

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO. 2009-1300-AIR-E RN100211879 CASE NO. 38141
RESPONDENT NAME: SHELL CHEMICAL LP AND SHELL OIL COMPANY

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 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 VIOLATIONS OCCURRED: 5900 Highway 225, Deer Park, Harris County</p> <p>TYPE OF OPERATION: petroleum refinery and chemical plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. As of September 10, 2010, there were three additional pending enforcement actions regarding this facility location (2009-1571-AIR-E; 2009-1753-IHW-E; and 2010-0609-AIR-E).</p> <p>INTERESTED PARTIES: No one other than the ED and Respondent expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired August 9, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST:</p> <p>TCEQ Attorney: Ms. Laurencia Fasoyiro, Litigation Division, MC R-12, (713) 422-8914 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-3400</p> <p>TCEQ Enforcement Coordinator: Ms. Kimberly Morales, Air Enforcement Section, MC R-12, (713) 422-8938</p> <p>TCEQ Regional Contacts: Mr. Manuel Bautista, Houston Regional Office, MC R-12, (713) 767-3678 Mr. Jason Harris, Houston Regional Office, MC R-12, (713) 767-3609</p> <p>TCEQ SEP Coordinator: Ms. Sharon Blue, Litigation Division, MC 175 (512) 239-2223</p> <p>Respondent: Mr. Steve Hansen, Environmental Affairs Manager, Shell Chemical LP and Shell Oil Company, 5900 Highway 225, Deer Park, Texas 77536</p> <p>Respondent's Attorney: Mr. Arnolando Medina, Senior Legal Counsel, Shell Legal US – Regulatory Matters, One Shell Plaza, OSP 4860, 910 Louisiana Street, P.O. Box 2463, Houston, Texas 77002</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Dates of Investigation Relating to this Case: May 14, 2009, May 27, 2009, and June 18, 2009</p> <p>Dates of NOEs Relating to this Case: August 4, 2009 and August 18, 2009</p> <p>Background Facts: The EDPRP was filed on February 19, 2010. Settlement was achieved and the agreed order was signed on June 3, 2010.</p> <p>Current Compliance Status: No outstanding Technical Requirements.</p> <p>AIR:</p> <p>1. Failed to prevent unauthorized emissions. Specifically, 1,326 pounds ("lbs") of carbon monoxide ("CO"), 96 lbs of nitrogen oxides ("NO_x"), and 798 lbs of volatile organic compounds ("VOC") were released into the atmosphere during a rain event (Incident No. 123383) which occurred on April 24, 2009 and lasted six hours [30 TEX. ADMIN. CODE § 116.115(c); TEX. HEALTH & SAFETY CODE § 382.085(b); Air Permit No. 3219, Special Provision ("SC") No. 1].</p> <p>2. Failed to maintain minimum heating value at the Houston Isopropyl Alcohol ("HIPA") and A&S Flares. Specifically, the heating value for the HIPA averaged 240 British thermal units per standard cubic feet ("Btu/scf") and the A&S Flare averaged 176 Btu/scf from January 1, 2008 through June 30, 2008, below the minimum required heating value of 300 Btu/scf.; no unauthorized emissions were documented [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); 40 C.F.R. §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii); TEX. HEALTH & SAFETY CODE § 382.085(b); Federal Operating Permit ("FOP") No. O-2108, Special Terms and Conditions ("STC") Nos. 1A and 15; Air Permit No. 19849, SC No. 2A; Air Permit No. 18576, SC No. 4A; Air Permit No. 1968, SC No. 2; Air Permit No. 3173, SC No. 4; Air Permit No. 3179, SC No. 14].</p>	<p>Total Assessed: \$51,570</p> <p>Total Deferred: \$-- <input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$25,785</p> <p>Total Paid to General Revenue: \$25,785</p> <p>Respondents paid \$25,785 of the administrative penalty. The remaining amount of \$25,785 shall be conditionally offset by the completion of a Supplemental Environmental Project (SEP).</p> <p>PCW 1 – Shell Chemical LP Site Compliance History Classification: <input checked="" type="checkbox"/> High <input 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>PCW 2 – Shell Oil Company Site Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken: The Executive Director recognizes that Respondents performed the following corrective actions at the Plant:</p> <ol style="list-style-type: none"> To address the emissions event that occurred on April 24, 2009 (Violation no. 1): <ol style="list-style-type: none"> On July 31, 2009, provided additional training to the Plant's maintenance coordinator regarding proper maintenance practices; and On October 26, 2009, presented causal analysis information and maintenance requirements regarding Multi-Cable transits to Plant personnel and Control Systems contract personnel during a Departmental Safety Stand Down meeting. To address the minimum heating value events that occurred from January 1, 2008 through June 30, 2008 (Violation no. 2), and the net heating value and exit velocity events that occurred from July 1, 2008 through December 31, 2008 (Violation no. 3): on July 30, 2008, initiated a project to meet the minimum and net heating value and exit velocity requirements for the Houston Isopropyl Alcohol ("HIPA") and A&S Flare. To address the recordkeeping event that occurred from April 21, 2008 through December 31, 2008 (Violation no. 4): on January 30, 2009, implemented procedures for maintaining records by training personnel and repairing the recording instruments. To address the emissions event that occurred on April 17, 2009 (Violation no. 5): <ol style="list-style-type: none"> On June 25, 2009, generated a notification in the Systems, Applications and Products ("SAP") Data Processing system to have Heater 2 pass flow meters checked, calibrated, and repaired; On August 20, 2009, entered maintenance plan numbers into SAP to improve operational practices by requiring annual preventative maintenance to be performed on the pass flow transmitters for all three Coker heaters; and On August 26, 2009, configured the modal alarm to activate after a set time period has elapsed once the 74' level is reached to prevent plugging of overhead lines and coke carryover. <p>Ordering Provision: Respondents shall implement and complete a SEP (Attachment A – HRMC Houston Area Air Monitoring).</p>

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>3. Failed to meet the net heating value and exit velocity at the A&S Flare. Specifically, the net heating value averaged 94 Btu/scf from July 1, 2008 through December 31, 2008, below the minimum required net heating value of 300 Btu/scf; the exit velocity averaged 63.83 feet per second ("ft/sc"), below the required minimum of 210 ft/sc; no unauthorized emissions were documented [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); 40 C.F.R. §§ 60.18(c)(3) and 63.11(b)(6); TEX. HEALTH & SAFETY CODE § 382.085(b); FOP No. O-2108, STC Nos. 1A and 15; Air Permit No. 19849, SC No. 26; Air Permit No. 18576, SC No. 4A].</p> <p>4. Failed to maintain records of the pilot monitoring data at the A&S Flare from April 21, 2008 through December 31, 2008 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); 40 C.F.R. §§ 60.18(c)(2) and 63.11(b)(5); TEX. HEALTH & SAFETY CODE § 382.085(b); FOP No. O-2108, STC Nos. 1A and 15; Air Permit No. 1968, SC No. 2; Air Permit No. 18576, SC No. 4B; Air Permit No. 19849, SC No. 2B].</p> <p>5. Failed to prevent unauthorized emissions. Specifically, 66.64 lbs of VOCs, 110.09 lbs of CO, 25.54 lbs of hydrogen sulfide (H₂S), 15.24 lbs of NO_x, 2.99 lbs of particulate matter (PM), and 2,398.07 lbs of sulfur dioxide (SO₂), were released during an emissions event (Incident No. 122971) which occurred on April 17, 2009, and lasted one hour and 27 minutes [30 TEX. ADMIN. CODE § 116.715(a); TEX. HEALTH & SAFETY CODE § 382.085(b); Air Permit No. 21262, SC No. 1].</p>		

Attachment A
Docket Number: 2009-1300-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents: Shell Chemical LP and Shell Oil Company

Penalty Amount: Fifty-one thousand five hundred seventy dollars (\$51,570)

SEP Offset Amount: Twenty-five thousand seven hundred eighty-five dollars (\$25,785)

Type of SEP: Pre-approved

Third-Party Recipient: **Houston Regional Monitoring Corporation** – *HRMC Houston Area Air Monitoring*

Location of SEP: Harris County

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

1. Project Description

A. Project

The Respondents shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to **Houston Regional Monitoring Corporation** for the *HRMC Houston Area Air Monitoring* to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used to supplement existing operation of a network of ambient air monitoring stations (designated HRM Sites 1, 3, 4, 7, 8, 10, Wallisville, and Lynchburg Ferry) that continuously measure and record concentrations of ambient air pollutants. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondents certify that they have no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing data from the network which may be used to evaluate the effectiveness of current emission control strategies, track ambient concentration trends for key pollutants of interest, evaluate episodic emission events, conduct source attribution studies, and assess potential community exposure to toxic air contaminants. The SEP will provide collection of near real-time volatile organic compound (“VOC”), nitrogen oxides (“NOx”), ozone (“O₃”), and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur, and to assess potential ambient community exposure to a limited number of air pollutants. Data from these monitors may also be publicly accessible through the TCEQ website and may be used in evaluating air quality in the area, including ozone forecasts, and ozone warnings. The public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness and indirectly benefit by providing data useful in addressing Houston’s ozone non-attainment status.

C. Minimum Expenditure

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondents must contribute the SEP Offset Amount to the Third-Party Recipient. The Respondents shall make the check payable to “Houston Regional Monitoring Corporation” and mail a copy of the Agreed Order with the contribution check to:

Houston Regional Monitoring Corporation
c/o Christopher B. Amandes
Vinson & Elkins LLP First City Tower
1001 Fannin Street, Suite 2500
Houston, Texas 77002-6760

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

In the event of incomplete performance, the Respondents shall include on the check the docket number of this Agreed Order and a note that it is for reimbursement of a SEP. The Respondents shall make the payment for the amount due to “Texas Commission on Environmental Quality” and mail it to:

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	24-Aug-2009			
	PCW	16-Mar-2010	Screening	3-Sep-2009	EPA Due 3-May-2010

RESPONDENT/FACILITY INFORMATION

Respondent	Shell Chemical LP				
Reg. Ent. Ref. No.	RN100211879				
Facility/Site Region	12-Houston	Major/Minor Source	Major		

CASE INFORMATION

Enf./Case ID No.	38141	No. of Violations	4
Docket No.	2009-1300-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		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	\$8,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	499.0% Enhancement	Subtotals 2, 3, & 7	\$39,920
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Notes

Penalty enhanced due to 33 NOVs for same or similar violations, 9 NOVs for unrelated violations, six agreed orders containing a denial of liability, and 10 agreed orders without denial of liability. Penalty reduction due to an EMS, participation in a voluntary pollution reduction program, 28 notice of audits and eight disclosures submitted.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$1,625
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$267
Approx. Cost of Compliance \$12,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$46,295
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$46,295**

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$41,570
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral not offered for non-expedited settlement.

PAYABLE PENALTY	\$41,570
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Screening Date 3-Sep-2009

Docket No. 2009-1300-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38141

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	33	165%
	Other written NOVs	9	18%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	10	250%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	28	-28%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	8	-16%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	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) 499%

>> 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 enhanced due to 33 NOVs for same or similar violations, 9 NOVs for unrelated violations, six agreed orders containing a denial of liability, and 10 agreed orders without denial of liability. Penalty reduction due to an EMS, participation in a voluntary pollution reduction program, 28 notice of audits and eight disclosures submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 499%

Screening Date 3-Sep-2009 **Docket No.** 2009-1300-AIR-E **PCW**
Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*
Case ID No. 38141 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN100211879
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b), and Air Permit No. 3219, Special Condition ("SC") No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, 1,326 pounds ("lbs") of carbon monoxide, 96 lbs of nitrogen oxides, and 798 lbs of volatile organic compounds were released into the atmosphere due to the failure to reseal the Remote Instrumentation Enclosure building wall during maintenance activities which allowed water intrusion into the Distributive Controller System during a rain event (Incident No. 123383). The emissions event occurred on April 24, 2009 and lasted six hours. Since the emissions event was avoidable by better maintenance practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual			x	25%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

Matrix Notes Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 1 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$2,500

One quarterly event is recommended based upon the emissions event that occurred on April 24, 2009.

Good Faith Efforts to Comply

10.0% Reduction \$250

	Before NOV	NOV to EDPRP/Settlement
Extraordinary		
Ordinary		x
N/A		(mark with x)

Notes Corrective actions were completed on October 26, 2009, after the August 4, 2009 NOE but prior to the November 24, 2009 settlement offer.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$90

Violation Final Penalty Total \$14,725

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38141
Reg. Ent. Reference No. RN100211879
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
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)	\$4,000	14-May-2009	26-Oct-2009	0.45	\$90	n/a	\$90

Notes for DELAYED costs

Estimated cost to implement measures designed to ensure the proper sealing of wall penetrations. The date required is the investigation date. The final date is based on 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

\$4,000

TOTAL

\$90

Screening Date 3-Sep-2009 **Docket No.** 2009-1300-AIR-E **PCW**
Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*
Case ID No. 38141 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN100211879
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Violation Number 2
Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), 40 Code of Federal Regulations §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit No. O-2108, Special Terms and Conditions Nos. 1A and 15, and Air Permit Nos. 19849, SC No. 2A, 18576, SC No. 4A, 1968, SC No. 2, 3173, SC No. 4, 3179, SC No. 14
Violation Description Failed to maintain minimum heating value at the Houston Isopropyl Alcohol ("HIPA") and A&S Flares. Specifically, the Respondent's heating value for the HIPA averaged 240 British thermal units per standard cubic feet ("Btu/scf") and the A&S Flare averaged 176 Btu/scf from January 1, 2008 through June 30, 2008; therefore both were below the minimum required heating value of 300 Btu/scf. No unauthorized emissions were documented as a result of these violations.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

Matrix Notes Human health or the environment in the Houston-Galveston-Brazoria nonattainment area could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of this violation. Based on RG-360/08, 2008 Emissions Inventory Guidelines, a 93% destruction efficiency is assumed for a flare operating below the minimum net heating value.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 2 150 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$2,000

Two single events are recommended for the two flares that did not meet all operating parameters.

Good Faith Efforts to Comply 25.0% Reduction \$500

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

Notes Corrective actions were completed on July 30, 2008, prior to the August 18, 2009 NOE.

Violation Subtotal \$1,500

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

Estimated EB Amount \$87 **Violation Final Penalty Total** \$11,480

This violation Final Assessed Penalty (adjusted for limits) \$11,480

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38141
Reg. Ent. Reference No. RN100211879
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				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)	\$3,000	1-Jan-2008	30-Jul-2008	0.58	\$87	n/a	\$87

Notes for DELAYED costs

Estimated cost to maintain the minimum heating value. The date required is the date of the violation. The final date is based on 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

\$3,000

TOTAL

\$87

Screening Date 3-Sep-2009 **Docket No.** 2009-1300-AIR-E **PCW**
Respondent Shell Chemical LP *Policy Revision 2 (September 2002)*
Case ID No. 38141 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN100211879
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), 40 Code of Federal Regulations §§ 60.18(c)(3) and 63.11(b)(6), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit No O-2108, Special Terms and Conditions Nos. 1A and 15, and Air Permit Nos. 19849, SC No. 26, and 18576, SC No. 4A

Violation Description Failed to meet the net heating value and exit velocity at the A&S Flare. Specifically, the Respondent's net heating value for the A&S Flare averaged 94 Btu/scf from July 1, 2008 through December 31, 2008, which was below the minimum required net heating value of 300 Btu/scf and the exit velocity averaged 63.83 feet per second ("ft/sc"), which was below the required minimum of 210 ft/sc. No unauthorized emissions were documented as a result of these violations.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

Matrix Notes Human health or the environment in the Houston-Galveston-Brazoria nonattainment area could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of this violation. Based on RG-360/08, 2008 Emissions Inventory Guidelines, a 93% destruction efficiency is assumed for a flare operating below the minimum net heating value and exit velocity.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1 184 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$1,000

One single event is recommended for one flare that did not meet all operating parameters.

Good Faith Efforts to Comply

25.0% Reduction

\$250

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

Notes Corrective actions were completed on July 30, 2008, prior to the August 18, 2009 NOE.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$12

Violation Final Penalty Total \$5,740

This violation Final Assessed Penalty (adjusted for limits) \$5,740

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38141
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$3,000	1-Jul-2008	30-Jul-2008	0.08	\$12	n/a	\$12

Notes for DELAYED costs

Estimated cost to ensure the minimum heating value at the A&S Flare. The required date is based on the violation date. The final date is based on 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

\$3,000

TOTAL

\$12

Screening Date 3-Sep-2009

Docket No. 2009-1300-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38141

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), 40 Code of Federal Regulations §§ 60.18(c)(2) and 63.11(b)(5), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit No. O-2108, Special Terms and Conditions Nos. 1A and 15, and Air Permit Nos. 1968, SC No. 2, 18576, SC No. 4B, and 19849, SC No. 2B

Violation Description Failed to maintain records of the pilot monitoring data at the A&S Flare from April 21, 2008 through December 31, 2008.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
			x		

Matrix Notes 100% of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 255 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$2,500

One single event is recommended based on the records not being kept.

