 2435 within 24 hours after it vented to the atmosphere on April 9, 2002, at 1845 hours.

Classification: Moderate

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

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

Classification: Moderate

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

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

Rqmt Prov: Special Condition No. 14 PERMIT

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

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 6.B. and 8 OP

Special Condition No. 5 OP

Special Condition No. 7 OP

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

Effective Date: 10/10/2005

ADMINORDER 2004-0987-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

Rqmt Prov: 46534 PERMIT

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

Classification: Moderate

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

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

Effective Date: 06/15/2006

ADMINORDER 2003-1470-AIR-E

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Classification: Moderate

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

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

Classification: Moderate

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

Description: Failure to perform monthly monitoring of two pumps.

Classification: Moderate

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

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

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

Classification: Minor

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

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

Classification: Moderate

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

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

Classification: Minor

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

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Classification: Moderate

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

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

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

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Classification: Minor

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

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

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

Classification: Moderate

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

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

Classification: Minor

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: Permit 49135, GC No. 8 PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Classification: Minor

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

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

Classification: Moderate

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

Rqmt Prov: 49135, Special Condition 1 PERMIT

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

Effective Date: 07/22/2006

ADMINORDER 2006-0057-AIR-E

Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Effective Date: 10/02/2006

ADMINORDER 2005-0644-AIR-E

Classification: Minor

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

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

Classification: Moderate

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

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

Classification: Minor

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Effective Date: 05/25/2007

ADMINORDER 2006-1704-AIR-E

Classification: Moderate

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

Rqmt Prov: 47358 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 49125 PERMIT

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

Classification: Moderate

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

Rqmt Prov: 49125 PERMIT

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

Effective Date: 10/25/2007

ADMINORDER 2007-0210-AIR-E

Classification: Moderate

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

Description: Failed to notify the commission of a reportable emission event no later than 24 hours after the discovery of the event.

Classification: Moderate

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

Rqmt Prov: 1202 PERMIT
18277 PERMIT

19566, PSD-TX-768M1, and PSD-TX-932 PERMIT
49134 PERMIT
49151 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of hydrogen sulfide ("H₂S").

Classification: Major

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

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of volatile organic carbons ("VOCs").

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

Classification: Moderate

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

Description: Failure to comply with an emissions limitation.

Effective Date: 01/12/2008 ADMINORDER 2007-0729-IWD-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: Self-reporting Requirements PERMIT

Description: Failure to submit monitoring results at the intervals specified in the permit as documented by a TCEQ record review.

Effective Date: 02/18/2008 ADMINORDER 2007-0812-AIR-E

Classification: Moderate

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

Rqmt Prov: SC 1 PERMIT

Description: Failed to comply with permitted emission limits. Specifically, vacuum tower off gas was rerouted to the B-2 and B-3 vacuum heaters for combustion due to the shutdown of a transfer piping line from April 11 through May 16, 2007, resulting in a total emissions release of 219,430 pounds of sulfur dioxide ("SO₂") over a period of 839 hours and 43 minutes, or approximately 261 pounds per hour. The permitted hourly limit for SO₂ is 2.48 pounds per hour.

Effective Date: 05/22/2008 ADMINORDER 2007-1658-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter M 116.1520(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to submit a completed Best Available Retrofit Technology ("BART") analysis by April 30, 2007.

Effective Date: 06/05/2008 ADMINORDER 2007-1547-AIR-E

Classification: Moderate

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

Rqmt Prov: 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound ("VOC") emissions for the CHD-1 flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the CHD-1 flare exceeded its permitted limit of 17.98 tons per year ("tpy") during January 2006 and February 2006 with rolling averages o

Classification: Moderate

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

Rqmt Prov: NSR Permit 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for VOC emissions for the Low Pressure ("LP") flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the LP flare exceeded the permitted limit of 13.13 tpy in March 2006 with a rolling average of 37.85 tpy.

Classification: Moderate

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

Rqmt Prov: 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for VOC emissions for the High Pressure ("HP") flare. Specifically, the HP flare exceeded the permitted limit of 15.1 tpy in March 2006 with a rolling average of 17.7 tpy.

Effective Date: 06/19/2008 ADMINORDER 2007-1606-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THSC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent a nuisance condition.

Effective Date: 02/08/2009 ADMINORDER 2008-0821-AIR-E

Classification: Moderate

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

Rqmt Prov: 49151 PERMIT
O-02041 OP

Description: Failure to limit emissions from Crude Unit A to the authorized limit found in Permit 49151.

Effective Date: 03/12/2009 ADMINORDER 2008-1230-AIR-E

Classification: Moderate

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

Rqmt Prov: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
O-02048 OP

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

See addendum for information regarding federal actions.

