

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2010-0821-AIR-E **TCEQ ID:** RN102323268 **CASE NO.:** 39727
RESPONDENT NAME: Enterprise Products Operating LLC

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Enterprise Mont Belvieu Complex, 10207 Farm-to-Market 1942, Mont Belvieu, Chambers County</p> <p>TYPE OF OPERATION: Chemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is one additional pending enforcement action, Docket Number 2001-1465-AIR-E, regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on November 8, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Ms. Nadia Hameed, Enforcement Division, Enforcement Team 5, MC R-12, (713) 767-3629; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. James D. Gernentz, Vice President, Houston Region Operations, Enterprise Products Operating LLC, 10207 Farm-to-Market 1942, Mont Belvieu, Texas 77580 Mr. Edward Laszcz, Senior Environmental Scientist, Enterprise Products Operating LLC, 10207 Farm-to-Market 1942, Mont Belvieu, Texas 77580 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: February 9, 2010</p> <p>Date of NOV/NOE Relating to this Case: May 11, 2010 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>1) Failure to adequately report emissions event Incident No. 135653. Specifically, the report did not include the volatile organic compounds (VOCs) including the 592 pounds (lbs) of butenes that were released in the incident on February 9, 2010, and the Respondent incorrectly reported the duration of the event as 15 minutes [30 TEX. ADMIN. CODE § 101.201(b)(1)(F) and (G), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, 100 percent opacity and 2,146.82 lbs of VOCs were released when the Respondent failed to prevent the shutdown of a Howden refrigeration compressor, resulting in an emissions event which began on February 9, 2010, and lasted for 33 minutes (Incident No. 135653). Since the emissions event was avoidable by better operations practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 116.115(c) and 101.20(3), Air Permit No. 20698 and PSD-TX-797M1, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$7,296</p> <p>Total Deferred: \$1,459 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$2,918</p> <p>Total Paid to General Revenue: \$2,919</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a) On March 15, 2010, completed the addition of insulation and heat tracing to the compressor oil control system and replaced existing potentiometers with new linear transmitters for the slide valve positioning systems; and</p> <p>b) On May 20, 2010, completed personnel training to ensure that the duration of all events and all released emissions are correctly documented in the emissions event reports.</p> <p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP) (See Attachment A).</p> <p>2) The Order will also require the Respondent to:</p> <p>a) Within 30 days after the effective date of this Agreed Order, complete proposed improvements to the electronic communication system, changes to the piping and inlet strainers of the compressor oil pumps and operator training (Incident No. 135653); and</p> <p>b) Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p>

Additional ID No(s): CI0008R

Attachment A
Docket Number: 2010-0821-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Enterprise Products Operating LLC

Payable Penalty Amount: Five Thousand Eight Hundred Thirty-Seven Dollars
(\$5,837)

SEP Amount: Two Thousand Nine Hundred Eighteen Dollars
(\$2,918)

Type of SEP: Pre-approved

Third-Party Recipient: Barbers Hill Independent School District-Alternative
Fueled Vehicle and Equipment Program

Location of SEP: Chambers 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 Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Barbers Hill Independent School District** for the **Alternative Fueled Vehicle and Equipment Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP funds will only be used for the incremental costs of purchase of clean fuel or lower-emission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

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

2. Performance Schedule

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

John Johnson
Carl Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 101
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

DATES	Assigned	17-May-2010	Screening	20-May-2010	EPA Due	
	PCW	21-Jun-2010				

RESPONDENT/FACILITY INFORMATION	
Respondent	Enterprise Products Operating LLC
Reg. Ent. Ref. No.	RN102323268
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	39727	No. of Violations	2
Docket No.	2010-0821-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Nadia Hameed
		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	\$2,600
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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	-181.0% Enhancement	Subtotals 2, 3, & 7	\$4,706
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Notes: Penalty enhancement due to two 1660 agreed orders, one findings order, 13 same or similar NOV's and 26 dissimilar NOV's. Penalty reduction for one Notice of Audit.