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 Corrective actions were completed on January 30, 2009, prior to the August 18, 2009 NOE.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$78

Violation Final Penalty Total \$14,350

This violation Final Assessed Penalty (adjusted for limits) \$14,350

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38141
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	21-Apr-2008	30-Jan-2009	0.78	\$78	n/a	\$78

Notes for DELAYED costs

Estimated cost to ensure the maintaining of records for the pilot monitoring data at the A&S Flare. The date required is the violation date. The final date is based on 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

\$2,000

TOTAL

\$78

Compliance History Report

CH1-
Shell Chemical LP

Customer/Respondent/Owner-Operator:	CN601405145	Shell Chemical LP	Classification: AVERAGE	Rating: 2.25
Regulated Entity:	RN100211879	SHELL OIL DEER PARK	Classification: HIGH	Site Rating: 0.00
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0659W	
	AIR OPERATING PERMITS	PERMIT	1669	
	AIR OPERATING PERMITS	PERMIT	1668	
	AIR OPERATING PERMITS	PERMIT	1943	
	AIR OPERATING PERMITS	PERMIT	1945	
	AIR OPERATING PERMITS	PERMIT	1946	
	AIR OPERATING PERMITS	PERMIT	1947	
	AIR OPERATING PERMITS	PERMIT	1948	
	AIR OPERATING PERMITS	PERMIT	2108	
	AIR OPERATING PERMITS	PERMIT	1940	
	AIR OPERATING PERMITS	PERMIT	1942	
	AIR OPERATING PERMITS	PERMIT	3179	
	WASTEWATER	PERMIT	WQ0000402000	
	WASTEWATER	PERMIT	TPDES0004863	
	WASTEWATER	PERMIT	TX0004863	
	WASTEWATER	PERMIT	WQ0000403000	
	WASTEWATER	PERMIT	TPDES0004871	
	WASTEWATER	EPA ID	TX0004871	
	AIR NEW SOURCE PERMITS	PERMIT	21262	
	AIR NEW SOURCE PERMITS	REGISTRATION	54895	
	AIR NEW SOURCE PERMITS	REGISTRATION	55312	
	AIR NEW SOURCE PERMITS	REGISTRATION	76382	
	AIR NEW SOURCE PERMITS	REGISTRATION	75524	
	AIR NEW SOURCE PERMITS	REGISTRATION	55730	
	AIR NEW SOURCE PERMITS	REGISTRATION	55869	
	AIR NEW SOURCE PERMITS	REGISTRATION	76315	
	AIR NEW SOURCE PERMITS	PERMIT	7855	
	AIR NEW SOURCE PERMITS	PERMIT	9856	
	AIR NEW SOURCE PERMITS	PERMIT	11177	
	AIR NEW SOURCE PERMITS	PERMIT	12152	
	AIR NEW SOURCE PERMITS	PERMIT	12537	
	AIR NEW SOURCE PERMITS	PERMIT	13373	
	AIR NEW SOURCE PERMITS	PERMIT	13713	
	AIR NEW SOURCE PERMITS	PERMIT	16429	
	AIR NEW SOURCE PERMITS	PERMIT	1119	
	AIR NEW SOURCE PERMITS	PERMIT	1120	
	AIR NEW SOURCE PERMITS	PERMIT	3178	
	AIR NEW SOURCE PERMITS	PERMIT	3179	
	AIR NEW SOURCE PERMITS	PERMIT	3216	
	AIR NEW SOURCE PERMITS	PERMIT	5801	
	AIR NEW SOURCE PERMITS	PERMIT	6791	
	AIR NEW SOURCE PERMITS	PERMIT	7621	
	AIR NEW SOURCE PERMITS	PERMIT	9334	
	AIR NEW SOURCE PERMITS	PERMIT	10888	
	AIR NEW SOURCE PERMITS	PERMIT	11096	
	AIR NEW SOURCE PERMITS	PERMIT	11586	
	AIR NEW SOURCE PERMITS	PERMIT	12373	
	AIR NEW SOURCE PERMITS	PERMIT	12829	
	AIR NEW SOURCE PERMITS	PERMIT	13678	
	AIR NEW SOURCE PERMITS	PERMIT	15961	
	AIR NEW SOURCE PERMITS	PERMIT	8236	
	AIR NEW SOURCE PERMITS	PERMIT	9505	
	AIR NEW SOURCE PERMITS	PERMIT	15262	
	AIR NEW SOURCE PERMITS	PERMIT	15365	
	AIR NEW SOURCE PERMITS	PERMIT	15499	
	AIR NEW SOURCE PERMITS	PERMIT	15940	
	AIR NEW SOURCE PERMITS	PERMIT	18576	
	AIR NEW SOURCE PERMITS	PERMIT	18768	
	AIR NEW SOURCE PERMITS	PERMIT	19849	
	AIR NEW SOURCE PERMITS	PERMIT	22038	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX815	
	AIR NEW SOURCE PERMITS	PERMIT	24096	
	AIR NEW SOURCE PERMITS	PERMIT	24874	
	AIR NEW SOURCE PERMITS	PERMIT	26368	
	AIR NEW SOURCE PERMITS	PERMIT	27598	
	AIR NEW SOURCE PERMITS	PERMIT	29597	
	AIR NEW SOURCE PERMITS	PERMIT	32282	
	AIR NEW SOURCE PERMITS	PERMIT	33524	
	AIR NEW SOURCE PERMITS	PERMIT	34230	
	AIR NEW SOURCE PERMITS	PERMIT	34358	
	AIR NEW SOURCE PERMITS	PERMIT	35243	

AIR NEW SOURCE PERMITS	PERMIT	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	747
AIR NEW SOURCE PERMITS	PERMIT	748
AIR NEW SOURCE PERMITS	PERMIT	920
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4596
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	PERMIT	41920
AIR NEW SOURCE PERMITS	PERMIT	41875
AIR NEW SOURCE PERMITS	PERMIT	42221
AIR NEW SOURCE PERMITS	PERMIT	42573
AIR NEW SOURCE PERMITS	PERMIT	42512
AIR NEW SOURCE PERMITS	PERMIT	43605
AIR NEW SOURCE PERMITS	PERMIT	42118
AIR NEW SOURCE PERMITS	PERMIT	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	PERMIT	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	PERMIT	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	PERMIT	70903
AIR NEW SOURCE PERMITS	PERMIT	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	PERMIT	54061
AIR NEW SOURCE PERMITS	PERMIT	50548
AIR NEW SOURCE PERMITS	PERMIT	52565
AIR NEW SOURCE PERMITS	PERMIT	52089
AIR NEW SOURCE PERMITS	PERMIT	52088
AIR NEW SOURCE PERMITS	PERMIT	50388
AIR NEW SOURCE PERMITS	PERMIT	50423
AIR NEW SOURCE PERMITS	PERMIT	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	87183
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	87871
AIR NEW SOURCE PERMITS	REGISTRATION	87174
AIR NEW SOURCE PERMITS	REGISTRATION	84538
AIR NEW SOURCE PERMITS	REGISTRATION	87173
AIR NEW SOURCE PERMITS	REGISTRATION	91151

INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

Location: 5900 HIGHWAY 225, DEER PARK, TX, 77536
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: October 19, 2009
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: September 01, 2004 to September 01, 2009
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Roshondra Lowe Phone: (713) 767-3553

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: 9/1/2009 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.
- 1 **Effective Date: 09/26/2004** **ADMINORDER 2004-0101-AIR-E**
Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 113, SubChapter C 113.120
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to conduct flare performance testing in accordance with 40 CFR 63.11 within 180 days of startup or rule applicability.
 - 2 **Effective Date: 02/20/2006** **ADMINORDER 2005-0765-AIR-E**
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.721(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to obtain control emissions from an emissions event that occurred on December 21, 2000 at the Coker Unit.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to submit a complete final report for a reportable emissions event which occurred at the Coker Unit on December 21, 2000.
 - 3 **Effective Date: 02/20/2006** **ADMINORDER 2005-0734-AIR-E**
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to prevent a power outage at Switchback 6B13 which resulted in unauthorized emissions from the HIPA Flare, HIPA Vent, Benji Vent (PC5500A), and Relief Valves RV0624, RV3033B, and RV0298 on May 9, 2004. Category A.11.i(6).
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Also No. 3219, GC #8 PERMIT
Description: Failed to maintain the ratio of hydrogen to acetylene in the converter resulting in the flaring of off-specification product resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on June 17, 2004.
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC #1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

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

Classification: Major

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

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

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

Category A.11.i(6).

Classification: Minor

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

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

4 **Effective Date: 05/12/2006 ADMINORDER 2005-1614-AIR-E**

Classification: Moderate

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: General Condition #8 PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

5 **Effective Date: 08/15/2008 ADMINORDER 2007-2001-AIR-E**

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. #21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions.

6 **Effective Date: 08/15/2008 ADMINORDER 2008-0079-AIR-E**

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 3179, SC 6 PERMIT

Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342., in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

7 **Effective Date: 09/22/2008 ADMINORDER 2007-1789-AIR-E**

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Shell failed to prevent an avoidable emissions event.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to keep a flame present at a flare at all times.
Classification: Moderate

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

Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.

8 **Effective Date: 09/22/2008** **ADMINORDER 2007-1472-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: No.1968, Special Condition #1, MAERT PERMIT

Description: Shell failed to prevent an avoidable emissions event that resulted in the release of a large quantity of VOCs.
Classification: Moderate

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

Rqmt Prov: Permit No.3214, Special Condition #1 PERMIT
Description: failed to comply with permitted emissions limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to list the compound descriptive type for the emissions.

Classification: Moderate

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

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

Description: failed to comply with permitted emissions limits

9 **Effective Date: 11/06/2008** **ADMINORDER 2007-1218-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: Permit No.3173, Special Condition #1 PERMIT

Description: Failure to install the metallurgically correct cap to a pump causing a leak to develop on a pump.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 9334, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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 TCEQ Region Office of an emission event within 24 hours.

10 **Effective Date: 11/17/2008** **ADMINORDER 2008-0283-AIR-E**

Classification: Moderate

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

Rqmt Prov: NSR Permit 3219 and PST-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: No. 21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 7,275 lbs of sulfur dioxide, 38.50 lbs of CO, 5.33 lbs of NOx, 77.30 lbs of H2S, 304.3 lbs of volatile organic compounds, and 0.70 lbs of particulate matter were released through the East Property Flare in the Catalytic Cracker Feed Hydrotreater Unit during an emissions event (Incident No. 99227) that occurred on October 24, 2007 and lasted one hour and 50 minutes

11

Effective Date: 12/04/2008

ADMINORDER 2008-0635-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: NSR 3173, SC 1 PERMIT
O-01948, SC 13(A) OP

Description: Failed to maintain the VOC MAER of 0.52 lbs per hour at Vent V118 for six hours from April 2, 2007 to August 30, 2007.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions from the East Property Flare on December 16, 2007.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b)

Description: Failed to provide information within 14 days of the Additional Information Request dated February 11, 2008.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition #1 PERMIT
Description: Failed to prevent unauthorized emissions from the Coker Flare on February 4, 2008.

12

Effective Date: 12/04/2008

ADMINORDER 2006-0328-MLM-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT
TCEQ Flex Air Permit 21262/PSDTX928, SC1 PERMIT

Description: Shell failed to prevent the unauthorized release of air contaminants into the atmosphere.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to comply with emissions event reporting requirements.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #21262, SC1 PERMIT
Description: Shell failed to prevent unauthorized emissions.

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

Rqmt Prov: Permit No. 3219/PSD-TX-974, G.C. 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.

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

Rqmt Prov: Permit No. 3179, General Condition 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to properly seal open-ended lines.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to monitor new valves which were put into service at the OP-3 unit on a monthly basis.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 21262, Special Condition 1 PERMIT
Permit No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: No. 21262, SC #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Shell failed to submit an emissions event report within two weeks after the end of the event.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit 3179, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 2162/PSDTX 928, S.C. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(3)(i)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)

Rqmt Prov: Permit 50099, Provision V.1.2.b. PERMIT

Description: Shell failed to comply with BIF operating parameters for the total ash feed rate, by not revising the data in the Distributed Control Systems for the correct level of ash being fed into the unit.

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Shell failed to identify the preconstruction authorization number in the final report submitted to the agency for the facility involved in the emissions event, which occurred on June 15, 2005, in the CCU.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. No. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219/ PSD-TX-974, G.C. 8 PERMIT

Description: Shell failed to comply with the permitted emission limits.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 3173, Special Condition 13 PERMIT
Description: Shell failed to comply with the permitted emission limits.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to submit an initial notification of an emissions event within the 24-hour period for the emissions event that occurred on June 28, 2006 at Tank T-75A.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.3178, Special Condition No.1 PERMIT
Description: Shell failed to comply with the permitted emission limits.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT
Description: Shell failed to prevent an unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit No. 21262, SC1 PERMIT
Description: Shell failed to prevent an avoidable emissions event.

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Effective Date: 02/08/2009 ADMINORDER 2007-0837-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: #21262, Special Condition #1 PERMIT
Description: Failed to prevent unauthorized emissions during an emissions event that started on December 5, 2005.
Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to submit a PI-7 Form within 10 days following modification of the three storage tanks.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #2 PERMIT
Description: Failed to comply with the 20 ppm HAP limit for Spent Air Incinerator H9200.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC#1 PERMIT
Description: Failed to comply with the 9.0 lbs/hr acetone emissions limit for Spent Air Incinerator H9200.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: FOP #O-01945, ST&C #1A OP
Description: Failed to comply with the 20 ppm VOC emissions limit for Spent Air Incinerator H9200.
Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21E PERMIT
Description: Failed to maintain a cap, plug, or blind flange on all open-ended lines.
Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: FOP #O-01945, ST&C #1A OP

FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21H PERMIT

Description: Failed to maintain a leaking component tag on leaking components until the component is repaired.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to make a first attempt to repair a leaking component within five days after discovery.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(E)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, General Terms & Conditions OP

Description: Failed to maintain all required monitoring analysis data.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC #14 PERMIT

Description: Failed to perform continuous monitoring of the flare pilot flame.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945 General Termns & Conditions OP

Description: Failed to submit an annual compliance certification and deviation report within 30 days afterthe reporting period.

Classification: Moderate

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

Rqmt Prov: No.3219 and PSD-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions during a December 14, 2006 emissions event.

Classification: Moderate

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

Rqmt Prov: No.3219, MAERT PERMIT

PSD-TX-974 PERMIT

Description: Failed to prevent unauthorized emissions during a February 1, 2007 emissions event.

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Effective Date: 06/15/2009 ADMINORDER 2008-1621-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent the shutdown of the compressor.

Classification: Moderate

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

Rqmt Prov: FOP O-01669, General Terms & Conditions OP

Description: Failure to submit the annual Permit Compliance Certification within 30 days of the end of the certification period.

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Effective Date: 08/23/2009 ADMINORDER 2008-1092-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 21262 AND PSD-TX-928, SC No. 1 PERMIT

Description: Shell exceeded permit limits during an avoidable emissions event.

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 THSC Chapter 382 382.085(b)

Rqmt Prov: Permit PERMIT

Description: Failed to prevent the unauthorized emissions of: 2,540 lbs of VOC, 12 lbs of H2S, 452 lbs of NOx, 3,248 lbs of CO, and 1,216 lbs of SO2 released from the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare during an emissions event that occurred on March 7, 2008 and lasted 4 hours and 0 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for

an affirmative defense in 30 Tex. Admin. Code 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent plugging of level transmitter (LT-257) tap.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent an electrical short during installation of additional alarm at SRU Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent wet gas compressor malfunction.

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 THSC Chapter 382 382.085(b)

Rqmt Prov: MAERT PERMIT

Description: Failed to prevent the shutdown of the SRUs.

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Effective Date: 08/31/2009

ADMINORDER 2008-1925-AIR-E

Classification: Moderate

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

Rqmt Prov: SC 1 PA

Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the North Property Flare on June 18, 2008.