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

N/A

C. Chronic excessive emissions events.

N/A

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

N/A	1	04/29/2004	(366899)
	2	05/17/2004	(366900)
	3	06/16/2004	(273971)
	4	06/22/2004	(264038)
	5	06/25/2004	(366901)
	6	07/19/2004	(366902)
	7	08/13/2004	(276974)
	8	08/13/2004	(280106)
	9	08/13/2004	(280181)
	10	08/16/2004	(264052)
	11	08/27/2004	(366903)
	12	08/31/2004	(292712)
	13	09/21/2004	(366904)
	14	10/20/2004	(366905)
	15	11/29/2004	(339535)
	16	11/29/2004	(389976)
	17	12/15/2004	(338648)

18	12/20/2004	(264045)
19	12/20/2004	(341746)
20	12/27/2004	(389977)
21	01/24/2005	(389978)
22	01/31/2005	(345533)
23	02/23/2005	(427483)
24	02/25/2005	(267873)
25	03/09/2005	(346617)
26	03/10/2005	(345884)
27	03/10/2005	(346611)
28	03/10/2005	(346613)
29	03/10/2005	(346614)
30	03/10/2005	(346615)
31	03/10/2005	(346616)
32	03/10/2005	(346618)
33	03/10/2005	(346619)
34	04/28/2005	(427484)
35	04/28/2005	(427485)
36	05/18/2005	(374451)
37	05/18/2005	(377810)
38	05/18/2005	(377819)
39	05/24/2005	(379947)
40	05/24/2005	(427486)
41	06/07/2005	(393785)
42	06/14/2005	(381060)
43	06/21/2005	(394212)
44	06/21/2005	(427487)
45	06/23/2005	(395768)
46	07/05/2005	(395074)
47	07/05/2005	(395563)
48	07/15/2005	(396321)
49	07/25/2005	(395338)
50	07/28/2005	(447521)
51	08/02/2005	(402062)
52	08/02/2005	(402309)
53	08/23/2005	(401849)
54	08/25/2005	(402894)
55	08/29/2005	(447522)
56	08/31/2005	(344208)
57	10/24/2005	(492450)
58	10/24/2005	(492452)
59	11/15/2005	(406621)
60	11/22/2005	(492453)
61	12/06/2005	(437354)
62	12/09/2005	(435820)
63	12/13/2005	(492454)
64	01/04/2006	(437358)
65	01/13/2006	(439898)
66	01/18/2006	(492455)
67	01/27/2006	(438715)
68	02/03/2006	(438108)
69	02/16/2006	(452454)
70	02/24/2006	(457000)
71	03/07/2006	(492448)
72	03/22/2006	(492449)
73	04/12/2006	(457576)
74	04/12/2006	(457598)
75	04/21/2006	(458117)
76	04/21/2006	(506263)

77	04/24/2006	(456876)
78	05/05/2006	(438988)
79	05/11/2006	(460411)
80	05/16/2006	(506264)
81	06/26/2006	(506265)
82	07/14/2006	(480861)
83	07/21/2006	(528497)
84	07/26/2006	(483331)
85	08/22/2006	(528498)
86	08/24/2006	(528500)
87	08/31/2006	(449600)
88	09/06/2006	(510836)
89	09/08/2006	(490101)
90	09/11/2006	(510537)
91	09/21/2006	(510357)
92	09/27/2006	(528499)
93	10/18/2006	(551856)
94	11/09/2006	(518560)
95	11/29/2006	(551857)
96	12/08/2006	(519497)
97	12/08/2006	(531717)
98	12/11/2006	(518157)
99	12/11/2006	(533072)
100	12/15/2006	(551858)
101	12/28/2006	(292610)
102	12/28/2006	(497673)
103	12/28/2006	(518617)
104	01/18/2007	(532456)
105	01/24/2007	(531178)
106	01/31/2007	(535664)
107	02/01/2007	(517030)
108	02/01/2007	(538035)
109	02/13/2007	(483611)
110	02/14/2007	(534587)
111	02/22/2007	(589095)
112	02/22/2007	(589100)
113	02/26/2007	(538573)
114	02/27/2007	(538681)
115	02/28/2007	(538222)
116	03/01/2007	(538654)
117	03/21/2007	(553990)
118	03/23/2007	(589096)
119	04/16/2007	(589097)
120	04/21/2007	(401393)
121	04/21/2007	(497645)
122	04/23/2007	(553970)
123	05/11/2007	(559959)
124	05/18/2007	(589098)
125	05/25/2007	(561932)
126	06/01/2007	(562352)
127	06/14/2007	(558039)
128	06/25/2007	(589099)
129	06/26/2007	(561757)
130	07/03/2007	(566239)
131	07/24/2007	(564244)
132	07/25/2007	(562752)
133	07/25/2007	(563491)
134	07/25/2007	(565599)
135	08/14/2007	(565531)