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	\$10
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Economic Benefit	0.0% Enhancement	Subtotal 6	\$0
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Total EB Amounts \$1,330
 Approx. Cost of Compliance \$85,275
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$7,296
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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	\$7,296
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$7,296
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DEFERRAL	20.0% Reduction	Adjustment	-\$1,459
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$5,837
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Screening Date 20-May-2010

Docket No. 2010-0821-AIR-E

PCW

Respondent: Enterprise Products Operating LLC

Policy Revision 2 (September 2002)

Case ID No. 39727

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102323268

Media [Statute]: Air

Enf. Coordinator: Nadia Hameed

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	13	65%
	Other written NOVs	26	52%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	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	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 181%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to two 1660 agreed orders, one findings order, 13 same or similar NOVs and 26 dissimilar NOVs. Penalty reduction for one Notice of Audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 181%

Screening Date 20-May-2010

Docket No. 2010-0821-AIR-E

PCW

Respondent Enterprise Products Operating LLC

Policy Revision 2 (September 2002)

Case ID No: 39727

PCW Revision October 30, 2008

Reg. Ent. Reference No: RN102323268

Media [Statute] Air

Enf. Coordinator Nacla Hameed

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 101.201(b)(1)(F) and (G), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to adequately report emissions event Incident No. 135653. Specifically, the report did not include the volatile organic compounds ("VOC") including the 592 pounds ("lbs") of butenes that were released in the incident on February 9, 2010; and the Respondent incorrectly reported the duration of the event as 15 minutes.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
				X	
At least 70% of the rule requirement was met.					

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1 Number of violation days 100

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$100

One single event is recommended based upon the one report with missing information.

Good Faith Efforts to Comply

10.0% Reduction

\$10

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

Notes The Respondent completed the corrective actions on May 20, 2010, after the May 11, 2010 NOE.

Violation Subtotal \$90

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$130

Violation Final Penalty Total \$271

This violation Final Assessed Penalty (adjusted for limits) \$271

Economic Benefit Worksheet

Respondent: Enterprise Products Operating LLC

Case ID No.: 39727

Reg. Ent. Reference No.: RN102323268

Media: Air

Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

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

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$9,475	9-Feb-2010	20-May-2010	0.27	\$130	n/a	\$130
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for training to ensure that all released emissions and durations are documented correctly in the emissions event reports. The date required is based on the date of the emissions event. The final date is the date the 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

\$9,475

TOTAL

\$130

Screening Date 20-May-2010

Docket No: 2010-0821-AIR-E

PCW

Respondent Enterprise Products Operating LLC

Policy Revision 2 (September 2002)

Case ID No: 39727

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102323268

Media [Statute] Air

Enf. Coordinator Nadia Hameed

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 116.116(e) and 101.20(3), Air Permit No. 20698 and PSD-TX-797M1, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, 100 percent opacity and 2,146.82 lbs of VOCs were released when the Respondent failed to prevent the shutdown of a Howden refrigeration compressor, resulting in an emissions event which began on February 9, 2010, and lasted for 33 minutes (Incident No. 135653). Since the emissions event was avoidable by better operations practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to an insignificant amount of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

Number of violation days 1

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,201

Violation Final Penalty Total \$7,025

This violation Final Assessed Penalty (adjusted for limits) \$7,025

Economic Benefit Worksheet

Respondent: Enterprise Products Operating LLC

Case ID No.: 39727

Reg. Ent. Reference No.: RN102323268

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
<small>No commas or \$</small>							

Delayed Costs

Equipment	\$60,000	9-Feb-2010	15-Mar-2010	0.09	\$19	\$373	\$391
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$15,000	9-Feb-2010	7-Nov-2010	0.74	\$37	\$742	\$780
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	\$800	9-Feb-2010	7-Nov-2010	0.74	\$30	n/a	\$30
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated costs for adding insulation and heat tracing to the compressor oil control system and replacing existing potentiometers with new linear transmitters for the slide valve positioning systems. (Completed March 15, 2010). Improvements to the electronic communication system, changes to the piping and inlet strainers of the compressor oil pumps and operator training are to be completed. The date required is based on the date of the emissions event. The final date is the date the corrective actions were completed or are expected to be 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