Classification: Moderate

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

Rqmt Prov: General Condition 8, NSRP 3219/PSDTX974 PA

Description: Failed to prevent unauthorized emissions from the OP-2 Elevated Flare, OP-3 Elevated Flare, and from the OP-3 Ground Flare on June 29, 2008

Classification: Moderate

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

Rqmt Prov: SC No. 1 PERMIT

Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the North Property Flare on July 17, 2008.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b)

Description: Failed to timely provide information requested by the TCEQ Houston Regional Office regarding the July 17, 2008 emissions event.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	09/07/2004	(292099)	18	12/28/2004	(338893)	35	01/10/2005	(279219)
2	09/30/2004	(287575)	19	12/29/2004	(342425)	36	01/10/2005	(286434)
3	11/11/2004	(289756)	20	12/30/2004	(342431)	37	01/10/2005	(287676)
4	11/12/2004	(288819)	21	12/30/2004	(344374)	38	01/26/2005	(342583)
5	11/12/2004	(290146)	22	12/30/2004	(344491)	39	01/31/2005	(342585)
6	11/22/2004	(285617)	23	01/04/2005	(285114)	40	02/01/2005	(342419)
7	11/29/2004	(339553)	24	01/04/2005	(288475)	41	02/22/2005	(350798)
8	12/05/2004	(268602)	25	01/04/2005	(288902)	42	02/23/2005	(371820)
9	12/10/2004	(338725)	26	01/04/2005	(293105)	43	04/01/2005	(346780)
10	12/11/2004	(341292)	27	01/04/2005	(342600)	44	04/29/2005	(344372)
11	12/11/2004	(342406)	28	01/05/2005	(288541)	45	05/03/2005	(373899)
12	12/11/2004	(342558)	29	01/05/2005	(289527)	46	05/09/2005	(378729)
13	12/14/2004	(341177)	30	01/06/2005	(289146)	47	05/25/2005	(380203)
14	12/14/2004	(342547)	31	01/06/2005	(344370)	48	06/17/2005	(392662)
15	12/17/2004	(339115)	32	01/06/2005	(344373)	49	06/28/2005	(394944)
16	12/21/2004	(342546)	33	01/07/2005	(288436)	50	07/06/2005	(398907)
17	12/28/2004	(290091)	34	01/09/2005	(289381)	51	07/13/2005	(374690)

52	07/18/2005	(379933)	129	05/30/2006	(460198)	206	05/18/2007	(542652)
53	07/18/2005	(379934)	130	05/31/2006	(455293)	207	05/29/2007	(559183)
54	07/20/2005	(400891)	131	05/31/2006	(480622)	208	05/30/2007	(560809)
55	07/21/2005	(400399)	132	06/12/2006	(455296)	209	06/25/2007	(563779)
56	07/28/2005	(379300)	133	06/13/2006	(457735)	210	06/25/2007	(564308)
57	08/02/2005	(400361)	134	06/14/2006	(480612)	211	06/27/2007	(564822)
58	08/03/2005	(399624)	135	06/15/2006	(449850)	212	06/27/2007	(564828)
59	08/05/2005	(341194)	136	06/21/2006	(467546)	213	07/06/2007	(565610)
60	08/05/2005	(341195)	137	06/23/2006	(467329)	214	07/10/2007	(565422)
61	08/05/2005	(341198)	138	06/23/2006	(467537)	215	08/01/2007	(567841)
62	08/05/2005	(341200)	139	06/28/2006	(467525)	216	08/03/2007	(568522)
63	08/05/2005	(341201)	140	06/30/2006	(463111)	217	08/13/2007	(571026)
64	08/10/2005	(403710)	141	06/30/2006	(466561)	218	08/14/2007	(567884)
65	08/15/2005	(453221)	142	07/10/2006	(482757)	219	08/15/2007	(571883)
66	08/16/2005	(404327)	143	07/11/2006	(482407)	220	08/17/2007	(571025)
67	08/16/2005	(404329)	144	07/11/2006	(482755)	221	09/18/2007	(571877)
68	08/18/2005	(404406)	145	07/11/2006	(482760)	222	09/19/2007	(572770)
69	08/22/2005	(400922)	146	07/14/2006	(467608)	223	10/12/2007	(560777)
70	08/23/2005	(401945)	147	07/26/2006	(487301)	224	10/16/2007	(593594)
71	08/23/2005	(404915)	148	07/27/2006	(486448)	225	10/25/2007	(596852)
72	08/25/2005	(405926)	149	07/31/2006	(482753)	226	11/06/2007	(565492)
73	08/30/2005	(401403)	150	08/08/2006	(482747)	227	11/06/2007	(593367)
74	09/28/2005	(431096)	151	08/14/2006	(480383)	228	11/15/2007	(597891)
75	10/04/2005	(405964)	152	08/16/2006	(392732)	229	11/15/2007	(597968)
76	10/05/2005	(406803)	153	08/18/2006	(457259)	230	11/19/2007	(572257)
77	10/05/2005	(407310)	154	08/18/2006	(457480)	231	11/19/2007	(599691)
78	10/05/2005	(431095)	155	08/23/2006	(457432)	232	11/27/2007	(597446)
79	10/05/2005	(431097)	156	08/28/2006	(479997)	233	11/30/2007	(601276)
80	10/10/2005	(406428)	157	08/29/2006	(479999)	234	11/30/2007	(608138)
81	10/26/2005	(433389)	158	08/30/2006	(509636)	235	12/04/2007	(600886)
82	10/28/2005	(405406)	159	08/31/2006	(457283)	236	12/20/2007	(610419)
83	11/03/2005	(431819)	160	09/07/2006	(510326)	237	01/07/2008	(598077)
84	11/04/2005	(431796)	161	09/29/2006	(487313)	238	01/17/2008	(599615)
85	11/04/2005	(431865)	162	10/04/2006	(510017)	239	01/17/2008	(599668)
86	11/14/2005	(371956)	163	10/04/2006	(512388)	240	01/17/2008	(599822)
87	11/23/2005	(433921)	164	10/05/2006	(510021)	241	01/17/2008	(600635)
88	11/28/2005	(437043)	165	10/05/2006	(512392)	242	01/22/2008	(613355)
89	11/30/2005	(437117)	166	10/05/2006	(512393)	243	01/25/2008	(597769)
90	12/16/2005	(451110)	167	10/13/2006	(510023)	244	01/25/2008	(615280)
91	01/24/2006	(451885)	168	10/26/2006	(512394)	245	01/25/2008	(615969)
92	02/16/2006	(454090)	169	10/27/2006	(515112)	246	01/25/2008	(615999)
93	02/21/2006	(454835)	170	10/31/2006	(343595)	247	01/28/2008	(616080)
94	02/21/2006	(455170)	171	10/31/2006	(509694)	248	01/28/2008	(616082)
95	02/23/2006	(439108)	172	10/31/2006	(513138)	249	02/01/2008	(607448)
96	02/23/2006	(455872)	173	11/03/2006	(513228)	250	02/01/2008	(613923)
97	02/23/2006	(455897)	174	11/03/2006	(513328)	251	02/01/2008	(614301)
98	02/24/2006	(438342)	175	11/06/2006	(515706)	252	02/01/2008	(614303)
99	02/25/2006	(456944)	176	11/16/2006	(512687)	253	02/01/2008	(615075)
100	02/25/2006	(457085)	177	11/21/2006	(517284)	254	02/04/2008	(614031)
101	02/27/2006	(456661)	178	11/30/2006	(379581)	255	02/05/2008	(610680)
102	02/27/2006	(457162)	179	12/07/2006	(487985)	256	02/13/2008	(616505)
103	02/28/2006	(457143)	180	12/07/2006	(488004)	257	03/07/2008	(612807)
104	02/28/2006	(457152)	181	12/07/2006	(488023)	258	03/10/2008	(617388)
105	03/03/2006	(455540)	182	12/07/2006	(488025)	259	03/12/2008	(637217)
106	03/09/2006	(457675)	183	12/15/2006	(508968)	260	03/24/2008	(616741)
107	03/15/2006	(458469)	184	12/21/2006	(534053)	261	03/24/2008	(638443)
108	03/17/2006	(451544)	185	12/29/2006	(343599)	262	03/28/2008	(600448)
109	03/20/2006	(431859)	186	01/19/2007	(531892)	263	03/31/2008	(610634)
110	03/20/2006	(571632)	187	01/31/2007	(537439)	264	04/09/2008	(610636)
111	03/23/2006	(290016)	188	01/31/2007	(538659)	265	04/11/2008	(610638)
112	03/28/2006	(405965)	189	02/17/2007	(532455)	266	04/11/2008	(637073)
113	04/03/2006	(455004)	190	02/20/2007	(457345)	267	04/21/2008	(639674)
114	04/24/2006	(449499)	191	02/23/2007	(532452)	268	04/22/2008	(653495)
115	04/25/2006	(449838)	192	02/23/2007	(532463)	269	05/02/2008	(650560)
116	04/26/2006	(455005)	193	02/27/2007	(532471)	270	05/20/2008	(654015)
117	04/27/2006	(440023)	194	03/01/2007	(509707)	271	05/20/2008	(654943)
118	04/28/2006	(462216)	195	03/05/2007	(406521)	272	05/23/2008	(637956)
119	05/10/2006	(266908)	196	04/12/2007	(554202)	273	05/23/2008	(638051)
120	05/10/2006	(268067)	197	04/25/2007	(532459)	274	05/23/2008	(654353)
121	05/12/2006	(461088)	198	04/25/2007	(542681)	275	06/06/2008	(654842)
122	05/17/2006	(461235)	199	04/26/2007	(541475)	276	06/10/2008	(671393)
123	05/17/2006	(466235)	200	04/30/2007	(542592)	277	06/18/2008	(683279)
124	05/26/2006	(460095)	201	04/30/2007	(542683)	278	06/30/2008	(600450)
125	05/26/2006	(460156)	202	05/07/2007	(537121)	279	07/11/2008	(685564)
126	05/26/2006	(460174)	203	05/08/2007	(542690)	280	07/17/2008	(656863)
127	05/26/2006	(460637)	204	05/09/2007	(467500)	281	07/17/2008	(686593)
128	05/30/2006	(459416)	205	05/14/2007	(542697)	282	07/23/2008	(683726)

283	07/24/2008	(682501)	302	12/12/2008	(721015)	321	06/08/2009	(741940)
284	08/14/2008	(686729)	303	12/30/2008	(705857)	322	07/10/2009	(737104)
285	08/19/2008	(689497)	304	01/09/2009	(723179)	323	07/22/2009	(763029)
286	08/22/2008	(699629)	305	01/15/2009	(707647)	324	07/23/2009	(747258)
287	08/31/2008	(637068)	306	01/20/2009	(708950)	325	08/04/2009	(741963)
288	08/31/2008	(637076)	307	01/28/2009	(720984)	326	08/04/2009	(742135)
289	09/05/2008	(700024)	308	02/09/2009	(709972)	327	08/12/2009	(764686)
290	10/09/2008	(703510)	309	02/18/2009	(735789)	328	08/12/2009	(764845)
291	10/16/2008	(704306)	310	02/20/2009	(723069)	329	08/12/2009	(765197)
292	10/23/2008	(682549)	311	03/10/2009	(722825)	330	08/12/2009	(765199)
293	10/27/2008	(706455)	312	04/02/2009	(722827)	331	08/13/2009	(760336)
294	10/27/2008	(706540)	313	04/30/2009	(744066)	332	08/13/2009	(760346)
295	11/03/2008	(700060)	314	05/11/2009	(741959)	333	08/18/2009	(737105)
296	11/03/2008	(701753)	315	05/13/2009	(737311)	334	08/19/2009	(766023)
297	11/24/2008	(641389)	316	05/13/2009	(742834)	335	08/21/2009	(766514)
298	11/24/2008	(684019)	317	05/14/2009	(742134)	336	08/28/2009	(747477)
299	12/04/2008	(565248)	318	05/28/2009	(726407)	337	08/31/2009	(687729)
300	12/04/2008	(709362)	319	06/01/2009	(742131)	338	08/31/2009	(763433)
301	12/04/2008	(709367)	320	06/08/2009	(737950)			

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

- 1 Date: 11/22/2004 (285617) CN601405145
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 3219 and PSD-TX-974, GC #8 PERMIT
Description: Failure to operate within the permit limits.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
Description: Failure to indicate the air contaminants from the flare completely in the final report.
- 2 Date: 12/28/2004 (290091) CN601405145
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 3219 and PSD-TX-974, GC #8 PERMIT
Description: Failure to avoid loss of cooling in the PRC surface condensate system.
- 3 Date: 12/30/2004 (344491) CN601405145
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Permit #21262/PSD-TX-928, SC#1 PA
Description: Failure to control emissions.
- 4 Date: 12/30/2004 (344374) CN601405145
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Permit #s:21262,PSD-TX-928, SC #1 PA
Description: Failure to Control Emissions
- 5 Date: 01/04/2005 (342600) CN601405145
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 3219 and PSD-TX-974, GC # 8 PERMIT
Description: Failure to control hydrate formation in the demethanizer column.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failure to report emissions event in a timely manner.
- 6 Date: 01/07/2005 (288436) CN601405145
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 21262 and PSD-TX-928 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.
- 7 Date: 01/09/2005 (289381) CN601405145
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #3219 and PSD-TX-974 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.
- 8 Date: 04/29/2005 (344372) CN601405145
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

9 Description: 5C THC Chapter 382, SubChapter A 382.085(b)
 Failure to control emissions.
 Date: 06/20/2005 (395120) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 No. 9334, Gen. Condition #8 PERMIT
 Description: Failure to prevent spill during tank heel transfer.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

10 Description: Failure to submit an emissions event in a timely manner.
 Date: 08/17/2005 (404327) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 110.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 150.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)

11 Description: Failure to maintain ammonia emissions below 10ppm on furnace 180.
 Date: 10/10/2005 (406428) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)

12 Description: Failure to control emissions.
 Date: 02/23/2006 (439108) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 3219 AND PSD-TX-974 PA
 5C THC Chapter 382, SubChapter A 382.085(b)

13 Description: Exceeded permit limits during an avoidable emissions event.
 Date: 02/27/2006 (438342) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)

14 Description: Failed to control unauthorized emissions.
 Date: 04/04/2006 (455004) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 NSR Permit #3173, Special Condition #1 PA

15 Description: Failure to control unauthorized emissions for Incident #64365.
 Date: 05/17/2006 (461235) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 1946, Special Condition 15H OP
 1946, Special Condition 1A OP
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA
 Self Report? NO Classification: Minor
 Citation: 1668, Special Condition 1A OP
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.
 Self Report? NO Classification: Moderate
 Citation: 1668, Special Condition 1A OP
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, Special Conditions 5 and 6 PERMIT
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions .
 Self Report? NO Classification: Minor
 Citation: 1946, Special Condition 1A OP
 1946, Special Condition 21 OP
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)

		30 TAC Chapter 122, SubChapter B 122.143(4) 3216, Special Condition 6E PERMIT 3218, Special Condition 8E PERMIT 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2) 5C THC Chapter 382, SubChapter A 382.085(b) Nine OELs in HT2; 2 OELs in CIPX		
	Description:			
	Self Report?	NO	Classification:	Minor
	Citation:	18576, Special Condition 7E PERMIT 1946, Special Condition 1A OP 1946, Special Condition 21 OP 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description:	Failure to seal 18 OELs in IRU.		
	Self Report?	NO	Classification:	Minor
	Citation:	1946, Special Condition 1A OP 1946, Special Condition 21 OP 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 3217, Special Condition 3E PERMIT 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)		
	Description:	Failure to seal OELs in BD3.		
	Self Report?	NO	Classification:	Moderate
	Citation:	1946, Special Condition 21 OP 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 3216, Special Condition 1 PERMIT 3216, Special Condition 5 PERMIT 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description:	Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.		
	Self Report?	NO	Classification:	Moderate
	Citation:	1946, Special Condition 21 OP 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 3216, Special Conditions 1 and 4 PERMIT 5C THC Chapter 382, SubChapter A 382.085(b)		
16	Description:	The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.		
	Date:	05/31/2006 (455293)	CN601405145	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter D 382.085(b) No. 3219 and PSD-TX-974 MAERT PERMIT		
17	Description:	Failure to prevent an operator error resulting in unauthorized emissions.		
	Date:	06/15/2006 (457735)	CN601405145	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter D 382.085(b) 9334 MAERT PERMIT		
18	Description:	Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.		
	Date:	06/28/2006 (467525)	CN601405145	
	Self Report?	NO	Classification:	Moderate
	Citation:	#21262, Special Condition #1 PERMIT 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
19	Description:	Failure to prevent overpressure of Secondary Debutanizer Column, V-613.		
	Date:	07/14/2006 (467608)	CN601405145	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b) No 3219 MAERT PERMIT		
20	Description:	Failure to prevent unauthorized emissions during decoking of furnace FOL170.		
	Date:	08/18/2006 (457259)	CN601405145	
	Self Report?	NO	Classification:	Minor
	Citation:	266, SC 7E PERMIT 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 3985A, SC 7E PERMIT 5C THC Chapter 382, SubChapter A 382.085(b)		

O-01947, Special Condition 13 OP
 O-01947, Special Condition 1A OP
 Description: 3 OELs in SITEFE and 1 OEL in WRACKFE
 Date: 08/23/2006 (457432) CN601405145
 Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 1A OP
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.
 Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 13 OP
 1948, Special Condition 1A OP
 19849, Special Condition 11E PERMIT
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: 10 OELs in MPLANTFE
 Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 13 OP
 1948, Special Condition 1A OP
 1968, Special Condition 3E PERMIT
 19849, Special Condition 11E PERMIT
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3173, Special Condition 6E PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFE; 1 OEL in HPLANTFE
 Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 13 OP
 1948, Special Condition 1A OP
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3173, Special Condition 6F PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005
 Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 13 OP
 19849, Special Condition 7D PERMIT
 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)

Description: Failure to inspect Tank T667B by the due date of March 2005
 Self Report? NO Classification: Moderate
 Citation: 1948, Special Condition 13 OP
 30 TAC Chapter 106, SubChapter K 106.261(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3173, Special Condition 1 PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.
 Self Report? NO Classification: Moderate
 Citation: 1948, Special Condition 1H(iv) OP
 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to repair Component No. 200706 in IPACRUFE within seven days
 Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 1A OP
 30 TAC Chapter 115, SubChapter D 115.354(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere
 Date: 08/28/2006 (479997) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, Special Condition 2I PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1668, Special Condition 15 OP

Description: O-1668, Special Condition 1H(v) OP
 Failure to repair Component No. 64110.P in OP2FUG within 15 days
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, Special Condition 2E PERMIT
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1668, Special Condition 15 OP
 O-1668, Special Condition 1A OP

Description: Forty-nine incidences of open-ended lines in OP2FUG
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3214, Special Condition 5E PERMIT
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1668, Special Condition 15 OP
 O-1668, Special Condition 1A OP

Description: 26 OELs in OL3FUG and 4 OELs in PYR3FUG
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3214, Special Condition 5E PERMIT
 3219, Special Condition 2E PERMIT
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1668, Special Condition 15 OP
 O-1668, Special Condition 1A OP

Description: 28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, Maximum Allowable Emission Rates PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1668, Special Condition 15 OP

Description: Exceedance of VOC MAER in tpy for the Olefins Flare System
 Date: 08/29/2006 (479999) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 15E PERMIT
 O-1943, Special Condition 17 OP
 O-1943, Special Condition 1A OP

Description: One OEL in ACUFUG and one OEL in FUGOXU
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 7 PERMIT
 O-1943, Special Condition 17 OP

Description: Incomplete records of furnace firing rates for the ACU furnace, EPN H902
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1943, Special Condition 1A OP

Description: Failure to conduct internal inspection of Tank F-361 by the due date of May 2005
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 8 PERMIT
 O-1943, Special Condition 17 OP

Description: Operation of the East Property Flare with visible emissions
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)

Description: 5C THC Chapter 382, SubChapter A 382.085(b)
 Failure to visually inspect Tank G-359 by the due date of August 16, 2005
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 10D PERMIT
 O-1943, Special Condition 17 OP