136	08/20/2007	(605719)
137	08/23/2007	(565800)
138	08/28/2007	(557812)
139	08/28/2007	(563149)
140	08/30/2007	(554099)
141	08/31/2007	(483835)
142	08/31/2007	(573644)
143	09/14/2007	(563130)
144	09/21/2007	(605720)
145	10/03/2007	(573096)
146	10/05/2007	(572014)
147	10/08/2007	(571920)
148	10/08/2007	(572040)
149	10/08/2007	(572051)
150	10/11/2007	(572058)
151	10/15/2007	(574177)
152	10/23/2007	(631302)
153	10/23/2007	(631305)
154	11/07/2007	(508947)
155	11/07/2007	(512385)
156	11/19/2007	(631303)
157	11/20/2007	(595467)
158	11/27/2007	(596296)
159	12/13/2007	(631304)
160	12/17/2007	(594318)
161	12/17/2007	(601083)
162	12/17/2007	(601087)
163	12/28/2007	(610948)
164	12/28/2007	(613083)
165	01/14/2008	(610848)
166	01/17/2008	(613632)
167	02/25/2008	(677292)
168	02/25/2008	(677293)
169	02/28/2008	(613307)
170	02/29/2008	(614701)
171	02/29/2008	(617754)
172	03/03/2008	(613306)
173	03/06/2008	(614501)
174	03/10/2008	(617338)
175	03/14/2008	(639150)
176	03/20/2008	(695967)
177	04/21/2008	(695968)
178	04/22/2008	(640288)
179	04/23/2008	(639997)
180	04/25/2008	(653577)
181	04/28/2008	(641898)
182	05/12/2008	(640530)
183	05/20/2008	(695969)
184	06/02/2008	(641290)
185	06/06/2008	(682314)
186	06/11/2008	(654705)
187	06/17/2008	(683447)
188	06/18/2008	(670745)
189	06/18/2008	(670786)
190	06/18/2008	(670813)
191	06/18/2008	(671590)
192	06/19/2008	(671251)
193	06/24/2008	(717575)
194	07/10/2008	(685796)

195 07/11/2008 (682224)
 196 08/02/2008 (684254)
 197 08/22/2008 (717576)
 198 08/25/2008 (685007)
 199 08/25/2008 (685012)
 200 08/27/2008 (700540)
 201 08/31/2008 (732903)
 202 09/30/2008 (732905)
 203 10/02/2008 (688787)
 204 10/07/2008 (689613)
 205 10/08/2008 (700569)
 206 10/29/2008 (732904)
 207 11/18/2008 (701943)
 208 11/24/2008 (732906)
 209 12/22/2008 (732907)
 210 01/15/2009 (708625)
 211 01/26/2009 (756128)
 212 01/27/2009 (709901)
 213 02/05/2009 (721835)
 214 02/17/2009 (756127)
 215 02/23/2009 (725237)
 216 03/03/2009 (736939)
 217 03/11/2009 (726626)
 218 03/27/2009 (739156)
 219 03/27/2009 (739409)
 220 03/31/2009 (736428)
 221 04/06/2009 (741350)

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

Date: 06/30/2004 (366902) CN600920748
 N/A Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2004 (292712)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 60, Subpart VV 60.482-6
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-01998 OP
 Description: Failure to operate Crude Unit B without a cap, blind flange, plug, or a second valve
 installed on equipment in VOC service.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-01998 OP
 Description: Failure to report all instances of deviations on the semi-annual deviation report, dated
 January 9, 2004.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-01998 OP
 Description: Failure to operate the Crude Unit B Heaters with refinery fuel gas which contains not
 more than 150 ppmv of H2S.
 Date: 08/25/2005 (402894) CN600920748
 Self Report? NO Classification: Moderate
 Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
655 PERMIT
O-01356 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 22FUG#001, 23FUG#001, 33FUG#001, 15FUG#001, and 16FUG#001.

Self Report? NO Classification: Moderate

Citation: 19566 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01356 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
655 PERMIT
O-01356 OP

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

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01870 OP

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

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01998 OP

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

Self Report? NO Classification: Moderate

Citation: 20862/PSD-TX-799 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)

5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(a)
O-01999 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

Description: Failure to operate five tank access hatches and gauge float wells without gasket and bolted covers for Unit ID's 47TIF#0411, 47TIF#0412, 47TIF#0413, 47TIF#1312, and 47TIF#1313.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-01999 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
O-02037 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
O-02037 OP

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

Date: 10/31/2005 (492453) CN600920748

Self Report? YES Classification: Moderate

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

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

Date: 04/25/2006 (456876) CN600920748

Self Report? NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01870 OP
O-01871 OP
O-02039 OP
O-02040 OP