\$75,800

TOTAL

\$1,201

Compliance History Report

Customer/Respondent/Owner-Operator:	CN603211277 Enterprise Products Operating LLC	Classification: AVERAGE	Rating: 2.21
Regulated Entity:	RN102323268 ENTERPRISE MONT BELVIEU COMPLEX	Classification: AVERAGE	Site Rating: 3.74

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	CI0008R
	AIR OPERATING PERMITS	PERMIT	1641
	WASTEWATER	PERMIT	WQ0002940000
	WASTEWATER	EPA ID	TX0102326
	WASTEWATER	PERMIT	TX0102326
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXT490013455
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	31038
	AIR NEW SOURCE PERMITS	AFS NUM	4807100007
	AIR NEW SOURCE PERMITS	PERMIT	20698
	AIR NEW SOURCE PERMITS	REGISTRATION	52923
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	CI0008R
	AIR NEW SOURCE PERMITS	PERMIT	76070
	AIR NEW SOURCE PERMITS	PERMIT	22105
	AIR NEW SOURCE PERMITS	PERMIT	5581
	AIR NEW SOURCE PERMITS	PERMIT	22113
	AIR NEW SOURCE PERMITS	PERMIT	8418
	AIR NEW SOURCE PERMITS	REGISTRATION	71200
	AIR NEW SOURCE PERMITS	PERMIT	6798
	AIR NEW SOURCE PERMITS	PERMIT	8707
	AIR NEW SOURCE PERMITS	PERMIT	21945
	AIR NEW SOURCE PERMITS	REGISTRATION	53906
	AIR NEW SOURCE PERMITS	REGISTRATION	71649
	AIR NEW SOURCE PERMITS	PERMIT	19930
	AIR NEW SOURCE PERMITS	REGISTRATION	72757
	AIR NEW SOURCE PERMITS	REGISTRATION	5581A
	AIR NEW SOURCE PERMITS	PERMIT	22114
	AIR NEW SOURCE PERMITS	REGISTRATION	74173
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX655
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX790
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX790M1
	AIR NEW SOURCE PERMITS	REGISTRATION	76748
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX1057
	AIR NEW SOURCE PERMITS	REGISTRATION	81083
	AIR NEW SOURCE PERMITS	REGISTRATION	77678

AIR NEW SOURCE PERMITS	REGISTRATION	85755
AIR NEW SOURCE PERMITS	REGISTRATION	82841
AIR NEW SOURCE PERMITS	REGISTRATION	82781
AIR NEW SOURCE PERMITS	REGISTRATION	85477
AIR NEW SOURCE PERMITS	PERMIT	22112
AIR NEW SOURCE PERMITS	REGISTRATION	87477
STORMWATER	PERMIT	TXR05N205
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	CI0008R

Location: 10207 FM 1942, MONT BELVIEU, TX, 77580

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 19, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 19, 2004 to May 19, 2010

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

Name: NHameed Phone: 713-767-3629

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator? Enterprise Products Operating LLC
4. If Yes, who was/were the prior owner(s)/operator(s) ? Enterprise Products Operating L.P.
5. When did the change(s) in owner or operator occur? 02/08/2010
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.

Effective Date: 04/14/2006

ADMINORDER 2005-1700-IWD-E

Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

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

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(17)

Rqmt Prov: Self-reporting Requirements PERMIT

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

Effective Date: 06/26/2006

ADMINORDER 2005-1905-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to operate within permitted limits of Air New Source Permit 20698. The permitted limits were exceeded during a 45 minute period of time on March 19, 2005, with the following quantities: 164 lbs NOx, 328 lbs CO, and 1,135 lbs VOC.