Description: Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 10D PERMIT
 O-1943, Special Condition 17 OP

24 Description: O-1943, Special Condition 1A OP
 Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.
 Date: 08/31/2006 (457283) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 48912, Special Condition 5 PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 15 OP

Description: Failure to analyze wastewater for isobutyraldehyde
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 1A OP

Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 1A OP

Description: Failure to obtain vapor pressure sample from T-1318
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 1A OP

25 Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301
 Date: 11/03/2006 (513328) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

26 Description: Shell failed to submit a CAP in a timely manner.
 Date: 11/14/2006 (512687) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01669, Special Condition #1A OP

Description: Failure to record the daily visual observations of flare per 30 TAC 111.111(a)(4)(A)(ii).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01669, Special Condition #1A OP
 FOP #O-01669, Special Condition #1D OP

Description: Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter A 382.085(b)

27 Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).
 Date: 02/23/2007 (532452) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)

30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 1M(iv) OP
FOP O-01946, Special Condition 21 OP
NSR #18576, Special Condition 7H PA
NSR #3216, Special Condition 6H PA
NSR #3217, Special Condition 3H PA

Description: Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP # O-01946, Special Condition 1A OP
FOP #O-01946, Special Condition 21 OP
NSR 3216, Special Condition 2 PA
NSR 3218, Special Condition 2 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 1M(iv) OP
FOP O-01946, Special Condition 21 OP
NSR Permit 3215, Special Condition 2E PA
NSR Permit 3216, Special Condition 2 PA
NSR Permit 3216, Special Condition 6E PA
NSR Permit 3217, Special Condition 3E PA
NSR Permit 3218, Special Condition 2 PA
NSR Permit 3218, Special Condition 8E PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 21 OP
NSR Permit 3216, Special Condition 5 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 21 OP
NSR Permit 3219, Special Condition 4 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 21 OP
NSR Permit 3216, Special Condition 1 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1M(ii) OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 1M(ii) OP
 Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 1A OP

Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 28 OP

28 Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).
 Date: 02/27/2007 (532471) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit PCC within 30 days as required.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01947, General Terms & Conditions OP

29 Description: Failure to submit a Deviation report within 30 days as required.
 Date: 05/14/2007 (542697) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)

30 Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.
 Date: 08/29/2007 (543555) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Title V O-01669, General Terms/Condition OP

31 Description: failed to submit a permit compliance certification and a deviation report in a timely manner.
 Date: 02/05/2008 (610680) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
 5C THSC Chapter 382 382.085(b)
 NSR 18576, Special Condition 7H PERMIT
 NSR 3217, Special Condition 3H PERMIT
 O-01946 Special Conditions 1M(iv) OP
 O-01946 Special Conditions 1A OP

Description: Failure to affix and maintain leaking component tags on Leak Detection and Repair components.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
 5C THSC Chapter 382 382.085(b)
 NSR 3216, Special Condition 2 PERMIT
 NSR 3218, Special Condition 2 PERMIT
 O-01946 Special Condition 1A OP
 O-01946 Special Condition 21 OP

Description: Failure to affix permanent identification tags on 76 LDAR components.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THSC Chapter 382 382.085(b)
 NSR 18576, Special Condition 7E PERMIT
 NSR 3216, Special Condition 6E PERMIT
 NSR 3217, Special Condition 3E PERMIT

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

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

Description: Failure to meet HRVOC monitoring/recordkeeping requirements.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 11C PERMIT
O-01946 Special Condition 21 OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 21 OP
Special Condition 11B PERMIT

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 5 PERMIT
O-01946 Special Condition 21 OP

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

32 Date: 03/10/2008 (617388) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)

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

33 Date: 04/01/2008 (610634) CN601405145

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(E) PERMIT
NSR 3214, SC 6(E) PERMIT
NSR 3219, SC 2(E) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP

Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(H) PERMIT
NSR 3214, SC 6(H) PERMIT
NSR 3219, SC 2(H) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP

Description: Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(v) OP

Description: Failure to repair valve 76372A within 7 days.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 56496, GC 8 PERMIT
NSR 56496, SC 1 PERMIT
O-01668, SC 15(A) OP

Description: Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx) and FOL-710 (22 block hrs for 25 lbs excess NOx).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 56496, SC 5 PERMIT
O-01668, SC 15(A) OP

Description: Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(A) OP

Description: Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(iv) OP

Description: Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
NSR 3219, SC 16 PERMIT
NSR 3219, SC 5 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 15(A) OP

Description: Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP

Description: Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter C 122.210(a)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15(B) OP
 Description: Failure to include all authorizations in Federal Operating Permit (FOP) O-01668,
 issued October 18, 2004 and amended February 1, 2006.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(A) OP

Description: Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.
 Date: 04/09/2008 (639062) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
 5C THSC Chapter 382 382.085(b)
 NSR 3173, SC 3 PERMIT
 NSR 3173, SC 8(D) PERMIT
 NSR 3985A, SC 8(D) PERMIT
 NSR19849, SC 7(D) PERMIT
 O-01948, SC 1(A) OP
 O-01948, SC 13(A) OP

Description: Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THSC Chapter 382 382.085(b)
 NSR 1968, SC 3(E) PERMIT
 NSR 19849, SC 11(E) PERMIT
 NSR 19849, SC 13 PERMIT
 NSR 19849, SC 14 PERMIT
 NSR 3173, SC 6(E) PERMIT
 O-01948, 13(A) OP
 O-01948, SC 1(A) OP
 O-01948, SC 1(H)(iv) OP

Description: Failure to seal open-ended lines.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 3173, SC 6(I) PERMIT
 O-01948, SC 1(A) OP
 O-01948, SC 1(H)(iv) OP
 O-01948, SC 13(A) OP

Description: Failure to repair connector 702527 in IPACRUFEE (in HRVOC service) within 15 days
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 3173, SC 6(H) PERMIT
 O-01948, SC 1(A) OP
 O-01948, SC 1(H)(iv) OP
 O-01948, SC 13(A) OP

Description: Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01948, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01948, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8hours for the HIPA flare and the A&S flare.
 Self Report? NO Classification: Minor

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

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01948, SC 1(H)(ii) OP
 Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.
 Date: 04/11/2008 (637073) CN601405145
 Self Report? NO Classification: Moderate

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

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

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01947, SC 1(H)(ii) OP
 Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.
 Date: 04/11/2008 (610638) CN601405145
 Self Report? NO Classification: Minor

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

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

Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-02108, SC 1(A) OP
 Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.
 Date: 09/02/2008 (637076) CN601405145
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, General Terms & Conditions OP
 Description: Failure to submit the Annual Compliance Certification (ACC) report for the certification period April 15, 2006 through
 October 15, 2007 within 30 days.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, General Terms & Conditions OP
 Description: Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007
 within 30 days.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 21 OP
 NSR 3179, GC 1 PERMIT

Description: Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21(A) OP
NSR 3179, GC 1 PERMIT
NSR 3179, SC 10 PERMIT

Description: Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
NSR 3179, SC 2 PERMIT

Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007 at 1700.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21(A) OP
NSR 3179, SC 13 PERMIT

Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to include in the Federal Operating Permit, vent gas stream collection vessel V8342.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(H)(ii) OP

Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP

Description: Failure to prevent an exceedance of 100 annual operating hours for P87921 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 2 PERMIT

Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 20E PERMIT
NSR 3179, SC 21E PERMIT
NSR 3179, SC 3(B) PERMIT

Description: Failure to prevent four open-ended lines: Tag No. 4501333.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 21(H) PERMIT

Description: Failure to tag the following components: Tag No. 322769 in Phenol 3 on February 8, 2007, and tag no. 950522 in Phenol 3 on March 21, 2007, which constitutes the violation of NSR Permit 3179 SC 21H, 30 TAC 115.354(5), and 40 CFR 63.181(b)(10).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(H)(iii) OP

Description: Failure to prevent a greater than 5% downtime for the East Property Flare CMS (HRVOC analyzer) for CY 2006.

Date: 07/14/2009 (737104) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
9334, SC 11H PERMIT
O-01943, SC 17 OP

Description: Failure to tag leaking components.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 1A OP

Description: Failure to operate a flare CEM for at least 95 percent of the total operating time in a year.

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 Part 60, Subpart A 60.18(c)(4)(i)
5C THSC Chapter 382 382.085(b)
9334, SC 5 PERMIT
O-01943, SC 17 OP

Description: Failed to maintain flare inlet heat content and exit velocity per 40 CFR 60 requirements.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
9334, SC 11E PERMIT
O-01943, SC 17 OP

Description: Failure to plug/cap all open ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 1A OP

Description: Failure to continuously monitor a pressure relief valve for HRVOC.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.117(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 17 OP

Description: Failure to register two Permit by Rules that require registration.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3178, SC 1 PERMIT
5C THSC Chapter 382 382.085(b)
O-01943, SC 17 OP

Description: Failure to store VOC in proper storage tanks.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with the sitewide hourly HROVC limit.

Date: 07/24/2009 (747258) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)

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30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 1E PERMIT
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP
 Description: Failure to plug/cap all open ended lines in VOC and HRVOC services (Category C10, minor violation).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 1H PERMIT
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP
 Description: Failure to tag leaking components in VOC and HRVOC services.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, GC 8 PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP
 Description: Failure to keep pound per hour carbon monoxide emissions from the furnaces within the limit specified in the MAERT.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to comply with carbon monoxide 24 hour concentration limits in the stacks.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to keep the monitoring parameters within the maximum operating limit.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 11 PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP
 Description: Failure to comply with the individual pound NOx/MMBtu limits for furnaces in Olefins 2 Unit.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 12H PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP
 Description: Failure to comply with the rolling 12 month throughput limit for a storage tank.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to collect required sample from a cooling tower.
 Date: 08/18/2009 (737105) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
 5C THSC Chapter 382 382.085(b)
 Description: Shell Chemicals LP failed to revise Title V Federal Operating Permit O-02108 to incorporate references in NSR permit 48912. (FOP O-02108; NSR 48912)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 Description: Shell Chemicals LP failed to report missed recordkeeping of pilot monitoring of A&S from July 31, 2008 through December 31, 2008 in a timely manner. (FOP O-02108)
 Date: 08/28/2009 (747477) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(2)
 5C THSC Chapter 382 382.085(b)
 Special Condition (SC) No. 11G OP
 Description: Failure to maintain records on the HIPA flare (A1333) pilot's monitor from October 30, 2007 through November 10, 2007. (Category C3)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 1A OP
 Description: Failure to maintain the H9200 incinerator's 3-hour average VOC limit of 20 ppm for 11 hours in November 2007. (Category B19(g)(1))
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)
 5C THSC Chapter 382 382.085(b)
 SC No. 1A OP
 SC No. 21 OP
 SC No. 23 PERMIT
 Description: Failure to record the H9200 incinerator's CEMS data on August 7, 2007 for 9.32 hours and on November 8, 2007 for 1.6 hours. (Category C3)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
 5C THSC Chapter 382 382.085(b)
 SC No. 1A OP
 Description: Failure to maintain the H87002 thermal oxidizer's temperature above 1505 degrees Fahrenheit on March 21, 2007, June 12, 2007, September 13, and February 3, 2008 for 23 hours and 59 minutes each day. (Category B19(g)(1))
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 2F OP
 Description: Failure to submit an emissions (STEERS No. 106008) report within 24 hours after the event. The RE documented in the deviation report dated May 13, 2008, the report was due April 6, 2008 and not submitted until April 8, 2008. (Category C3)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 21 OP
 SC No. 7 PERMIT
 Description: Failure to maintain documentation to demonstrate compliance with the marine loading requirements for acetone with regards to pump capacity limitation from April 16, 2008 through June 30, 2008 and August 10, 2008 through October 14, 2008. (Category B3)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter G 117.8100(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 14B PERMIT
 SC No. 1A OP
 SC No. 21 OP
 Description: Failure to conduct the Phenol #3 BIF Boiler (H-87920) CEMS nitrogen oxide cylinder gas audit (CGA) for the third quarter of 2008 (7/1/08 through 9/30/08). (Category B1)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
 5C THSC Chapter 382 382.085(b)
 SC No 1A OP
 SC No. 21 OP
 SC No. 21H PERMIT
 Description: Failure to tag P0113, 348837, 322724, 322769, 322811, 322819, 325567, and 328623.1 from June 23 to June 24, 2008; and on 0301, 0713.1, 0822.2, and 1249 from June 18 to June 19, 2008. (Category C4)
 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)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 PERMIT
 SC No. 1A OP
 SC No. 21 OP
 Description: Failure to maintain the East Property flare (EPN: EPFLARE) net heating value above 300 BTU/scf and/or the required exit velocity from January 1, 2008 through December 31, 2008 for 152 hours. (Category B19(g)(1))
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 116, SubChapter B 116.117(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 22 OP
 Description: Failure to register PBRs 30 TAC 106.261 and 106.262 from January 1, 2008 through December 31, 2008. (Category C3)
 Date: 08/31/2009 (687729) CN601405145
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 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)

FOP O-01669 SC 1(A) OP
FOP O-01669 SC 24(A) OP
NSR 21262 SC 2 PERMIT
NSR 21262 SC 25 PERMIT

Description: Failure to monitor the fuel gas for H2S content during Pressure Swing Absorber (PSA) flaring to the North Property Flare (FLNFLARE) on May 20, 2008 from 1800 to 1811 due to unknown problems.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP

Description: Failure to prevent the exceedance of the ammonia (NH3) limit on June 29, 2008 from 1700 to 1800 from the Fluid Catalytic Cracking Unit (FCCU) H600.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 2(F) OP

Description: Failure to provide a 24-hour notification of a reportable event.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitors for CWT-7 and CWT-17.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitor for CWT-16.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to sample upon the loss of the HRVOC monitor for various HRVOC flares.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 10(E) PERMIT
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(E) PERMIT

Description: Failure to seal 43 open-ended lines (OEL's) from January 1, 2008 through December 31, 2008 (GRPREFUG).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to maintain a 95% up-time for the following HRVOC analyzers: Girbitol Flare (86.3% annual up-time) and East Property Flare (94.2% annual up-time).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to maintain a 95% up-time for the HRVOC analyzers for CWT-6 (92.5% annual up-time).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(H) PERMIT

Description: Failure to tag one leaking component (No. 402) in GRPREFUG, discovered during a 3rd-aprty HRVOC audit from July 1, 2008 to December 31, 2008.

F. Environmental audits.

N/A **Notice of Intent Date: 10/20/2003 (263033) OUT OF 5 YEAR RANGE**

Disclosure Date: 12/07/2004

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 115, SubChapter B 115.136(a)(4)

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

N/A **Notice of Intent Date: 08/06/2004 (334038) OUT OF 5 YEAR RANGE**

Disclosure Date: 10/12/2004

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)

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

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

1 **Notice of Intent Date: 10/12/2004 (349555)**

No DOV Associated

2 **Notice of Intent Date: 11/11/2004 (349565)**

No DOV Associated

3 **Notice of Intent Date: 01/04/2005 (349867)**

Disclosure Date: 06/17/2005

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.320
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(d)(5)

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

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

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

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(a)(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)

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

Viol. Classification: Moderate

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

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

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.100
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)

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

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.320
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(l)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(f)(1)(ii)

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(6)

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

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)

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

Viol. Classification: Moderate

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

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

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

Disclosure Date: 03/23/2005

Viol. Classification: Moderate

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

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

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

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

Disclosure Date: 07/06/2005

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34
30 TAC Chapter 335, SubChapter C 335.69

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

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

No DOV Associated

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

Disclosure Date: 07/14/2005

Viol. Classification: Minor

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

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

Viol. Classification: Minor

Rqmt Prov: PERMIT Air New Source Permits

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)

Rqmt Prov: PERMIT Permit 9334 Special Condition 10D

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

11 **Notice of Intent Date: 04/15/2005 (380864)**

No DOV Associated

12 **Notice of Intent Date: 05/18/2005 (396476)**

No DOV Associated

13 **Notice of Intent Date: 08/22/2005 (434090)**

No DOV Associated

14 **Notice of Intent Date: 08/22/2005 (434095)**

No DOV Associated

15 **Notice of Intent Date: 11/04/2005 (438422)**

No DOV Associated

16 **Notice of Intent Date: 12/02/2005 (451075)**

No DOV Associated

17 **Notice of Intent Date: 01/05/2006 (452942)**

No DOV Associated

18 **Notice of Intent Date: 01/05/2006 (452952)**

No DOV Associated

19 **Notice of Intent Date: 05/22/2006 (454159)**

No DOV Associated

20 **Notice of Intent Date: 04/18/2007 (562595)**

No DOV Associated

21 **Notice of Intent Date: 08/03/2007 (593493)**

No DOV Associated

- 22 **Notice of Intent Date: 08/24/2007 (594238)**
 No DOV Associated
- 23 **Notice of Intent Date: 02/19/2008 (639389)**
 Disclosure Date: 08/18/2008
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(5)
 Rqmt Prov: PERMIT TPDES 00402
 Description: Failure to maintain sewer system integrity. Specifically, 3,550 liner feet of sewer in the oil water system
 were inspected, and 6 segments totaling 313 liner feet that contained defects requiring repairs.
- 24 **Notice of Intent Date: 04/08/2008 (654698)**
 No DOV Associated
- 25 **Notice of Intent Date: 04/18/2008 (654683)**
 No DOV Associated
- 26 **Notice of Intent Date: 05/23/2008 (682189)**
 Disclosure Date: 11/25/2008
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Rqmt Prov: PA TPDES 00402
 Description: Failure to comply with TPDES permit condition requirements. Specifically, 270 feet of sewer confined to
 six segments of the storm sewer contained defects and structural cracks that may affect the hydraulic integrity.
- 27 **Notice of Intent Date: 06/17/2008 (686667)**
 No DOV Associated
- 28 **Notice of Intent Date: 08/18/2008 (701440)**
 No DOV Associated
- G. Type of environmental management systems (EMSs).
 01/11/2008 01/10/2011 ENVIRONMENTAL MANAGEMENT SYSTEM NON 30 TAC CH 90 CERTIFIED
 N/A
- H. Voluntary on-site compliance assessment dates.
 N/A
- I. Participation in a voluntary pollution reduction program.
 N/A
- J. Early compliance.
 N/A
 Sites Outside of Texas
 N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	24-Aug-2009			
	PCW	16-Mar-2010	Screening	3-Sep-2009	EPA Due

RESPONDENT/FACILITY INFORMATION	
Respondent	Shell Oil Company
Reg. Ent. Ref. No.	RN100211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	38141	No. of Violations	1
Docket No.	2009-1300-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		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	\$2,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	400.0% Enhancement	Subtotals 2, 3, & 7	\$10,000
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Notes
Penalty enhanced due to 23 NOVs for same or similar violations, 40 NOVs for unrelated violations, four agreed orders containing a denial of liability, six agreed orders without denial of liability, and one court order. Penalty reduction due to an EMS, participation in a voluntary pollution reduction program, 26 notice of audits and seven disclosures submitted.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes
The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$250
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$81
Approx. Cost of Compliance \$4,500
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$12,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$12,250

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$10,000
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral not offered for non-expedited settlement.