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

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01870 OP

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

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01870 OP

Description: Failure to route emissions from the Sulfur Truck Loading System to the Carbon Absorption System at Unit ID 32VNT_005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
49138 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP

Description: Failure to operate smokeless flare.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02039 OP

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

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02039 OP

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

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02039 OP
O-02040 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

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

Self Report? NO Classification: Moderate

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

O-02040 OP
Description: Failure to keep quarterly records of visible emission inspections on heaters.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
49134 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP
Description: Failure to make the first attempt of repair on a leaking valve within five days.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP
Description: Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49134 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP
Description: Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.
Self Report? NO Classification: Moderate
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
O-01356 OP
O-01870 OP
O-02042 OP
O-02043 OP
Description: Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly inspections for active drains.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to report deviations in the annual compliance certification reports for OP O-01870, O-01871, O-02039, and O-02040.
Date: 05/05/2006 (438988) CN600920748
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter R 335.513
Description: Failure to complete waste classifications on non-hazardous, industrial wastes.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter C 335.62
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11
Description: Failure to complete a hazardous waste determination for each solid waste generated.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C)
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)
HW-50139-000 PERMIT
Description: Failure to provide notification of associated waste management units, wastes managed in units, and an industrial, class 2 waste stream.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)
 Description: Failure to keep records of all hazardous waste and industrial solid waste activities in a format which is retrievable and easy to copy.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)
 Description: Failure to maintain a record of the location of each satellite accumulation area (SAA).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(c)
 50139 PP V.B.3. PERMIT
 Description: Failure to manage hazardous wastes as authorized by permit.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(b)(1)
 II.C.1.f. PERMIT
 Description: Failure to maintain the hazardous waste storage area so that the base is free from cracks and gaps.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(1)
 PP.II.C.1.f. PERMIT
 PP.II.C.2.a. PERMIT
 Description: Failure to develop and follow an adequate written inspection plan to prevent, detect or respond to environmental or human health hazards.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(3)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)
 PP.II.C.1.f. PERMIT
 PP.II.C.2.c. PERMIT
 Description: Failure to maintain a list of persons qualified to act as emergency coordinator.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.163(4)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)
 PP. VI.D.1.c. IHWPERMTCP
 Description: Failure to follow the Sampling and Analysis Plan as required by permit.
 Date: 07/18/2006 (480861) CN600920748

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02042 OP
 Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor
 Citation: 19566/PSD-TX-768M1 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 49135 PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02042 OP
 O-02043 OP
 O-02044 OP
 O-02047 OP
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate
 Citation: 18277/PSD-TX-802 PERMIT

19566/PSD-TX-768M1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP
O-02043 OP

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

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP
O-02044 OP
O-02047 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
46534/PSD-TX-922 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02044 OP

Description: Failure to reduce monitoring data to hourly concentrations for the Wet Gas Scrubber CEMS at least daily for thirty-four days. The Wet Gas Scrubber CEMS is located in Unit ID 06STK_002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02047 OP

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

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP

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

Date: 08/31/2006 (528499) CN600920748

Self Report? YES Classification: Moderate

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

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

Date: 10/31/2006 (551857) CN600920748

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter
Date: 12/12/2006 (518157) CN600920748
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02048, General Terms and Conditions OP
O-02049 OP
O-02049, General Terms and Conditions OP
Description: Failure to submit the annual compliance certifications for OP O-02048 and O-02049
within 30 days of the certification period.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01998 OP
O-02037 OP
O-02041 OP
O-02048 OP
O-02049 OP
Description: Failure to submit the second 2005 semiannual 40 CFR Part 60, Subpart VV fugitive
report within 60 days after the end of the applicable reporting period of December 31,
2005.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01998 OP
O-02037 OP
O-02048 OP
Description: Failure to monitor nine components in Volatile Organic Compound (VOC) service
located in Unit ID 05FUG#001, two components in VOC service located in Unit ID's
52FUG#001, 53FUG#001, and 54FUG#001, and sixteen components in VOC service
located in Unit ID 49FUG#001.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP
O-02041 OP
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on
equipment in VOC service for the following operating permits and Unit ID's: O-02037 -
79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and 54FUG#001; O-02041 - 1
valve in Unit ID 36FUG#001.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)

O-02037 OP
O-02048 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02041 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49146 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02049 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02049 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02049 OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP

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

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02049 OP

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

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02049 OP

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

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 49125 PERMIT
 56617 PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02037 OP
 O-02049 OP

Description: Failure to switch the initial saturation canister with the second canister (polishing), and place a fresh canister as the new polishing canister within four hours of detection of breakthrough.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 56617 PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02037 OP

Description: Failure to maintain the loading rate for diesel below 3,743 bbls/hr and Naphtha below 4,000 bbls/hr.