Classification: Moderate

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

Rqmt Prov: 5581, Special Condition 1 PERMIT

Description: Failed to operate within permitted limits of Air New Source Permit 5581. Zero emissions are authorized from the tank loading operations. Unauthorized emissions of propane (11,452 lbs) were released over a 35 minute period of time on March 17, 2005.

Effective Date: 11/06/2008

ADMINORDER 2007-1162-AIR-E

Classification: Moderate

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

Rqmt Prov: NSR Permit 8707 Application Representati PERMIT

Description: Enterprise Products failed to maintain an emission rate below permit application representations of 1.12 lbs/hr of VOCs.

Classification: Moderate

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

Rqmt Prov: NSR Permit No. 6798 PERMIT

Description: Enterprise Products failed to maintain an emission rate below permit application representations of 1.61 lbs/hr of VOCs.

Classification: Moderate

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

Rqmt Prov: No. 5581, Special Condition No.1 PERMIT

NSR Permit No. 5581, Application Reps. PERMIT

Description: Enterprise Products failed to maintain an emission rate below permitted limits of 0.13 lbs/hr.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	06/15/2004	(321909)
2	07/16/2004	(363741)
3	07/28/2004	(259348)
4	08/13/2004	(363742)
5	08/16/2004	(276568)
6	08/24/2004	(261813)
7	08/30/2004	(263323)
8	08/31/2004	(262939)

9	09/01/2004	(291455)
10	09/01/2004	(291456)
11	09/01/2004	(291458)
12	09/01/2004	(291459)
13	09/15/2004	(363743)
14	10/18/2004	(335651)
15	10/18/2004	(363744)
16	11/11/2004	(293110)
17	11/18/2004	(388438)
18	11/23/2004	(333675)
19	12/08/2004	(335601)
20	12/08/2004	(335607)
21	12/20/2004	(335988)
22	12/20/2004	(388439)
23	12/22/2004	(338693)
24	12/28/2004	(272929)
25	01/10/2005	(335726)
26	01/19/2005	(336836)
27	01/20/2005	(388440)
28	01/21/2005	(388437)
29	01/27/2005	(338686)
30	02/17/2005	(425974)
31	03/04/2005	(373231)
32	03/09/2005	(371969)
33	04/20/2005	(425975)
34	04/27/2005	(378279)
35	05/20/2005	(425976)
36	05/20/2005	(425978)
37	06/15/2005	(425977)
38	08/08/2005	(347080)
39	08/15/2005	(446434)
40	08/23/2005	(401567)
41	08/24/2005	(405600)
42	09/07/2005	(398220)
43	09/20/2005	(431813)
44	09/21/2005	(446435)
45	10/21/2005	(479023)
46	10/28/2005	(402500)
47	10/28/2005	(407251)
48	11/21/2005	(479024)
49	11/22/2005	(434765)
50	12/13/2005	(436839)
51	12/21/2005	(479025)
52	01/23/2006	(479026)
53	01/27/2006	(439438)
54	02/22/2006	(455821)
55	02/22/2006	(479021)
56	02/28/2006	(457011)
57	03/22/2006	(479022)
58	03/31/2006	(457413)
59	04/24/2006	(504942)
60	04/25/2006	(451705)
61	05/17/2006	(457411)
62	05/22/2006	(457385)
63	05/22/2006	(504943)
64	05/22/2006	(504945)
65	05/24/2006	(463583)
66	05/26/2006	(461877)
67	05/31/2006	(480085)