PAYABLE PENALTY	\$10,000
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Screening Date 3-Sep-2009

Docket No. 2009-1300-AIR-E

PCW

Respondent Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No. 38141

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	23	115%
	Other written NOVs	40	80%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	6	150%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	26	-26%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	7	-14%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	Yes	-5%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 400%

>> **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 enhanced due to 23 NOVs for same or similar violations, 40 NOVs for unrelated violations, four agreed orders containing a denial of liability, six agreed orders without denial of liability, and one court order. Penalty reduction due to an EMS, participation in a voluntary pollution reduction program, 26 notice of audits and seven disclosures submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 400%

Screening Date 3-Sep-2009 **Docket No.** 2009-1300-AIR-E **PCW**
Respondent Shell Oil Company *Policy Revision 2 (September 2002)*
Case ID No. 38141 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN100211879
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b), and Air Permit No. 21262, Special Condition No. 1
Violation Description Failed to prevent unauthorized emissions. Specifically, 66.64 pounds ("lbs") of volatile organic compounds, 110.09 lbs of carbon monoxide, 25.54 lbs of hydrogen sulfide, 15.24 lbs of nitrogen oxide, 2.99 lbs of particulate matter, and 2,398.07 lbs of sulfur dioxide were released into the atmosphere due to the failure to prevent the plugging of the Coke Drum No. 3 overhead line causing the carryover of coke into the Coker Flare (Incident no. 122971). The emissions event occurred on April 17, 2009 and lasted one hour and 27 minutes. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm			Percent
	Major	Moderate	Minor	
	Actual	Potential	Potential	
	x			25%

>> Programmatic Matrix

	Major	Moderate	Minor	Percent
Falsification				
				0%

Matrix Notes Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 1 Number of violation days

<i>mark only one with an x</i>	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$2,500

One quarterly event is recommended based upon the emissions event that occurred on April 17, 2009.

Good Faith Efforts to Comply 10.0% Reduction \$250

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

Notes Corrective actions were completed on August 26, 2009, after the August 4, 2009 NOE but prior to the November 24, 2009 settlement offer.

Violation Subtotal \$2,250

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

Estimated EB Amount \$81 **Violation Final Penalty Total** \$12,250

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent Shell Oil Company
Case ID No. 38141
Reg. Ent. Reference No. RN100211879
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)	\$4,500	17-Apr-2009	26-Aug-2009	0.36	\$81	n/a	\$81

Notes for DELAYED costs

Estimated cost to implement measures designed to prevent the plugging of the Coke Drum No. 3 overhead line. 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

\$4,500

TOTAL

\$81

Compliance History Report

Customer/Respondent/Owner-Operator:	CN601542012	Shell Oil Company	Classification: AVERAGE	Rating: 2.97
Regulated Entity:	RN100211879	SHELL OIL DEER PARK	Classification: AVERAGE	Site Rating: 4.56
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER		HG0659W
	AIR OPERATING PERMITS	PERMIT		1669
	AIR OPERATING PERMITS	PERMIT		1668
	AIR OPERATING PERMITS	PERMIT		1943
	AIR OPERATING PERMITS	PERMIT		1945
	AIR OPERATING PERMITS	PERMIT		1946
	AIR OPERATING PERMITS	PERMIT		1947
	AIR OPERATING PERMITS	PERMIT		1948
	AIR OPERATING PERMITS	PERMIT		2108
	AIR OPERATING PERMITS	PERMIT		1940
	AIR OPERATING PERMITS	PERMIT		1942
	AIR OPERATING PERMITS	PERMIT		3179
	WASTEWATER	PERMIT		WQ0000402000
	WASTEWATER	PERMIT		TPDES0004863
	WASTEWATER	PERMIT		TX0004863
	WASTEWATER	PERMIT		WQ0000403000
	WASTEWATER	PERMIT		TPDES0004871
	WASTEWATER	EPA ID		TX0004871
	AIR NEW SOURCE PERMITS	PERMIT		21262
	AIR NEW SOURCE PERMITS	REGISTRATION		54895
	AIR NEW SOURCE PERMITS	REGISTRATION		55312
	AIR NEW SOURCE PERMITS	REGISTRATION		76382
	AIR NEW SOURCE PERMITS	REGISTRATION		75524
	AIR NEW SOURCE PERMITS	REGISTRATION		55730
	AIR NEW SOURCE PERMITS	REGISTRATION		55869
	AIR NEW SOURCE PERMITS	REGISTRATION		76315
	AIR NEW SOURCE PERMITS	PERMIT		7855
	AIR NEW SOURCE PERMITS	PERMIT		9856
	AIR NEW SOURCE PERMITS	PERMIT		11177
	AIR NEW SOURCE PERMITS	PERMIT		12152
	AIR NEW SOURCE PERMITS	PERMIT		12537
	AIR NEW SOURCE PERMITS	PERMIT		13373
	AIR NEW SOURCE PERMITS	PERMIT		13713
	AIR NEW SOURCE PERMITS	PERMIT		16429
	AIR NEW SOURCE PERMITS	PERMIT		1119
	AIR NEW SOURCE PERMITS	PERMIT		1120
	AIR NEW SOURCE PERMITS	PERMIT		3178
	AIR NEW SOURCE PERMITS	PERMIT		3179
	AIR NEW SOURCE PERMITS	PERMIT		3216
	AIR NEW SOURCE PERMITS	PERMIT		5801
	AIR NEW SOURCE PERMITS	PERMIT		6791
	AIR NEW SOURCE PERMITS	PERMIT		7621
	AIR NEW SOURCE PERMITS	PERMIT		9334
	AIR NEW SOURCE PERMITS	PERMIT		10888
	AIR NEW SOURCE PERMITS	PERMIT		11096
	AIR NEW SOURCE PERMITS	PERMIT		11586
	AIR NEW SOURCE PERMITS	PERMIT		12373
	AIR NEW SOURCE PERMITS	PERMIT		12829
	AIR NEW SOURCE PERMITS	PERMIT		13678
	AIR NEW SOURCE PERMITS	PERMIT		15961
	AIR NEW SOURCE PERMITS	PERMIT		8236
	AIR NEW SOURCE PERMITS	PERMIT		9505
	AIR NEW SOURCE PERMITS	PERMIT		15262
	AIR NEW SOURCE PERMITS	PERMIT		15365
	AIR NEW SOURCE PERMITS	PERMIT		15499
	AIR NEW SOURCE PERMITS	PERMIT		15940
	AIR NEW SOURCE PERMITS	PERMIT		18576
	AIR NEW SOURCE PERMITS	PERMIT		18768
	AIR NEW SOURCE PERMITS	PERMIT		19849
	AIR NEW SOURCE PERMITS	PERMIT		22038
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX815
	AIR NEW SOURCE PERMITS	PERMIT		24096
	AIR NEW SOURCE PERMITS	PERMIT		24874
	AIR NEW SOURCE PERMITS	PERMIT		26368
	AIR NEW SOURCE PERMITS	PERMIT		27598
	AIR NEW SOURCE PERMITS	PERMIT		29597
	AIR NEW SOURCE PERMITS	PERMIT		32282
	AIR NEW SOURCE PERMITS	PERMIT		33524
	AIR NEW SOURCE PERMITS	PERMIT		34230
	AIR NEW SOURCE PERMITS	PERMIT		34358
	AIR NEW SOURCE PERMITS	PERMIT		35243
	AIR NEW SOURCE PERMITS	PERMIT		35608
	AIR NEW SOURCE PERMITS	PERMIT		37206
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		HG0659W
	AIR NEW SOURCE PERMITS	AFS NUM		4820100039
	AIR NEW SOURCE PERMITS	PERMIT		266
	AIR NEW SOURCE PERMITS	PERMIT		747
	AIR NEW SOURCE PERMITS	PERMIT		748
	AIR NEW SOURCE PERMITS	PERMIT		920
	AIR NEW SOURCE PERMITS	PERMIT		1920
	AIR NEW SOURCE PERMITS	PERMIT		1968
	AIR NEW SOURCE PERMITS	PERMIT		2597
	AIR NEW SOURCE PERMITS	PERMIT		3173

AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4596
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	PERMIT	41920
AIR NEW SOURCE PERMITS	PERMIT	41875
AIR NEW SOURCE PERMITS	PERMIT	42221
AIR NEW SOURCE PERMITS	PERMIT	42573
AIR NEW SOURCE PERMITS	PERMIT	42512
AIR NEW SOURCE PERMITS	PERMIT	43605
AIR NEW SOURCE PERMITS	PERMIT	42118
AIR NEW SOURCE PERMITS	PERMIT	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	PERMIT	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	PERMIT	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	PERMIT	70903
AIR NEW SOURCE PERMITS	PERMIT	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	PERMIT	54061
AIR NEW SOURCE PERMITS	PERMIT	50548
AIR NEW SOURCE PERMITS	PERMIT	52565
AIR NEW SOURCE PERMITS	PERMIT	52089
AIR NEW SOURCE PERMITS	PERMIT	52088
AIR NEW SOURCE PERMITS	PERMIT	50388
AIR NEW SOURCE PERMITS	PERMIT	50423
AIR NEW SOURCE PERMITS	PERMIT	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	87183
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	87871
AIR NEW SOURCE PERMITS	REGISTRATION	87174
AIR NEW SOURCE PERMITS	REGISTRATION	84538
AIR NEW SOURCE PERMITS	REGISTRATION	87173
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

Location: 5900 HIGHWAY 225, DEER PARK, TX, 77536

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 20, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 20, 2004 to August 20, 2009

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

Name: Roshondra Lowe Phone: 767-3553

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 judgments, and consent decrees of the State of Texas and the federal government.

- 1 **Effective Date: 08/20/2005** **ADMINORDER 2004-0867-IHW-E**
Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter H 335.224(11)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(c)
Description: Failure to conduct compliance testing for the PHenol-3 BIF and submit recertification of compliance within three years of the previous certification.
Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter H 335.224(14)
Description: Failure to cease the burning of waste in the Phenol-3 BIF on October 12, 2003.
- 2 **Effective Date: 05/12/2006** **ADMINORDER 2005-1614-AIR-E**
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to report the December 25, 2004 emissions event within 24 hours of discovery.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No 3214, Gen Cond. No. 8 OP
Description: Failed to prevent unauthorized emissions of 241 lbs of 1, 3-Butadiene, 322 lbs of Butene, 1,299 lbs of Pentane, 2,182 lbs of Ethylene, 68 lbs of Benzene and 1,018 lbs of Propylene during a 10 hour and 30 minute emissions event that occurred on December 25, 2004 in the OP3 Unit.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: General Condition #8 PERMIT
Description: Failed to prevent unauthorized emissions of 686 lbs of 1, 3-Butadiene, 949 lbs of Butene, 1,299 lbs of Pentane, 4,059 lbs of Ethylene and 2,044 lbs of Propylene during a 23 minute emissions event that occurred on February 17, 2005 in the Olefins No. 3 Unit ("OP3").
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 3219, Max. Allow. Em. Rate Ta PERMIT
Description: Failed to prevent unauthorized emissions of 1847.7 lbs of Ethylene, 680.70 lbs of Carbon Monoxide, and 87.3 lbs of Nitrogen Monoxide during a 3-hour emissions event that occurred on February 24, 2005 at the Acetylene Converters in the Olefins #2 Unit.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 3219, Gen. Cond. No. 8 OP
Description: Failed to prevent unauthorized emissions of 404 lbs of volatile organic compounds ("VOC") in one hour on January 13, 2005 in the OP2 Unit Elevated Flare. Specifically, 868 lbs of VOCs were released and the VOC maximum allowable emission rate for the flare is 464 lbs per hour.
- 3 **Effective Date: 08/29/2006** **COURTORDER**
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201
Description: Shell caused, suffered, allowed the outdoor burning of low sulfur diesel fuel and heavy crude oil sludge in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201
Description: Shell caused, suffered, allowed the outdoor burning of natural gas in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

- 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 Rqmt Prov: mact rates PERMIT
 Description: Exceeded maximum allowable emission rates for hydrogen sulfide.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.4
 Description: Discharged approximately 327 pounds of unspciated VOC resulting in air contaminants in such concentration and duration so as to interfere with the normal use and enjoyment of property in the area.
- 4 **Effective Date: 08/15/2008** **ADMINORDER 2008-0079-AIR-E**
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: TCEQ Air Permit No. 3179, SC 6 PERMIT
 Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342., in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.
- 5 **Effective Date: 09/22/2008** **ADMINORDER 2007-1789-AIR-E**
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
 Description: Shell failed to prevent an avoidable emissions event.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
 Description: Failure to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter F 101.221(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to keep a flame present at a flare at all times.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
 Description: Failure to prevent unauthorized emissions.
- 6 **Effective Date: 09/22/2008** **ADMINORDER 2007-1472-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: No.1968, Special Condition #1, MAERT PERMIT
 Description: Shell failed to prevent an avoidable emissions event that resulted in the release of a large quantity of VOCs.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No.3214, Special Condition #1 PERMIT
 Description: failed to comply with permitted emissions limits.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to list the compound descriptive type for the emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 3219, Gen Condition 8 PERMIT
 Description: failed to comply with permitted emissions limits
- 7 **Effective Date: 11/06/2008** **ADMINORDER 2007-1218-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: Permit No.3173, Special Condition #1 PERMIT
 Description: Failure to install the metallurgically correct cap to a pump causing a leak to develop on a pump.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: No. 9334, Special Condition 1 PERMIT
 Description: Failed to prevent unauthorized emissions.
 Classification: Minor
 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 TCEQ Region Office of an emission event within 24 hours.
- 8 **Effective Date: 11/17/2008** **ADMINORDER 2008-0283-AIR-E**
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: NSR Permit 3219 and PST-TX-974, MAERT PERMIT
 Description: Failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: No. 21262, Special Condition #1 PERMIT
 Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 7,275 lbs of sulfur dioxide, 38.50 lbs of CO, 5.33 lbs of NOx, 77.30 lbs of H2S, 304.3 lbs of volatile organic compounds, and 0.70 lbs of particulate matter were released through the East Property Flare in the Catalytic Cracker Feed Hydrotreater Unit during an emissions event (Incident No. 99227) that occurred on October 24, 2007 and lasted one hour and 50 minutes.
- 9 **Effective Date: 12/04/2008** **ADMINORDER 2006-0328-MLM-E**
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT
 TCEQ Flex Air Permit 21262/PSDTX928, SC1 PERMIT
 Description: Shell failed to prevent the unauthorized release of air contaminants into the atmosphere.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
 5C THSC Chapter 382 382.085(b)
 Description: Shell failed to comply with emissions event reporting requirements.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: TCEQ Flexible Air Permit #21262, SC1 PERMIT
 Description: Shell failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: Permit No. 3219/PSD-TX-974, G.C. 8 PERMIT
 Description: Shell failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 3179, General Condition 8 PERMIT
 Description: Shell failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 5C THSC Chapter 382 382.085(b)
 Description: Shell failed to properly seal open-ended lines.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
 5C THSC Chapter 382 382.085(b)
 Description: Shell failed to monitor new valves which were put into service at the OP-3 unit on a monthly basis.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 21262, Special Condition 1 PERMIT
 Permit No. 3219, General Condition 8 PERMIT
 Description: Shell failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: No. 3219, General Condition 8 PERMIT
 Description: Shell failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 3219, General Condition 8 PERMIT
 Description: Shell failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 21262, SC #1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to submit an emissions event report within two weeks after the end of the event.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit 3179, General Condition 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 2162/PSDTX 928, S.C. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #21262, Special Condition #1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Major
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(3)(i)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)

Rqmt Prov: Permit 50099, Provision V.1.2.b. PERMIT
Description: Shell failed to comply with BIF operating parameters for the total ash feed rate, by not revising the data in the Distributed Control Systems for the correct level of ash being fed into the unit.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #21262, Special Condition #1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to identify the preconstruction authorization number in the final report submitted to the agency for the facility involved in the emissions event, which occurred on June 15, 2005, in the CCU.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. No. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 3219/ PSD-TX-974, G.C. 8 PERMIT
Description: Shell failed to comply with the permitted emission limits.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 3173, Special Condition 13 PERMIT
Description: Shell failed to comply with the permitted emission limits.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)

5C THSC Chapter 382 382.085(b)

Description: Shell failed to submit an initial notification of an emissions event within the 24-hour period for the emissions event that occurred on June 28, 2006 at Tank T-75A.