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

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

Date: 02/28/2007 (589096) CN600920748

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

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

Date: 03/01/2007 (538222) CN600920748

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-01356 OP

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

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP
Description: Failure to make the first attempt of repair within five days for one valve located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP
Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP
Description: Failure to monitor nineteen valves in Volatile Organic Compound (VOC) service located in Unit ID 67FUG#002 and fifteen valves in VOC service located in Unit ID 67FUG#001.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP
Description: Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP
Description: Failure to report deviations in the appropriate deviation report and in a timely manner.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01999 OP
Description: Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.

Date: 08/29/2007 (557812)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
49125 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare.

Date: 08/30/2007 (554099) CN600920748

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01870 OP
O-02036 OP

Description: Failure to monitor a pressure relief valve (PRV) in Volatile Organic Compound (VOC) service located in Unit ID 32FUG#001 and four hundred components in VOC service located in Unit ID 61FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
49138 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP
O-02039 OP
O-02040 OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02036 OP

Description: Failure to conduct nine weekly inspections for inactive drains located in Unit ID 61SEW#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02036 OP
O-02040 OP

Description: Failure to operate one sample system, located in Unit ID 61FUG#001, and four sample systems, located in 39FUG#001, with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Part 60, Subpart QQQ 60.698(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02036 OP

Description: Failure to certify the New Source Performance Standards (NSPS), Subpart QQQ inspection in the semiannual report.

Self Report? NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

Description: Failure to replace seven rupture disks located in Unit ID 42FUG#001 within five days following a release.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(f)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

Description: Failure to provide notification of the addition of Group 1 emission points in the Notification of Compliance Status Report within 60 days following the end of the 6-month period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

Description: Failure to control emissions to an efficiency of at least 90 % for two hotwells located in Unit ID 41FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02040 OP

Description: Failure to repair nine components, located in Unit ID's 37FUG#001 and 42FUG#001, within 15 days after discovery of a leak.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02036 OP
O-02040 OP

Description: Failure to submit the deviation reports for OP O-02036 and O-02040 within 30 days after the end of the reporting period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP

Description: Failure to report three violations as deviations that were documented during an on-site compliance investigation (Investigation No. 456876) conducted on February 2 through 15, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)
49138 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-01871 OP

Description: Failure to operate the plant flares with a flame present at all times.
Self Report? NO Classification: Moderate
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on October 11, 2006.
Date: 08/30/2007 (563149) CN600920748
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP
O-02047 OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service. C10 cannot be picked.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter D 115.352(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP
O-02043 OP
O-02046 OP
O-02047 OP

Description: Failure to repair the following components within 15 days after a leak is found. C10 cannot be picked.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP
O-02043 OP
O-02044 OP

Description: Failure to monitor components in VOC service. C10 cannot be picked.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP

Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.
Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02043 OP

Description: Failure to document a weekly inspection for inactive drains and two monthly inspections for active drains located in the following Unit ID 20SEW#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02043 OP
O-02044 OP

Description: Failure to include deviations for missing NSPS QQQ inspections for January and February, 2006 within the semiannual deviation report (SDR) submitted in April, 2006 and failure to include a deviation for the January 26, 2006 Fluidized Catalytic Cracker Wet Gas Scrubber (FCCWGS) Carbon Monoxide (CO) exceedance within the SDR submitted in March, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02042 OP

Description: Failure to submit the deviation report for OP O-02042 within 30 days after the end of the reporting period.

Date: 09/30/2007 (631302) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 12/18/2007 (594318) CN600920748

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter D 115.352(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP
O-02041 OP
O-02048 OP

Description: Failure to repair the following components within 15 days after a leak is found for the following operating permits and Unit Identifications (IDs): O-02037 - five components located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02041 - five components located in Unit ID 36FUG#001; and O-02048 - twenty components located in Unit ID 49FUG#001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP
O-02048 OP
O-02049 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit IDs: O-02042 - seventy-nine sample systems located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one open ended line located in Unit ID 49FUG#001; and O-02049 - two missing bull plugs located in Unit ID 50FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
56617 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02037 OP

Description: Failure to operate the Wharf Loading Operations, Unit ID 53LBS#001, below the permitted loading limit of 4054 barrels per hour for gasoline components on twenty-three days between January 3, 2006 and December 7, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02041 OP

Description: Failure to monitor two hundred, eleven components in VOC service that are located in Unit ID 36FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.112(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP
O-02049 OP

Description: Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 718 (Unit ID 49TEF#0718), Tank 1352 (Unit ID 49TEF#1352), Tank 1366 (Unit ID 49TEF#1366), and Tank 782 (Unit ID 49TIF#0782).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02048 OP

Description: Failure to submit a PI-7 prior to construction of Tank 5015 (Unit ID 49TEF#5015).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02049 OP

Description: Failure to make the first attempt of repair within five days for three components located in Unit ID 50FUG#001.