68	06/21/2006	(504944)
69	08/07/2006	(485623)
70	08/16/2006	(457875)
71	08/17/2006	(497263)
72	08/17/2006	(527245)
73	08/18/2006	(484206)
74	09/01/2006	(484311)
75	09/01/2006	(485408)
76	09/22/2006	(527246)
77	10/23/2006	(551048)
78	11/29/2006	(518496)
79	12/04/2006	(551049)
80	12/22/2006	(551050)
81	12/29/2006	(534612)
82	12/29/2006	(534764)
83	01/18/2007	(512452)
84	01/23/2007	(587602)
85	01/25/2007	(509021)
86	02/22/2007	(587597)
87	03/22/2007	(543615)
88	03/22/2007	(543728)
89	03/23/2007	(587598)
90	04/24/2007	(587599)
91	05/04/2007	(531851)
92	05/11/2007	(560142)
93	05/15/2007	(560429)
94	05/21/2007	(587600)
95	06/22/2007	(587601)
96	06/28/2007	(563807)
97	07/05/2007	(510264)
98	07/23/2007	(605099)
99	07/27/2007	(567461)
100	08/09/2007	(571640)
101	08/20/2007	(605100)
102	09/14/2007	(570542)
103	09/26/2007	(605101)
104	10/04/2007	(572683)
105	10/23/2007	(628181)
106	11/28/2007	(628182)
107	12/20/2007	(628183)
108	01/24/2008	(676346)
109	01/25/2008	(615942)
110	02/22/2008	(694741)
111	03/13/2008	(726401)
112	03/24/2008	(676345)
113	04/18/2008	(694742)
114	05/17/2008	(656986)
115	05/22/2008	(694743)
116	06/24/2008	(716228)
117	07/22/2008	(694744)
118	08/01/2008	(684640)
119	08/04/2008	(687899)
120	08/21/2008	(716229)
121	09/23/2008	(716230)
122	10/27/2008	(731749)
123	11/24/2008	(731750)
124	12/08/2008	(709762)
125	12/29/2008	(731751)
126	01/27/2009	(755142)

127 02/06/2009 (755141)
 128 02/17/2009 (703394)
 129 02/23/2009 (755140)
 130 03/20/2009 (772268)
 131 04/22/2009 (772269)
 132 05/07/2009 (743316)
 133 05/21/2009 (772270)
 134 03/23/2010 (788999)
 135 04/15/2010 (787086)
 136 05/11/2010 (792698)

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

Date: 06/30/2004 (363741) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 07/28/2004 (259348) CN603211277
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 TCEQ Air Permit #5581, SC #1 PERMIT
 Description: Exceeded permit limits during an avoidable emissions event.

Date: 08/24/2004 (261813) CN603211277
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 TCEQ Air Permit #19930, SC #1 PERMIT
 Description: Failure to submit notification prior to a maintenance activity.

Date: 08/31/2004 (262939) CN603211277
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: Failure to report an emissions event.

Date: 11/30/2004 (388439) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 12/28/2004 (272929) CN603211277
 Self Report? NO Classification: Moderate
 Citation: 22105 General Condition 8 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to prevent the shutdown of a unit pump.

Date: 12/31/2004 (388440) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 01/31/2005 (425974) CN603211277
 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: 02/28/2005 (388437) CN603211277
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: 03/31/2005 (425975) CN603211277
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: 04/30/2005 (425976) CN603211277
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2005 (425978) CN603211277
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2005 (479023) CN603211277
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 11/22/2005 (434765) CN603211277
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)
8418 PERMIT
Description: Failed to prevent an emissions event.

Date: 12/07/2005 (436839) CN603211277
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. 6798 PERMIT
Description: Failure to prevent an avoidable emissions event.

Date: 01/31/2006 (479021) CN603211277
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: 03/31/2006 (504942) CN603211277
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 05/19/2006 (457411) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
NO. 20698 SC # 1 PERMIT
Description: Failed to prevent the plugging of the outlet strainer of the reactor.

Date: 05/22/2006 (457385) CN603211277
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)
Permit No. 6798 MAERT PERMIT
Description: Failure to prevent the accidental shutdown of the power supply to the DCS system resulting in unauthorized emissions.

Date: 05/30/2006 (461877) CN603211277
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.# 8418 MAERT PERMIT
Description: Failed to prevent malfunction of the Butamer 1 reactor control valve actuator.