Classification: Moderate

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

Rqmt Prov: Permit No.3178, Special Condition No.1 PERMIT

Description: Shell failed to comply with the permitted emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT

Description: Shell failed to prevent an unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)
30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: TCEQ Flexible Air Permit No. 21262, SC1 PERMIT

Description: Shell failed to prevent an avoidable emissions event.

10. **Effective Date: 02/08/2009** **ADMINORDER 2007-0837-AIR-E**

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that started on December 5, 2005.

Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a PI-7 Form within 10 days following modification of the three storage tanks.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC #2 PERMIT

Description: Failed to comply with the 20 ppm HAP limit for Spent Air Incinerator H9200.

Classification: Moderate

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

Rqmt Prov: FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC#1 PERMIT

Description: Failed to comply with the 9.0 lbs/hr acetone emissions limit for Spent Air Incinerator H9200.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to comply with the 20 ppm VOC emissions limit for Spent Air Incinerator H9200.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC #21E PERMIT

Description: Failed to maintain a cap, plug, or blind flange on all open-ended lines.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC #21H PERMIT

Description: Failed to maintain a leaking component tag on leaking components until the component is repaired.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
 Description: Failed to make a first attempt to repair a leaking component within five days after discovery.
 Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.144(1)(E)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, General Terms & Conditions OP
 Description: Failed to maintain all required monitoring analysis data.
 Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
 FOP #O-01945, ST&C #21 OP
 NSR Permit #3179, SC #14 PERMIT
 Description: Failed to perform continuous monitoring of the flare pilot flame.
 Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945 General Termns & Conditions OP
 Description: Failed to submit an annual compliance certification and deviation report within 30 days after the reporting period.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: No.3219 and PSD-TX-974, MAERT PERMIT
 Description: Failed to prevent unauthorized emissions during a December 14, 2006 emissions event.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: No.3219, MAERT PERMIT
 PSD-TX-974 PERMIT
 Description: Failed to prevent unauthorized emissions during a February 1, 2007 emissions event.

11. **Effective Date: 06/15/2009 ADMINORDER 2008-1621-AIR-E**

Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT
 Description: Failure to prevent the shutdown of the compressor.
 Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01669, General Terms & Conditions OP
 Description: Failure to submit the annual Permit Compliance Certification within 30 days of the end of the certification period.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	08/23/2004	(352012)	20	12/15/2004	(340217)	39	04/29/2005	(344372)	58	08/05/2005	(341201)
2	08/24/2004	(352003)	21	12/20/2004	(352016)	40	05/09/2005	(378729)	59	08/15/2005	(453221)
3	08/24/2004	(352005)	22	12/27/2004	(352009)	41	05/18/2005	(575182)	60	08/16/2005	(404327)
4	08/31/2004	(267451)	23	12/30/2004	(344374)	42	06/20/2005	(575185)	61	08/16/2005	(404329)
5	08/31/2004	(268068)	24	12/30/2004	(344491)	43	06/21/2005	(419641)	62	08/18/2005	(404406)
6	08/31/2004	(292677)	25	01/06/2005	(344370)	44	06/21/2005	(419643)	63	08/22/2005	(400922)
7	09/07/2004	(292099)	26	01/06/2005	(344373)	45	07/13/2005	(374690)	64	08/22/2005	(575191)
8	09/22/2004	(352013)	27	01/10/2005	(279219)	46	07/18/2005	(379933)	65	08/23/2005	(401945)
9	10/04/2004	(352006)	28	01/20/2005	(381814)	47	07/18/2005	(379934)	66	08/23/2005	(404915)
10	10/18/2004	(335028)	29	01/24/2005	(381811)	48	07/18/2005	(575188)	67	08/25/2005	(405926)
11	10/20/2004	(352007)	30	02/22/2005	(350798)	49	07/20/2005	(400891)	68	08/30/2005	(401403)
12	10/20/2004	(352014)	31	02/22/2005	(381812)	50	07/21/2005	(400399)	69	09/23/2005	(440775)
13	11/11/2004	(289756)	32	03/22/2005	(381813)	51	07/28/2005	(379300)	70	09/23/2005	(440776)
14	11/22/2004	(352015)	33	03/23/2005	(381809)	52	08/02/2005	(400361)	71	09/27/2005	(575193)
15	11/23/2004	(352008)	34	03/28/2005	(381810)	53	08/03/2005	(399624)	72	09/28/2005	(431096)
16	11/29/2004	(339553)	35	04/01/2005	(346780)	54	08/05/2005	(341194)	73	10/04/2005	(405964)
17	12/05/2004	(268602)	36	04/22/2005	(419640)	55	08/05/2005	(341195)	74	10/05/2005	(406803)
18	12/11/2004	(341292)	37	04/22/2005	(419642)	56	08/05/2005	(341198)	75	10/05/2005	(407310)
19	12/14/2004	(341177)	38	04/22/2005	(575179)	57	08/05/2005	(341200)	76	10/05/2005	(431095)

77	10/05/2005	(431097)	153	07/24/2006	(575189)	229	06/25/2007	(564308)	305	07/21/2008	(750222)
78	10/10/2005	(406428)	154	07/26/2006	(487301)	230	06/27/2007	(564822)	306	07/23/2008	(683726)
79	10/24/2005	(468331)	155	07/27/2006	(486448)	231	06/27/2007	(564828)	307	07/24/2008	(682501)
80	10/24/2005	(575195)	156	07/31/2006	(482753)	232	07/06/2007	(565610)	308	07/24/2008	(685354)
81	10/26/2005	(433389)	157	08/08/2006	(482747)	233	07/10/2007	(565422)	309	08/14/2008	(686729)
82	10/28/2005	(405406)	158	08/14/2006	(480383)	234	07/20/2007	(575172)	310	08/19/2008	(689497)
83	11/03/2005	(431819)	159	08/18/2006	(457259)	235	07/20/2007	(575173)	311	08/20/2008	(685355)
84	11/04/2005	(431796)	160	08/22/2006	(575192)	236	07/23/2007	(575178)	312	08/20/2008	(710691)
85	11/04/2005	(431865)	161	08/23/2006	(457432)	237	07/23/2007	(575190)	313	08/22/2008	(699629)
86	11/14/2005	(371956)	162	08/25/2006	(510170)	238	08/01/2007	(567841)	314	08/25/2008	(750223)
87	11/23/2005	(575197)	163	08/28/2006	(479997)	239	08/13/2007	(571026)	315	08/31/2008	(637068)
88	11/28/2005	(468332)	164	08/29/2006	(479999)	240	08/14/2007	(567884)	316	08/31/2008	(637076)
89	12/08/2005	(418800)	165	08/29/2006	(509957)	241	08/15/2007	(571883)	317	09/05/2008	(700024)
90	12/16/2005	(451110)	166	08/30/2006	(509636)	242	08/17/2007	(571025)	318	09/10/2008	(702237)
91	12/21/2005	(575199)	167	08/31/2006	(457283)	243	08/22/2007	(607528)	319	09/10/2008	(702256)
92	12/22/2005	(575200)	168	09/22/2006	(575194)	244	09/18/2007	(571877)	320	09/19/2008	(710692)
93	12/27/2005	(468333)	169	09/25/2006	(520134)	245	09/20/2007	(601572)	321	09/22/2008	(750224)
94	01/24/2006	(451885)	170	09/29/2006	(487313)	246	09/24/2007	(607529)	322	10/09/2008	(703510)
95	01/24/2006	(468334)	171	10/04/2006	(510017)	247	10/12/2007	(560777)	323	10/16/2008	(704306)
96	01/24/2006	(575201)	172	10/04/2006	(512388)	248	10/16/2007	(593594)	324	10/16/2008	(710693)
97	02/16/2006	(454090)	173	10/05/2006	(510021)	249	10/18/2007	(601573)	325	10/22/2008	(750226)
98	02/21/2006	(455170)	174	10/05/2006	(512392)	250	10/23/2007	(750225)	326	10/23/2008	(682549)
99	02/21/2006	(575174)	175	10/05/2006	(512393)	251	10/25/2007	(596852)	327	10/27/2008	(706455)
100	02/23/2006	(455872)	176	10/13/2006	(510023)	252	11/06/2007	(565492)	328	10/27/2008	(706540)
101	02/23/2006	(455897)	177	10/23/2006	(575196)	253	11/06/2007	(593367)	329	11/03/2008	(700060)
102	02/24/2006	(438342)	178	10/24/2006	(544406)	254	11/19/2007	(750227)	330	11/03/2008	(701753)
103	02/24/2006	(468329)	179	10/26/2006	(512394)	255	11/20/2007	(619483)	331	11/19/2008	(727450)
104	02/25/2006	(456944)	180	10/27/2006	(515112)	256	11/30/2007	(601276)	332	11/24/2008	(684019)
105	02/25/2006	(457085)	181	10/31/2006	(343595)	257	11/30/2007	(608138)	333	11/24/2008	(750228)
106	02/27/2006	(456661)	182	10/31/2006	(509694)	258	12/20/2007	(610419)	334	12/04/2008	(709362)
107	02/27/2006	(457162)	183	11/06/2006	(515706)	259	12/20/2007	(619484)	335	12/04/2008	(709367)
108	02/28/2006	(457143)	184	11/16/2006	(512687)	260	01/03/2008	(750229)	336	12/12/2008	(721015)
109	02/28/2006	(457152)	185	11/16/2006	(514711)	261	01/17/2008	(600635)	337	12/18/2008	(727451)
110	03/03/2006	(455540)	186	11/21/2006	(517284)	262	01/17/2008	(619485)	338	12/22/2008	(750230)
111	03/09/2006	(457675)	187	11/22/2006	(575198)	263	01/22/2008	(613355)	339	12/29/2008	(722320)
112	03/17/2006	(451544)	188	11/27/2006	(544407)	264	01/22/2008	(750231)	340	12/30/2008	(705857)
113	03/20/2006	(431859)	189	12/07/2006	(487985)	265	02/01/2008	(607448)	341	01/09/2009	(723179)
114	03/20/2006	(571632)	190	12/07/2006	(488004)	266	02/01/2008	(613923)	342	01/15/2009	(707647)
115	03/21/2006	(575176)	191	12/07/2006	(488023)	267	02/01/2008	(615075)	343	01/20/2009	(708950)
116	03/23/2006	(290016)	192	12/07/2006	(488025)	268	02/05/2008	(610680)	344	01/20/2009	(727452)
117	03/23/2006	(468330)	193	12/21/2006	(534053)	269	02/13/2008	(616505)	345	01/23/2009	(750232)
118	03/28/2006	(405965)	194	12/27/2006	(544408)	270	02/14/2008	(616503)	346	02/09/2009	(709972)
119	04/03/2006	(455004)	195	12/27/2006	(544409)	271	02/19/2008	(671990)	347	02/18/2009	(735789)
120	04/21/2006	(575180)	196	01/19/2007	(531892)	272	02/25/2008	(750215)	348	02/19/2009	(750212)
121	04/24/2006	(449499)	197	01/22/2007	(575202)	273	02/28/2008	(637020)	349	02/20/2009	(723069)
122	04/24/2006	(498125)	198	01/31/2007	(537439)	274	03/24/2008	(638443)	350	02/25/2009	(750216)
123	04/26/2006	(455005)	199	01/31/2007	(538238)	275	03/24/2008	(750218)	351	03/10/2009	(722825)
124	04/27/2006	(440023)	200	01/31/2007	(538659)	276	03/28/2008	(600448)	352	03/19/2009	(750213)
125	04/28/2006	(462216)	201	02/17/2007	(532455)	277	03/31/2008	(610634)	353	03/23/2009	(750217)
126	05/10/2006	(266908)	202	02/22/2007	(575167)	278	04/09/2008	(610636)	354	04/02/2009	(722827)
127	05/10/2006	(268067)	203	02/22/2007	(575175)	279	04/11/2008	(610638)	355	04/17/2009	(737361)
128	05/12/2006	(461088)	204	02/23/2007	(532452)	280	04/11/2008	(637073)	356	04/17/2009	(740668)
129	05/17/2006	(461235)	205	02/23/2007	(532463)	281	04/17/2008	(671992)	357	04/20/2009	(750214)
130	05/17/2006	(466235)	206	02/27/2007	(532471)	282	04/21/2008	(639674)	358	04/30/2009	(744066)
131	05/22/2006	(498126)	207	03/01/2007	(509707)	283	04/21/2008	(750219)	359	05/11/2009	(741959)
132	05/22/2006	(575183)	208	03/05/2007	(406521)	284	04/22/2008	(653495)	360	05/13/2009	(737311)
133	05/26/2006	(460095)	209	03/21/2007	(575177)	285	04/24/2008	(671991)	361	05/13/2009	(742834)
134	05/26/2006	(460156)	210	03/23/2007	(575168)	286	05/20/2008	(654015)	362	05/14/2009	(742134)
135	05/26/2006	(460174)	211	04/12/2007	(554202)	287	05/20/2008	(654943)	363	05/28/2009	(726407)
136	05/26/2006	(460637)	212	04/19/2007	(575169)	288	05/20/2008	(689907)	364	06/01/2009	(742131)
137	05/30/2006	(459416)	213	04/23/2007	(575181)	289	05/22/2008	(750220)	365	06/08/2009	(737950)
138	05/30/2006	(460198)	214	04/25/2007	(532459)	290	05/23/2008	(637956)	366	06/08/2009	(741940)
139	05/31/2006	(455293)	215	04/25/2007	(542681)	291	05/23/2008	(638051)	367	07/09/2009	(759379)
140	06/12/2006	(455296)	216	04/30/2007	(542592)	292	06/01/2008	(640777)	368	07/10/2009	(737104)
141	06/13/2006	(457735)	217	04/30/2007	(542683)	293	06/06/2008	(654842)	369	07/23/2009	(747258)
142	06/14/2006	(480612)	218	05/07/2007	(537121)	294	06/10/2008	(671393)	370	08/04/2009	(741963)
143	06/15/2006	(449850)	219	05/08/2007	(542690)	295	06/17/2008	(682693)	371	08/04/2009	(742135)
144	06/16/2006	(575186)	220	05/14/2007	(542697)	296	06/18/2008	(683279)	372	08/12/2009	(764686)
145	06/20/2006	(498127)	221	05/16/2007	(575170)	297	06/20/2008	(689908)	373	08/12/2009	(764845)
146	06/30/2006	(463111)	222	05/18/2007	(542652)	298	06/23/2008	(750221)	374	08/12/2009	(765197)
147	06/30/2006	(466561)	223	05/22/2007	(575184)	299	06/27/2008	(659663)	375	08/12/2009	(765199)
148	07/10/2006	(482757)	224	05/29/2007	(559183)	300	06/30/2008	(600450)	376	08/13/2009	(760336)
149	07/11/2006	(482407)	225	05/30/2007	(560809)	301	07/11/2008	(685564)	377	08/18/2009	(737105)
150	07/11/2006	(482755)	226	06/20/2007	(575171)	302	07/17/2008	(656863)	378	08/19/2009	(766023)
151	07/11/2006	(482760)	227	06/22/2007	(575187)	303	07/17/2008	(686593)			
152	07/24/2006	(520133)	228	06/25/2007	(563779)	304	07/17/2008	(689909)			

E.	Written notices of violations (NOV). (CCEDS Inv. Track. No.)		
1	Date: 08/31/2004 (267451)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) No. 21262 and PSD-TX-928 PERMIT		
	Description: Failure to prevent unauthorized emissions.		
2	Date: 09/22/2004 (335028)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)		
	Description: Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.		
3	Date: 09/30/2004 (352007)	CN601542012	
	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		
4	Date: 11/30/2004 (352009)	CN601542012	
	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		
5	Date: 12/14/2004 (340217)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(4) 30 TAC Chapter 305, SubChapter F 305.125(5) TWC Chapter 26 26.121(a)(1)		
	Description: Failure to prevent the unauthorized discharge of untreated or partially treated process, sanitary, balast, and utility wastewaters through outfall 008. The permittee is authorized to discharge storm water and fire water only to outfall 008.		
6	Date: 12/30/2004 (344491)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Permit #21262/PSD-TX-928, SC#1 PA		
	Description: Failure to control emissions.		
7	Date: 12/30/2004 (344374)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Permit #:21262,PSD-TX-928, SC #1 PA		
	Description: Failure to Control Emissions		
8	Date: 03/31/2005 (419640)	CN601542012	
	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		
9	Date: 04/29/2005 (344372)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.110(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description: Failure to control emissions.		
10	Date: 05/31/2005 (575185)	CN601542012	
	Self Report? YES		Classification: Moderate
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description: Failure to meet the limit for one or more permit parameter		
11	Date: 07/31/2005 (419643)	CN601542012	
	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		

12	Date: 07/31/2005 (575191)	CN601542012	
	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		
13	Date: 08/17/2005 (404327)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
	Description: Failure to maintain ammonia emissions below 10ppm on furnace 110.		
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
	Description: Failure to maintain ammonia emissions below 10ppm on furnace 150.		
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)		
	Description: Failure to maintain ammonia emissions below 10ppm on furnace 180.		
14	Date: 09/30/2005 (468331)	CN601542012	
	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		
15	Date: 10/10/2005 (406428)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description: Failure to control emissions.		
16	Date: 11/30/2005 (575199)	CN601542012	
	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		
17	Date: 12/08/2005 (418800)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to maintain compliance with the effluent permit limits. Effluent violations were reported for ammonia-nitrogen at outfall 104 in 07/05 and for calcium, nickel and fecal coliform at outfall 001 in 03/05.		
18	Date: 02/27/2006 (438342)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description: Failed to control unauthorized emissions.		
19	Date: 04/04/2006 (455004)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) NSR Permit #3173, Special Condition #1 PA		
	Description: Failure to control unauthorized emissions for Incident #64365.		
20	Date: 05/17/2006 (461235)	CN601542012	
	Self Report? NO		Classification: Moderate
	Citation: 1946, Special Condition 15H OP 1946, Special Condition 1A OP 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA		
	Self Report? NO		Classification: Minor
	Citation: 1668, Special Condition 1A OP 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.		
	Self Report? NO		Classification: Moderate
	Citation: 1668, Special Condition 1A OP		

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Conditions 5 and 6 PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions .

Self Report? NO Classification: Minor

Citation: 1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Condition 6E PERMIT
3218, Special Condition 8E PERMIT
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Nine OELs in HT2; 2 OELs in CIPX

Self Report? NO Classification: Minor

Citation: 18576, Special Condition 7E PERMIT
1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to seal 18 OELs in IRU.

Self Report? NO Classification: Minor

Citation: 1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3217, Special Condition 3E PERMIT
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)

Description: Failure to seal OELs in BD3.

Self Report? NO Classification: Moderate

Citation: 1946, Special Condition 21 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Condition 1 PERMIT
3216, Special Condition 5 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.

Self Report? NO Classification: Moderate

Citation: 1946, Special Condition 21 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Conditions 1 and 4 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.

21 Date: 05/31/2006 (455293) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
No. 3219 and PSD-TX-974 MAERT PERMIT

Description: Failure to prevent an operator error resulting in unauthorized emissions.

22 Date: 06/15/2006 (457735) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
9334 MAERT PERMIT

23 Description: Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.
Date: 06/16/2006 (510170) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Self-reporting Requirements PERMIT

24 Description: Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.
Date: 06/30/2006 (520133) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)

25 Description: Failure to meet the limit for one or more permit parameter
Date: 07/31/2006 (440775) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)

26 Description: Failure to meet the limit for one or more permit parameter
Date: 07/31/2006 (575192) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)

27 Description: Failure to meet the limit for one or more permit parameter
Date: 08/18/2006 (457259) CN601542012
Self Report? NO Classification: Minor
Citation: 266, SC 7E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3985A, SC 7E PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-01947, Special Condition 13 OP
O-01947, Special Condition 1A OP

28 Description: 3 OELs in SITEFE and 1 OEL in WRACKFE
Date: 08/23/2006 (457432) CN601542012
Self Report? NO Classification: Minor
Citation: 1948, Special Condition 1A OP
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.
Self Report? NO Classification: Minor
Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
19849, Special Condition 11E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: 10 OELs in MPLANTFE
Self Report? NO Classification: Minor
Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
1968, Special Condition 3E PERMIT
19849, Special Condition 11E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 6E PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFEE; 1 OEL in HPLANTFE
Self Report? NO Classification: Minor
Citation: 1948, Special Condition 13 OP

1948, Special Condition 1A OP
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 6F PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

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

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 13 OP
19849, Special Condition 7D PERMIT
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)

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

Self Report? NO Classification: Moderate

Citation: 1948, Special Condition 13 OP
30 TAC Chapter 106, SubChapter K 106.261(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 1 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

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

Self Report? NO Classification: Moderate

Citation: 1948, Special Condition 1H(iv) OP
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 1A OP
30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

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

Date: 08/28/2006 (479997) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Condition 2I PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1H(v) OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Condition 2E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: Forty-nine incidences of open-ended lines in OP2FUG

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3214, Special Condition 5E PERMIT
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: 26 OELs in OL3FUG and 4 OELs in PYR3FUG

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3214, Special Condition 5E PERMIT
 3219, Special Condition 2E PERMIT
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1668, Special Condition 15 OP
 O-1668, Special Condition 1A OP
 Description: 28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, Maximum Allowable Emission Rates PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1668, Special Condition 15 OP
 Description: Exceedance of VOC MAER in tpy for the Olefins Flare System
 Date: 08/29/2006 (479999) CN601542012

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 15E PERMIT
 O-1943, Special Condition 17 OP
 O-1943, Special Condition 1A OP
 Description: One OEL in ACUFUG and one OEL in FUGOXU

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 7 PERMIT
 O-1943, Special Condition 17 OP
 Description: Incomplete records of furnace firing rates for the ACU furnace, EPN H902

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1943, Special Condition 1A OP
 Description: Failure to conduct internal inspection of Tank F-361 by the due date of May 2005

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 8 PERMIT
 O-1943, Special Condition 17 OP
 Description: Operation of the East Property Flare with visible emissions

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to visually inspect Tank G-359 by the due date of August 16, 2005

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 10D PERMIT
 O-1943, Special Condition 17 OP
 Description: Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

9334, Special Condition 10D PERMIT
O-1943, Special Condition 17 OP
O-1943, Special Condition 1A OP

31 Description: Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.
Date: 08/31/2006 (457283) CN601542012
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
48912, Special Condition 5 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 15 OP

Description: Failure to analyze wastewater for isobutyraldehyde
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP

Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP

Description: Failure to obtain vapor pressure sample from T-1318
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP

32 Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301
Date: 11/14/2006 (512687) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01669, Special Condition #1A OP

Description: Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)(ii).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01669, Special Condition #1A OP
FOP #O-01669, Special Condition #1D OP

Description: Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

33 Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).
Date: 11/30/2006 (544408) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)

34 Description: Failure to meet the limit for one or more permit parameter
Date: 12/31/2006 (544409) CN601542012
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

Self Report? NO Classification: Minor

- Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
- 30 TAC Chapter 115, SubChapter H 115.782(a)
- 30 TAC Chapter 116, SubChapter B 116.115(c)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
- 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
- 5C THC Chapter 382, SubChapter A 382.085(b)
- FOP O-01946, Special Condition 1A OP
- FOP O-01946, Special Condition 1M(iv) OP
- FOP O-01946, Special Condition 21 OP
- NSR #18576, Special Condition 7H PA
- NSR #3216, Special Condition 6H PA
- NSR #3217, Special Condition 3H PA

Description: Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).

Self Report? NO Classification: Minor

- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
- 5C THC Chapter 382, SubChapter A 382.085(b)
- FOP # O-01946, Special Condition 1A OP
- FOP #O-01946, Special Condition 21 OP
- NSR 3216, Special Condition 2 PA
- NSR 3218, Special Condition 2 PA

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

Self Report? NO Classification: Minor

- Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
- 30 TAC Chapter 115, SubChapter H 115.783(5)
- 30 TAC Chapter 116, SubChapter B 116.115(c)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
- 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
- 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
- 5C THC Chapter 382, SubChapter A 382.085(b)
- FOP O-01946, Special Condition 1A OP
- FOP O-01946, Special Condition 1M(iv) OP
- FOP O-01946, Special Condition 21 OP
- NSR Permit 3215, Special Condition 2E PA
- NSR Permit 3216, Special Condition 2 PA
- NSR Permit 3216, Special Condition 6E PA
- NSR Permit 3217, Special Condition 3E PA
- NSR Permit 3218, Special Condition 2 PA
- NSR Permit 3218, Special Condition 8E PA

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

Self Report? NO Classification: Minor

- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 5C THC Chapter 382, SubChapter A 382.085(b)
- FOP O-01946, Special Condition 21 OP
- NSR Permit 3216, Special Condition 5 PA

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

Self Report? NO Classification: Minor

- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
- 30 TAC Chapter 122, SubChapter B 122.143(4)
- 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
- 5C THC Chapter 382, SubChapter A 382.085(b)
- FOP O-01946, Special Condition 1A OP
- FOP O-01946, Special Condition 21 OP
- NSR Permit 3219, Special Condition 4 PA

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

Self Report? NO Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 21 OP
 NSR Permit 3216, Special Condition 1 PA
 Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 1M(ii) OP
 Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 1M(ii) OP
 Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 1A OP
 Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 28 OP
 Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).
 Date: 02/27/2007 (532471) CN601542012
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01947, General Terms & Conditions OP
 Description: Failure to submit PCC within 30 days as required.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01947, General Terms & Conditions OP
 Description: Failure to submit a Deviation report within 30 days as required.
 Date: 02/28/2007 (575168) CN601542012
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2007 (575177) CN601542012
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 03/31/2007 (575169) CN601542012
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 04/30/2007 (575170) CN601542012
 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

41 Date: 05/14/2007 (542697) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.

42 Date: 05/31/2007 (575171) CN601542012
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

43 Date: 05/31/2007 (575187) CN601542012
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

44 Date: 06/30/2007 (575172) CN601542012
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

45 Date: 07/31/2007 (575173) CN601542012
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

46 Date: 08/29/2007 (543555) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01669, General Terms/Condition OP
Description: failed to submit a permit compliance certification and a deviation report in a timely manner.

47 Date: 08/31/2007 (601572) CN601542012
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

48 Date: 09/30/2007 (601573) CN601542012
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

49 Date: 02/05/2008 (610680) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7H PERMIT
NSR 3217, Special Condition 3H PERMIT
O-01946 Special Conditions 1M(iv) OP
O-01946 Special Conditions 1A OP
Description: Failure to affix and maintain leaking component tags on Leak Detection and Repair components.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 2 PERMIT
NSR 3218, Special Condition 2 PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 21 OP

Description: Failure to affix permanent identification tags on 76 LDAR components.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7E PERMIT
NSR 3216, Special Condition 6E PERMIT
NSR 3217, Special Condition 3E PERMIT
NSR 3218, Special Condition 8E PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 1M(iv) OP
O-01946 Special Condition 21 OP

Description: Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a second valve. (CATEGORY C10 violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

Description: Failure to stay below the maximum operating limit for vents in HRVOC service.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

Description: Failure to meet HRVOC monitoring/recordkeeping requirements.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 11C PERMIT
O-01946 Special Condition 21 OP

Description: Failure to continuously monitor and record the H2S concentration on the fuel gas on analyzer AI104 at the OP-2 fuel blend drum.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 21 OP
Special Condition 11B PERMIT

Description: Failure to continuously monitor the Gross Heating Value (GHV) measurement of the fuel gas.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 5 PERMIT
O-01946 Special Condition 21 OP

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

Date: 04/01/2008 (610634) CN601542012
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(E) PERMIT
NSR 3214, SC 6(E) PERMIT
NSR 3219, SC 2(E) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP

O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP

Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(H) PERMIT
NSR 3214, SC 6(H) PERMIT
NSR 3219, SC 2(H) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP

Description: Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(v) OP

Description: Failure to repair valve 76372A within 7 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 56496, GC 8 PERMIT
NSR 56496, SC 1 PERMIT
O-01668, SC 15(A) OP

Description: Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx) and FOL-710 (22 block hrs for 25 lbs excess NOx).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 56496, SC 5 PERMIT
O-01668, SC 15(A) OP

Description: Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(A) OP

Description: Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(iv) OP

Description: Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
NSR 3219, SC 16 PERMIT

NSR 3219, SC 5 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 15(A) OP

Description: Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP

Description: Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15(B) OP

Description: Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(A) OP

Description: Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.

Date: 04/09/2008 (639062) CN601542012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 3 PERMIT
NSR 3173, SC 8(D) PERMIT
NSR 3985A, SC 8(D) PERMIT
NSR19849, SC 7(D) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 13(A) OP

Description: Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 1968, SC 3(E) PERMIT
NSR 19849, SC 11(E) PERMIT
NSR 19849, SC 13 PERMIT

NSR 19849, SC 14 PERMIT
NSR 3173, SC 6(E) PERMIT
O-01948, 13(A) OP
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP

Description: Failure to seal open-ended lines.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 6(I) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

Description: Failure to repair connector 702527 in IPACRUFE (in HRVOC service) within 15 days
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 6(H) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

Description: Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8hours for the HIPA flare and the A&S flare.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(iii) OP

Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.

Date: 04/11/2008 (637073) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(iii) OP

Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01947, SC 1(H)(ii) OP
 Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.
 Date: 04/11/2008 (610638) CN601542012

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

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

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

54 Date: 05/31/2008 (689908) CN601542012
 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

55 Date: 06/30/2008 (689909) CN601542012
 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

56 Date: 08/20/2008 (685355) CN601542012
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
 Provision II.C.1.i. PERMIT
 Description: Failure to have an up-to-date Notice of Registration for waste streams and waste management units.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
 30 TAC Chapter 335, SubChapter E 335.112(a)
 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)
 40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.15
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174
 Provision II.D PERMIT
 Description: Failure to complete required inspections.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.173(a)(3)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)
 Provision V.G.4.g PERMIT
 Description: Failure to maintain leachate levels below twelve inches in Site 104 Landfill.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(12)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.303(c)(1)
 Provision V.G.4.h PERMIT
 Description: Failure to record the amount of leachate being removed from the landfill.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(4)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73(b)(9)

Provision II.B.9 PERMIT

Description: Failure to have an Annual Waste Minimization Statement.
 Date: 09/02/2008 (637076) CN601542012
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the Annual Compliance Certification (ACC) report for the certification period April 15, 2006 through October 15, 2007 within 30 days.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007 within 30 days.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 21 OP
 NSR 3179, GC 1 PERMIT

Description: Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 21(A) OP
 NSR 3179, GC 1 PERMIT
 NSR 3179, SC 10 PERMIT

Description: Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP
 NSR 3179, SC 2 PERMIT

Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007 at 1700.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 21(A) OP
 NSR 3179, SC 13 PERMIT

Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
 5C THSC Chapter 382 382.085(b)

Description: Failure to include in the Federal Operating Permit, vent gas stream collection vessel V8342.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(H)(ii) OP

Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP

Description: Failure to prevent an exceedance of 100 annual operating hours for P87921
 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP
 FOP O-01945, SC 21(A) OP
 NSR 3179, SC 2 PERMIT

Description: Failure to conduct monthly inspections for car-sealed bypasses to the
 atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and
 V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP
 FOP O-01945, SC 21(A) OP
 NSR 3179, SC 20E PERMIT
 NSR 3179, SC 21E PERMIT
 NSR 3179, SC 3(B) PERMIT

Description: Failure to prevent four open-ended lines: Tag No. 4501333.P in Phenol 2 from November 13, 2006 at 0000 to
 November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007
 at 0000 to February 22, 2007 at 0000.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP
 FOP O-01945, SC 21(A) OP
 NSR 3179, SC 21(H) PERMIT

Description: Failure to tag the following components: Tag No. 322769 in Phenol 3 on February
 8, 2007, and tag no. 950522 in Phenol 3 on March 21, 2007, which constitutes
 the violation of NSR Permit 3179 SC 21H, 30 TAC 115.354(5), and 40 CFR 63.181(b)(10).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 115, SubChapter H 115.725(l)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(H)(iii) OP

Description: Failure to prevent a greater than 5% downtime for the East Property Flare CMS (HRVOC analyzer) for CY 2006.

Date: 09/30/2008 (710693) CN601542012

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: 04/17/2009 (737361) CN601542012

Self Report? NO Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

Description: Failure to prevent the unauthorized discharge of untreated or partially treated wastewater. Foam and solids overflowed
 the North Effluent Treater (NET) aeration basin walls on January 8, 2009. Also, untreated or partially treated wastewater leaked from the
 temporary transfer line that was transporting wastewater from the Storm Water Impoundment Basin (SWIB) to the South Effluent Treater (SET).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(9)

Description: Failure to submit a non-compliance notification for the unauthorized discharge of untreated or partially treated wastewater
 and foam from the aeration basins at the North Effluent Treaters.

60 Date: 04/17/2009 (740668) CN601542012
Self Report? NO Classification: Major
Citation: 2A TWC Chapter 5, SubChapter A 5.502
30 TAC Chapter 305, SubChapter F 305.125(7)
30 TAC Chapter 305, SubChapter F 305.125(8)
Description: Failure to notify the Texas Commission on Environmental Quality (TCEQ) of the intent and commencement of discharge of wastewater from the Shell Refinery to the Shell Chemical plant.

61 Date: 07/14/2009 (737104) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
9334, SC 11H PERMIT
O-01943, SC 17 OP
Description: Failure to tag leaking components.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 1A OP
Description: Failure to operate a flare CEM for at least 95 percent of the total operating time in a year.

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 Part 60, Subpart A 60.18(c)(4)(i)
5C THSC Chapter 382 382.085(b)
9334, SC 5 PERMIT
O-01943, SC 17 OP
Description: Failed to maintain flare inlet heat content and exit velocity per 40 CFR 60 requirements.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
9334, SC 11E PERMIT
O-01943, SC 17 OP
Description: Failure to plug/cap all open ended lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 1A OP
Description: Failure to continuously monitor a pressure relief valve for HRVOC.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.117(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 17 OP
Description: Failure to register two Permit by Rules that require registration.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3178, SC 1 PERMIT
5C THSC Chapter 382 382.085(b)
O-01943, SC 17 OP
Description: Failure to store VOC in proper storage tanks.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to comply with the sitewide hourly HROVC limit.

Date: 07/24/2009 (747258)

CN601542012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 1E PERMIT
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP

Description: Failure to plug/cap all open ended lines in VOC and HRVOC services (Category C10, minor violation).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 1H PERMIT
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP

Description: Failure to tag leaking components in VOC and HRVOC services.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, GC 8 PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP

Description: Failure to keep pound per hour carbon monoxide emissions from the furnaces within the limit specified in the MAERT.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
 5C THSC Chapter 382 382.085(b)

Description: Failure to comply with carbon monoxide 24 hour concentration limits in the stacks.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
 5C THSC Chapter 382 382.085(b)

Description: Failure to keep the monitoring parameters within the maximum operating limit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 11 PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP

Description: Failure to comply with the individual pound NOx/MMBtu limits for furnaces in Olefins 2 Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 12H PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP

Description: Failure to comply with the rolling 12 month throughput limit for a storage tank.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to collect required sample from a cooling tower.