Date: 02/29/2008 (613307)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
O-01356 OP

O-01999 OP
Description: Failure to include deviations within the Federal Operating Permit.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-01999 OP
Description: Failure to repair one component within 15 days after a leak is found for FOP O-01999 and located in Unit ID 67FUG#001.
Date: 06/02/2008 (641290) CN600920748
Self Report? NO Classification: Moderate
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01870 OP
Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on the following dates; January 12, 2007, July 17, 2007, and August 7, 2007.
Self Report? NO Classification: Moderate
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01870 OP
Description: Failure to limit the in-stack concentration of SO2 from the thermal oxidizer (Unit ID 32STK#001) to less than 250 ppmv on the following dates; April 28, 2007 and May 7, 2007.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)
49138 PERMIT
5C THSC Chapter 382 382.085(b)
O-01871 OP
Description: Failure to operate the plant flares with a flame present at all times.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
49138 PERMIT
5C THSC Chapter 382 382.085(b)
O-01871 OP
Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-01871 OP
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for one component located in Unit ID 04BLW#004 and one component located in Unit ID 60BLW#003.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

30 TAC Chapter 122, SubChapter B 122.145(2)(B)
5C THSC Chapter 382 382.085(b)
O-01871 OP

Description: Failure to include two deviations within the Federal Operating Permit (FOP) O-01871 semiannual deviation report (SDR) submitted in May 31, 2007.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02036 OP

Description: Failure to conduct the second and third quarter, 2007, cylinder gas audit for CEMS located in Cogeneration Turbine 1, Unit 41 (Unit ID: 61STK_001) and the second quarter, 2007, cylinder gas audit for CEMS located in Cogeneration Turbine 3, Unit 43 (Unit ID: 61STK_003).

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02036 OP

Description: Failure to maintain the concentration limit of NOx and NH3 for Cogeneration Turbine 3, Unit 43 (Unit ID 61STK_003) on October 12, 2007.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THSC Chapter 382 382.085(b)
O-02039 OP

Description: Failure to conduct one weekly inspection from December 10 through 17, 2006, for inactive drains located in Unit ID 04SEW#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(c)
5C THSC Chapter 382 382.085(b)
O-02039 OP

Description: Failure to conduct the first quarter, 2007 tank inspection for Tanks 4026, 4028, and 4029.

Self Report? NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(g)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-02039 OP

Description: Failure to make the first attempt of repair within five days for a compressor located in Unit ID 04FUG#001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Part 60, Subpart VV 60.482-3(g)(1)
5C THSC Chapter 382 382.085(b)
O-02039 OP

Description: Failure to repair the following components within 15 days after a leak is found for a compressor located in Unit ID 04FUG#001.

Date: 06/30/2008 (677293) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 07/14/2008 (682224) CN600920748

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02042 OP

Description: Failure to report Nitrogen Oxides (NOx) pounds per Million British thermal unit (lb/MMBtu) 30 day average exceedances from the PtR3 Heater in the NOx Reasonably Available Control Technology (RACT) Semiannual Report.

Self Report? NO Classification: Moderate

Citation: 18277 PERMIT
19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
O-02042 OP
O-02043 OP

Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North Fuel Gas Drum to 150 ppm.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02043 OP

Description: Failure to monitor a flange, located in Unit ID 20FUG#001, after final repair within 15 days of discovery of a leak.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-02043 OP
O-02046 OP
O-02047 OP

Description: Failure to operate sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02043 - sample system located in 20FUG#001, O-02046 - sample systems located in 02FUG#001, 08FUG#001, and 09FUG#001, and O-02047 - sample systems located in several operating units in 25FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)
5C THSC Chapter 382 382.085(b)
O-02043 OP

Description: Failure to report wastewater system inspection findings in the semiannual report as required by 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
O-02043 OP
O-02046 OP
O-02047 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's: O-02043 - one bullplug found missing in Unit ID 19FUG#001, O-02046 - two bullplugs found missing in Unit ID 02FUG#001, and O-02047 - one bullplug found missing in Unit ID 25FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
46534 PERMIT
5C THSC Chapter 382 382.085(b)
O-02044 OP

Description: Failure to monitor Carbon Monoxide (CO), Nitrogen Oxides (Nox), and Sulfur Dioxide (SO2) pound per hour emissions at Unit ID 06STK_003.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart VV 60.482-4(b)(1)
5C THSC Chapter 382 382.085(b)
O-02044 OP

Description: Failure to monitor a relief valve, located in Unit ID 06FUG#001 and discovered venting to the atmosphere.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(m)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(1)
5C THSC Chapter 382 382.085(b)
O-02046 OP