Date: 05/31/2006 (504944) CN603211277
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2006 (504945) CN603211277
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2006 (527245) CN603211277
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 08/17/2006 (497263) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
NO. 76070, Special Condition No. 1 PERMIT
Description: Failed to prevent misaligned valves resulting in unauthorized emissions.

Date: 08/31/2006 (527246) CN603211277
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 01/18/2007 (512452) CN603211277
Self Report? NO Classification: Moderate
Citation: 19930, Special Condition 2F PERMIT
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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

5C THC Chapter 382, SubChapter A 382.085(b)
O-1641, Special Condition 1A OP
O-1641, Special Condition 9 OP

Description: Control valve UV-2173 was not monitored during the second and third quarters of 2006.

Date: 01/25/2007 (509021) CN603211277

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 THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01641, SC #1A OP
FOP #O-01641, SC #9 OP
NSR #19931, SC #7E PA

Description: Failure to seal 128 open-ended valves/lines per 30 TAC 115.352(4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01641, SC #1A OP

Description: Failure to submit the required report of the results of NOX testing per 30 TAC 117.219(c).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01641, SC #1A OP
FOP #O-01641, SC #8E OP

Description: Failure to record the starting and ending times of the operation of stationary diesel engines from June 13, 2005 through June 12, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01641, SC #1A OP

Description: Failure to record daily flare observations from June 13, 2005 through June 12, 2006 per 111.111(a)(4)(A)(ii).

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-01641, SC #9 OP
NSR #20509, SC #11 PA

Description: Failure to perform daily sulfur content monitoring of Merox Off-Gas on June 13, 2005 per NSR #20509, SC #11.

Date: 02/28/2007 (587598) CN603211277

Self Report? YES Classification: Moderate

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

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

Date: 05/31/2007 (587601) CN603211277

Self Report? YES Classification: Moderate

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

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

Date: 07/31/2007 (605100) CN603211277

Self Report? YES Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2007 (605101) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2007 (628182) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2007 (676346) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

Date: 01/31/2008 (694741) CN603211277
 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: 04/30/2008 (694743) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2008 (731750) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

Date: 02/17/2009 (703394) CN603211277
 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 60.7(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(d)(3)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Terms and Conditions No. 1(A) OP
 Description: failure to submit the 40 CFR §60.115b(d)(3) and 40 CFR 60.665(l)(4) & (2)
 semiannual reports in a timely manner.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)(3)
 5C THSC Chapter 382 382.085(b)
 Special Terms & Conditions No. 1(A) OP
 Description: failure to submit the 40 CFR §60.705(l)(3) & (2) semiannual report with
 information on all periods in which the pilot flame of the north plant flare was
 absent and all periods when the vent stream is diverted from the flare to the

atmosphere.
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)
Special Conditions No. 21(A) PERMIT
Special Terms and Conditions No. 9 OP
Description: failure to perform the annual RATA on the NOx, CO, and O2 CEMS by the June 30, 2007 due date.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 1(A) OP
Description: failure to visually inspect the internal floating roof at least once every 12 months.

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)
Special Condition no. 26(D) PERMIT
Special Terms and Conditions No. 9 OP
Description: failure to visually inspect the internal floating roof at least once every 12 months.

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)
Special Condition No. 29(B)(3) PERMIT
Special Terms and Conditions No. 9 OP
Description: failure for the NOx and CO CEMS to generate 23 hourly averages per day for stationary turbines D4GT0123, D4GT0223, and D4GT0323.

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)
Special Condition No. 21(C) PERMIT
Special Terms and Conditions No. 9 OP
Description: failure to insure that the NOx and CO CEMS would generate 23 hourly averages per day.

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)
Special Condition No. 10(B)(3) PERMIT
Special Terms and Conditions No. 9 OP
Description: failure for the NOx and CO CEMS to generate 23 hourly averages per day.