Date: 08/18/2009 (737105)

CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
 5C THSC Chapter 382 382.085(b)

Description: Shell Chemicals LP failed to revise Title V Federal Operating Permit O-02108 to incorporate references in NSR permit 48912. (FOP O-02108; NSR 48912)

Self Report? NO Classification: Moderate

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

Description: failed to report missed recordkeeping of pilot monitoring of A&S from July 31, 2008 through December 31, 2008 in a timely manner. (FOP O-02108)

F. Environmental audits.

N/A **Notice of Intent Date:** 10/20/2003 (263033) OUT OF 5 YEAR RANGE
 Disclosure Date: 12/07/2004
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
 30 TAC Chapter 115, SubChapter B 115.136(a)(4)
 Description: records not available for daily sampling/analysis results for vapor pressure of the wastewater streams processed by the unit's API separator

N/A **Notice of Intent Date:** 08/06/2004 (334038) OUT OF 5 YEAR RANGE
 Disclosure Date: 10/12/2004
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(5)
 Rqmt Prov: PERMIT Compliance b. Operational Requirements 1
 PERMIT General b.
 Description: noncompliance with requirement to maintain all facilities and systems of treatment and control (and related appurtenances)

N/A **Notice of Intent Date:** 08/06/2004 (334047) OUT OF 5 YEAR RANGE
 Disclosure Date: 08/26/2004
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.3(b)(2)
 30 TAC Chapter 335, SubChapter A 335.1(59)
 Description: Failure to characterize a process water stream from a leaking economizer, which contained K022 waste.
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11(b)
 30 TAC Chapter 335, SubChapter R 335.504
 30 TAC Chapter 335, SubChapter R 335.511
 30 TAC Chapter 335, SubChapter R 335.513
 30 TAC Chapter 335, SubChapter C 335.62
 Description: Failure to characterize wastewater treatment plant residues carrying the K022 waste code.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter A 335.2(b)
 Description: Improper disposal of K022 WWTP residual solids at a Class 1 non-hazardous waste landfill.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter D 305.62
 Description: Failure to amend RCRA permit to reflect management of K022 waste.
 Viol. Classification: Moderate
 Rqmt Prov: PERMIT 1. General b.
 Description: discharge of process water to storm water impoundment basins

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

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

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

4 **Notice of Intent Date:** 01/04/2005 (349867)
 Disclosure Date: 06/17/2005
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.320
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(d)(5)
 Description: documentation was not readily available to fully demonstrate that a formal refinery maximum achievable control technology applicability determination (ie >5% HAPS) had been made for equipment in light crude service
 Viol. Classification: Minor
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)
 Description: one New Source Performance Standard (NSPS) notification for Start of Construction and Start of Operation for the CGHT unit could not be located
 Viol. Classification: Minor
 Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(a)(3)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(b)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)
 Description: documentation was not readily available to fully demonstrate that the process to determine if a project triggered NSPS "Modification" was being completed for NSPS Subpart GGG compliance
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)
 30 TAC Chapter 101, SubChapter A 101.10(c)
 30 TAC Chapter 101, SubChapter A 101.10(d)
 30 TAC Chapter 101, SubChapter A 101.10(e)
 40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30(a)
 Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.100
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)
 Description: documentation was not readily available to demonstrate the development of a formal startup, shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual report was submitted
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 113, SubChapter C 113.320
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(l)(3)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(f)(1)(ii)

Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability determination for miscellaneous process vents
Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.110
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(6)
Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no leaks were detected, it is unclear whether there was complete compliance with HON requirements
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)
Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not been performed as required by benzene waste NESHAP regulations
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(b)
Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access hatches and other openings are properly closed and gasketed had not been performed as required by the benzene waste NESHAP regulations

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

6 **Notice of Intent Date: 01/27/2005 (350721)**
Disclosure Date: 03/23/2005
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.105(d)
Description: failed to meet requirements for maintenance/start-up/shutdown related activities
Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.110
Description: incorporation by reference of 40 CFR 63 Subpart F (SOCMI MACT standard)
Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
Description: incorporation by reference of 40 CFR 63 Sub. G (SOCMI for Process Vents, Storage Vessels, Transfer Operations, and Wastewater MACT standard)

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

8 **Notice of Intent Date: 08/22/2005 (434090)**
No DOV Associated

9 **Notice of Intent Date: 08/22/2005 (434095)**
No DOV Associated

10 **Notice of Intent Date: 11/04/2005 (438422)**
No DOV Associated

11 **Notice of Intent Date: 12/02/2005 (451075)**
No DOV Associated

12 **Notice of Intent Date: 01/05/2006 (452942)**
No DOV Associated

13 **Notice of Intent Date: 01/05/2006 (452952)**
No DOV Associated

14 **Notice of Intent Date: 05/22/2006 (454159)**
No DOV Associated

15 **Notice of Intent Date: 04/18/2007 (562595)**
No DOV Associated

16 **Notice of Intent Date: 08/03/2007 (593493)**
No DOV Associated

17 **Notice of Intent Date: 08/24/2007 (594238)**
No DOV Associated

18 **Notice of Intent Date: 09/24/2007 (596731)**
Disclosure Date: 03/25/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT 00402
Description: Failure to maintain the storm water sewer line integrity.

19 **Notice of Intent Date: 10/16/2007 (599701)**
No DOV Associated

20 **Notice of Intent Date: 10/15/2007 (599713)**
No DOV Associated

21 **Notice of Intent Date: 01/11/2008 (616239)**
Disclosure Date: 07/16/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT 00402
Description: Failure to maintain sewer system integrity.

22 **Notice of Intent Date: 04/08/2008 (654698)**
No DOV Associated

23 **Notice of Intent Date: 04/18/2008 (654683)**
No DOV Associated

24 **Notice of Intent Date: 06/17/2008 (686667)**
No DOV Associated

25 **Notice of Intent Date:** 08/18/2008 (701440)

No DOV Associated

26 **Notice of Intent Date:** 09/08/2008 (704658)

No DOV Associated

G. Type of environmental management systems (EMSs).

01/11/2008

01/10/2011

ENVIRONMENTAL MANAGEMENT SYSTEM

NON 30 TAC CH 90 CERTIFIED

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

Type

CLEAN TEXAS PROGRAM

Tier

Certification Date

12/20/2004

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2009-1300-AIR-E**

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality (“Commission” or “TCEQ”) considered this agreement of the parties, resolving an enforcement action regarding Shell Chemical LP (“SCLP”) and Shell Oil Company (“SOC”) (collectively referenced as “Respondents”), under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondents appear before the Commission and together stipulate that:

1. SOC operates a petroleum refinery owned by Deer Park Refining Limited Partnership and SCLP owns and operates a chemical plant located at 5900 Highway 225, Deer Park, Harris County, Texas (the “Plant”). The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and TCEQ rules.
3. The Commission and Respondents agree that the Commission has jurisdiction to enter this Agreed Order, and that Respondents are subject to the Commission's jurisdiction.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Respondents of any violation alleged in Section II (“Allegations”), nor of any statute or rule.
5. An administrative penalty in the amount of forty-one thousand five hundred seventy dollars (\$41,570.00) for the violations documented May 14, 2009 through May 27, 2009 (PCW 1), and an administrative penalty in the amount of ten thousand dollars (\$10,000.00) for the violations documented on June 18, 2009 (PCW 2) - for a total administrative penalty of

fifty-one thousand five hundred seventy dollars (\$51,570.00) - is assessed against Respondents by the Commission in settlement of the violations alleged in Section II. Pursuant to TEX. WATER CODE § 7.067, twenty-five thousand seven hundred eighty-five dollars (\$25,785.00) of the administrative penalty shall be conditionally offset by Respondents' completion of a Supplemental Environmental Project (SEP) as defined in Attachment A, incorporated herein by reference. Respondents' obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement. Respondents paid twenty-five thousand seven hundred eighty-five dollars (\$25,785.00) of the administrative penalty.

6. 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.
7. The Executive Director of the TCEQ and Respondents agree on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director recognizes that Respondents implemented the following corrective measures at the Plant:
 - a. To address the emissions event that occurred on April 24, 2009 (Incident No. 123383):
 - i. On July 31, 2009, provided additional training to the Plant's maintenance coordinator regarding proper maintenance practices; and
 - ii. Presented causal analysis information and maintenance requirements regarding Multi-Cable transits to Plant personnel and Control Systems contract personnel during a Departmental Safety Stand Down meeting on October 26, 2009.
 - b. To address the minimum heating value events that occurred from January 1, 2008 through June 30, 2008, and the net heating value and exit velocity events that occurred from July 1, 2008 through December 31, 2008, initiated a project to meet the minimum and net heating value and exit velocity requirements for the Houston Isopropyl Alcohol ("HIPA") and A&S Flare.
 - c. To address the recordkeeping event that occurred from April 21, 2008 through December 31, 2008, implemented procedures for maintaining records by training personnel and repairing the recording instruments.

- d. To address the emissions event that occurred on April 17, 2009 (Incident No. 122971):
 - i. On June 25, 2009, generated a notification in the Systems, Applications and Products (“SAP”) Data Processing system to have Heater 2 pass flow meters checked, calibrated, and repaired;
 - ii. On August 20, 2009, entered maintenance plan numbers into SAP to improve operational practices by requiring annual preventative maintenance to be performed on the pass flow transmitters for all three Coker heaters; and
 - iii. On August 26, 2009, configured the modal alarm to activate after a set time period has elapsed once the 74' level is reached to prevent plugging of overhead lines and coke carryover.
9. 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 Respondents have not complied with one or more of the terms or conditions in this Agreed Order.
10. 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.
11. 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

1. During investigations conducted on May 14, 2009 and May 27, 2009, TCEQ Houston Regional Office investigators documented that SCLP violated:
 - a. 30 TEX. ADMIN. CODE § 116.115(c); TEX. HEALTH & SAFETY CODE § 382.085(b); and Air Permit No. 3219, Special Condition (“SC”) No. 1, by failing to prevent unauthorized emissions. Specifically, 1,326 pounds (“lbs”) of carbon monoxide (“CO”), 96 lbs of nitrogen oxides (“NOx”), and 798 lbs of volatile organic compounds (“VOCs”) were released into the atmosphere due to the failure to reseal the Remote Instrumentation Enclosure building wall during maintenance activities which allowed water intrusion into the Distributive Controller System during a rain event (Incident No. 123383). The emissions event occurred on April 24, 2009 and lasted six hours. This emissions event was determined by the TCEQ to be avoidable by better maintenance practices;

- b. 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii); TEX. HEALTH & SAFETY CODE § 382.085(b); Federal Operating Permit (“FOP”) No. O-2108, Special Terms and Conditions (“STC”) Nos. 1A and 15; Air Permit No. 19849, SC No. 2A; Air Permit No. 18576, SC No. 4A; Air Permit No. 1968, SC No. 2; Air Permit No. 3173, SC No. 4; and Air Permit No. 3179, SC No. 14, by failing to maintain minimum heating value at the HIPA and A&S Flares. Specifically, the heating value for the HIPA averaged 240 British thermal units per standard cubic feet (“Btu/scf”) and the A&S Flare averaged 176 Btu/scf from January 1, 2008 through June 30, 2008; therefore both were below the minimum required heating value of 300 Btu/scf. No unauthorized emissions were documented as a result of these violations;
 - c. 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); 40 CFR §§ 60.18(c)(3) and 63.11(b)(6); TEX. HEALTH & SAFETY CODE § 382.085(b); FOP No. O-2108, STC Nos. 1A and 15; Air Permit No. 19849, SC No. 26; and Air Permit No. 18576, SC No. 4A, by failing to meet the net heating value and exit velocity at the A&S Flare. Specifically, the net heating value for the A&S Flare averaged 94 Btu/scf from July 1, 2008 through December 31, 2008, which was below the minimum required net heating value of 300 Btu/scf, and the exit velocity averaged 63.83 feet per second (“ft/sc”), which was below the required minimum of 210 ft/sc. No unauthorized emissions were documented as a result of these violations; and
 - d. 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4); 40 CFR §§ 60.18(c)(2) and 63.11(b)(5); TEX. HEALTH & SAFETY CODE § 382.085(b); FOP No. O-2108, STC Nos. 1A and 15; Air Permit No. 1968, SC No. 2; Air Permit No. 18576, SC No. 4B; and Air Permit No. 19849, SC No. 2B, by failing to maintain records of the pilot monitoring data at the A&S Flare from April 21, 2008 through December 31, 2008.
2. During an investigation conducted on June 18, 2009, TCEQ Houston Regional Office investigators documented that SOC violated 30 TEX. ADMIN. CODE § 116.715(a); TEX. HEALTH & SAFETY CODE § 382.085(b); and Air Permit No. 21262, SC No. 1, by failing to prevent unauthorized emissions. Specifically, 66.64 lbs of VOCs, 110.09 lbs of CO, 25.54 lbs of hydrogen sulfide (H₂S), 15.24 lbs of NO_x, 2.99 lbs of particulate matter (PM), and 2,398.07 lbs of sulfur dioxide (SO₂) were released into the atmosphere due to the failure to prevent the plugging of the Coke Drum No. 3 overhead line causing the carryover of coke into the Coker Flare (Incident No. 122971). The emissions event occurred on April 17, 2009, and lasted one hour and 27 minutes. This emissions event was determined by the TCEQ to be avoidable by better operational practices.
3. Respondents received notice of the violations alleged in Section II, paragraphs 1.b. through 1.d. on or about August 23, 2009. Respondents received notice of the violations alleged in Section II, Paragraphs 1.a. and 2 on or about August 9, 2009.

III. DENIALS

Respondents generally deny each allegation in Section II (“Allegations”).

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Respondents pay an administrative penalty as set forth in Section I, Paragraph 5, above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Respondents’ compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to “Texas Commission on Environmental Quality” and shall be sent with the notation “Re: Shell Chemical LP and Shell Oil Company, Docket No. 2009-1300-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. Respondents shall implement and complete a Supplemental Environmental Project (“SEP”) in accordance with TEX. WATER CODE § 7.067 and as set forth in Section I, Paragraph 5, above. Twenty-five thousand seven hundred eighty-five dollars (\$25,785) of the assessed administrative penalty shall be offset with the condition that Respondents implement and complete the SEP pursuant to the terms of the SEP as defined in Attachment A, incorporated herein by reference. Respondents’ obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon Respondents. Respondents are ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. This Agreed Order, issued by the Commission, shall not be admissible against Respondents in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission’s jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

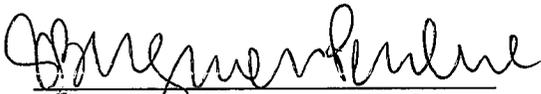
5. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

6. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of this Agreed Order to Respondents, or three days after the date on which the Commission mails notice of this Agreed Order to Respondents, 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

9/15/2010

Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity 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 in this order and/or failure to timely pay the penalty amount, may result in:

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

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

Signature

AMIR FARID

Name (Printed or typed)

Authorized representative of Shell Chemical LP

Date

June 3 2010

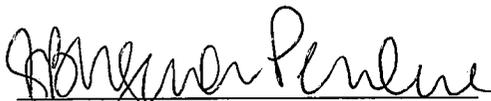
GENERAL MGR

Title

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

9/15/2010

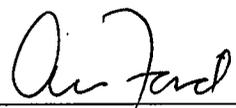
Date

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

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

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



Signature

JUN 3 2010

Date

AMIR FARID

Name (Printed or typed)
Authorized representative of Shell Oil Company

GENERAL MGR

Title

Attachment A
Docket Number: 2009-1300-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents: Shell Chemical LP and Shell Oil Company

Penalty Amount: Fifty-one thousand five hundred seventy dollars (\$51,570)

SEP Offset Amount: Twenty-five thousand seven hundred eighty-five dollars (\$25,785)

Type of SEP: Pre-approved

Third-Party Recipient: **Houston Regional Monitoring Corporation** – *HRMC Houston Area Air Monitoring*

Location of SEP: Harris County

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

1. Project Description

A. Project

The Respondents shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to **Houston Regional Monitoring Corporation** for the *HRMC Houston Area Air Monitoring* to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used to supplement existing operation of a network of ambient air monitoring stations (designated HRM Sites 1, 3, 4, 7, 8, 10, Wallisville, and Lynchburg Ferry) that continuously measure and record concentrations of ambient air pollutants. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondents certify that they have no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing data from the network which may be used to evaluate the effectiveness of current emission control strategies, track ambient concentration trends for key pollutants of interest, evaluate episodic emission events, conduct source attribution studies, and assess potential community exposure to toxic air contaminants. The SEP will provide collection of near real-time volatile organic compound (“VOC”), nitrogen oxides (“NO_x”), ozone (“O₃”), and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur, and to assess potential ambient community exposure to a limited number of air pollutants. Data from these monitors may also be publicly accessible through the TCEQ website and may be used in evaluating air quality in the area, including ozone forecasts, and ozone warnings. The public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness and indirectly benefit by providing data useful in addressing Houston’s ozone non-attainment status.

C. Minimum Expenditure

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondents must contribute the SEP Offset Amount to the Third-Party Recipient. The Respondents shall make the check payable to “Houston Regional Monitoring Corporation” and mail a copy of the Agreed Order with the contribution check to:

Houston Regional Monitoring Corporation
c/o Christopher B. Amandes
Vinson & Elkins LLP First City Tower
1001 Fannin Street, Suite 2500
Houston, Texas 77002-6760

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

In the event of incomplete performance, the Respondents shall include on the check the docket number of this Agreed Order and a note that it is for reimbursement of a SEP. The Respondents shall make the payment for the amount due to “Texas Commission on Environmental Quality” and mail it to:

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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