Description: Failure to control vent gas streams located in the following Unit ID's; 02BLW#007, 03BLW#007, 08BLW#007, 09BLW#007, 10BLW#007, 11BLW#007, 12BLW#007, 08VNT_001, 10VNT_001, 11TVV_001, and 12TVV_001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49148 PERMIT
5C THSC Chapter 382 382.085(b)
O-02047 OP

Description: Failure to conduct a stack test on the pre-treater charge heater, Unit ID 25HTR#001, within 180 days of installation of low NOx burners.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
5C THSC Chapter 382 382.085(b)
O-02047 OP

Description: Failure to include a deviation within the Federal Operating Permit (FOP) O-02047 semiannual deviation report (SDR) submitted on October 1, 2007. The deviation was documented in the second six month SDR submitted on March 31, 2008. The original deviation, documented in violation track number 337432, was for not conducting a stack test on the pre-treater charge heater within 180 days of installation of low NOx burners.

Date: 07/31/2008 (717576) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 08/01/2008 (732903) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 08/31/2008 (732904) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/31/2008 (732906) CN600920748
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter
 Date: 11/18/2008 (701943)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
 5C THSC Chapter 382 382.085(b)
 O-02042 OP
 O-02043 OP
 Permit 19566/PSD-TX-768M1 PERMIT

Description: Failure to conduct seven weekly inspections and seven monthly inspections as documented in the 40 CFR Part 60, Subpart QQQ semiannual report and certification for the period of January 1, 2008 through June 30, 2008,
 Date: 11/30/2008 (732907) CN600920748
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter
 Date: 01/27/2009 (709901) CN600920748
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 56617 PERMIT
 5C THSC Chapter 382 382.085(b)
 O-02037 OP

Description: Failure to operate the Loading and Unloading Operations, Unit ID 52LBA#001, below the permitted loading limit of 1700 barrels per hour for caustic on August 1, 2007.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01999 OP
 O-02037 OP
 O-02048 OP

Description: Failure to submit a PI-7 for the Marine Vapor Flare, Unit ID 60FLR#009, multiple sources in the North Tanks operating area, and fugitive component additions found in Unit ID 57FUG#001.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 O-02041 OP

Description: Failure to make the first attempt of repair within five days for one pump located in Unit ID 36FUG#001.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)
 5C THSC Chapter 382 382.085(b)
 O-02041 OP

Description: Failure to monitor Hydrogen Sulfide concentrations for Crude Unit A B2 and B3 Heaters, Unit ID's 36HTR#006 and 36HTR#007.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.112(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)
5C THSC Chapter 382 382.085(b)
O-02048 OP

Description: Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 1365 (Unit ID 49TEF#1365) and Tank 1366 (Unit ID 49TEF#1366) from July 8 through July 12, 2007.

Self Report? NO Classification: Moderate

Citation: 19566, PSD-TX-768M1, PSD-TX-932 PERMIT
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)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8)
5C THSC Chapter 382 382.085(b)
O-02048 OP

Description: Failure to comply with reporting and maintenance procedures for Tank 1378, Unit ID 49TEF#1378.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
O-02048 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service. Two bull plugs were discovered missing in Unit ID 9FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(2)
5C THSC Chapter 382 382.085(b)
O-02049 OP

Description: Failure to maintain the side gauge hatch on Tank 2224, Unit ID 50TEF#2224, in a closed position during normal operations.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
O-01998 OP

Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North Fuel Gas Drum to 150 ppm.

Date: 03/12/2009 (726626) CN600920748

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-01356 OP

Description: Failure to make the first attempt of repair within five days for a valve located in Unit ID 15FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
O-01356 OP

Description: Failure to repair a valve placed on delay of repair, located in Unit ID 15FUG#001, before the end of the next process turnaround.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 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 AA 63.648(a)
49138 PERMIT
5C THSC Chapter 382 382.085(b)
O-01871 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service. Three bull plugs were discovered missing in Unit ID 15FUG#001 and one bull plug was discovered missing in Unit ID 60FUG#002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter U 106.478(7)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01999 OP

Description: Failure to submit a PI-7 prior to construction of Tank 4184, Unit ID 47TFX#4184.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Part 60, Subpart VV 60.482-4(b)(1)
5C THSC Chapter 382 382.085(b)
O-01999 OP

Description: Failure to monitor a relief valve within 24 hours of lifting, failed to make a first repair attempt within five days, and failed to make a final repair or place on delay of repair (DOR) within fifteen days of lifting. The relief valve is located in Unit ID 57FUG#001.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer, Unit ID 32STK#001, at greater than 3% O2 in the SRU Stack and limit the in-stack concentration of SO2 from the thermal oxidizer to less than 250 ppmv on May 28, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)
49138 PERMIT
5C THSC Chapter 382 382.085(b)
O-01871 OP

Description: Failure to operate the Number 7 plant flare, Unit ID 60FLR#007, with a flame present at all times for the following dates; 11/22/2007, 11/26/2007, 12/07/2007, 12/11/2007, 01/07/2008, 01/18/2008, and 01/29/2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
49138 PERMIT
5C THSC Chapter 382 382.085(b)
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the CHD-2 flare, Unit ID 60FLR#002, for the following dates; 06/09/2008 and 07/07/2008.

F. Environmental audits.

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

Disclosure Date: 11/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

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

Description: Failure to properly identify valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

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

Description: Failure to monitor components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

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

Description: Failure to complete repair attempt within allotted time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6

Description: Failure to close open-ended lines.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5

Description: Failure to properly handle purged process fluids.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9

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

Notice of Intent Date: 06/10/2008 (685906)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EXXONMOBIL OIL CORPORATION
RN102450756

§
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§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2009-0568-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ExxonMobil Oil Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petroleum refinery at 1795 Burt Street in Beaumont, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about April 5, 2009.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Twenty Thousand Dollars (\$20,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand Dollars (\$8,000) of the administrative penalty and Four Thousand Dollars (\$4,000) is deferred contingent upon the Respondent's timely and satisfactory compliance

with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Eight Thousand Dollars (\$8,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. Completed action on November 10, 2008, in response to Incident No. 116761, to alter the Coker Control System to insure that Plant personnel do not open an atmospheric vent valve while a Coke Drum is still coking; and
 - b. Completed action on April 1, 2009 in response to Incident No. 116923, by developing a formal written checklist and training electricians on that checklist regarding the Catalytic Hydrodesulfurization -1 ("CHD-1") Flare.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner of the Plant, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions on November 3, 2008 during Incident No. 116761, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c) and 122.143(4), Federal Operating Permit ("FOP") No. O-02039, Special Condition ("SC") No. 13, Air Permit Nos. 19566/PSD-TX-768M1 and PSD-TX-932, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on March 3 through 6, 2009. Specifically, 2,803.71 pounds ("lbs") of volatile organic compounds ("VOCs") were released from the Number 7 Coke Drum for four minutes as a result of opening the wrong atmospheric vent valve while the Coker control system was being bypassed during repair. Since the emissions event could have

been avoided by better operations and maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to prevent an affirmative defense were not met.

2. Failed to prevent unauthorized emissions on November 11, 2008 during Incident No. 116923, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), FOP No. O-01870, SC No. 12, Air Permit No. 49138, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on March 3 through 6, 2009. Specifically, 41.73 lbs of hydrogen sulfide and 3,852.55 lbs of sulfur dioxide were released from the CHD-1 Flare for one hour when an electrician erroneously disconnected wires that shut down Sulfur Recovery Unit ("SRU") 2 during maintenance on SRU 3. Since the emissions event could have been avoided by better operations and maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to prevent an affirmative defense were not met.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ExxonMobil Oil Corporation, Docket No. 2009-0568-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 Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section 1, Paragraph 6 above, Eight Thousand Dollars (\$8,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such

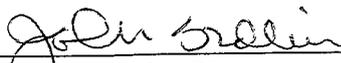
an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This 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 under this Agreed Order.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

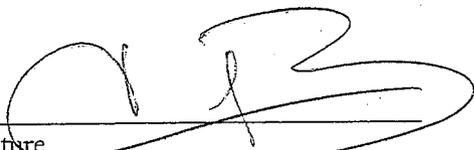
Date 8/6/2009

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

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

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

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



Signature

Date 06/24/09

Daniel Risso

Name (Printed or typed)
Authorized Representative of
ExxonMobil Oil Corporation

Agent and Attorney-In-Fact

Title

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

Attachment A
Docket Number: 2009-0568-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	ExxonMobil Oil Corporation
Payable Penalty Amount:	Sixteen Thousand Dollars (\$16,000)
SEP Amount:	Eight Thousand Dollars (\$8,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Clean School Buses
Location of SEP:	Texas Air Quality Control Region 106 – Southern Louisiana-Southeast Texas

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

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to aid local school districts, area transit agencies, and local governments in need of funding assistance to pay for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. The funds will be disbursed on a needs-rated basis, using non-attainment area status, condition of buses, and economic status of the recipient as possible rating factors if competition for the funds exists. To maximize funds, retrofitting will take priority over replacement of buses. Older buses deemed not suitable for retrofitting will be permanently retired and sold only for scrap.

Acceptable retrofit technologies include particulate matter traps, diesel particulate matter filters, nitrogen oxides (NO_x) reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the United States Environmental Protection Agency ("EPA") or the California Air Resources Board.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate matter and hydrocarbon emissions from buses, to meet the new, more stringent emissions standards introduced by the EPA which will be phased in between 2007 and 2010.

C. Minimum Expenditure

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

2. Performance Schedule

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

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802-2700

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