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)
Special Condition No. 21(C) PERMIT
Special Terms and Conditions No. 9 OP
Description: failure to demonstrate compliance with the NOx and CO emission limits while the CEMS is off-line during daily calibration failure.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 1(A) OP
Description: failure to prevent open-ended lines.

Date: 03/23/2010 (788999) CN603211277

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.5(b)
Chronic Biomonitoring Requirements PERMIT
ELMR, No. 1, p. 2 PERMIT

ELMR, No. 1, p. 2c PERMIT

Description: Failure to collect effluent samples at the frequency specified in the permit at Outfalls 001 and 002.

Date: 04/14/2010 (787086)

CN603211277

Self Report? NO

Classification: Moderate

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

Description: Failed to operate within permitted limits of Air New Source Permit 20698. The permitted limits were exceeded during a 45 minute period of time on March 19, 2005, with the following quantities: 164 lbs NOx, 328 lbs CO, and 1,135 lbs VOC.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5581, Special Condition 1 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to operate within permitted limits of Air New Source Permit 5581. Zero emissions are authorized from the tank loading operations. Unauthorized emissions of propane (11,452 lbs) were released over a 35 minute period of time on March 17, 2005.

F. Environmental audits.

Notice of Intent Date: 10/12/2009 (782650)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ENTERPRISE PRODUCTS
OPERATING LLC
RN102323268**

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§

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2010-0821-AIR-E**

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a chemical manufacturing plant at 10207 Farm-to-Market Road 1942 in Mont Belvieu, Chambers County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about May 16, 2010.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Seven Thousand Two Hundred Ninety-Six Dollars (\$7,296) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Thousand Nine Hundred Nineteen Dollars

(\$2,919) of the administrative penalty and One Thousand Four Hundred Fifty-Nine Dollars (\$1,459) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Two Thousand Nine Hundred Eighteen Dollars (\$2,918) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On March 15, 2010, completed the addition of insulation and heat tracing to the compressor oil control system and replaced existing potentiometers with new linear transmitters for the slide valve positioning systems; and
 - b. On May 20, 2010, completed personnel training to ensure that the duration of all events and all released emissions are correctly documented in the emissions event reports.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

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

1. Failed to adequately report emissions event Incident No. 135653, in violation of 30 TEX. ADMIN. CODE § 101.201(b)(1)(F) and (G), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 9, 2010. Specifically, the report did not include the volatile organic compounds ("VOC") including the 592 pounds ("lbs") of butenes that were released in the incident on February 9, 2010, and the Respondent incorrectly reported the duration of the event as 15 minutes.

2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 101.20(3), Air Permit No. 20698 and PSD-TX-797M1, Special Condition No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 9, 2010. Specifically, 100 percent opacity and 2,146.82 lbs of VOCs were released when the Respondent failed to prevent the shutdown of a Howden refrigeration compressor, resulting in an emissions event which began on February 9, 2010, and lasted for 33 minutes (Incident No. 135653). Since the emissions event was avoidable by better operations practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Enterprise Products Operating LLC, Docket No. 2010-0821-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Two Thousand Nine Hundred Eighteen Dollars (\$2,918) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, complete proposed improvements to the electronic communication system, changes to the piping and inlet strainers of the compressor oil pumps and operator training (Incident No. 135653); and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering

Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section, Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

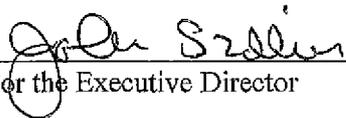
4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

8. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

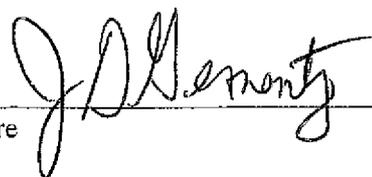
Date 10/14/2010

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

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

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

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



Signature

Date 8/19/10

James D. Gernentz

Name (Printed or typed)
Authorized Representative of
Enterprise Products Operating LLC

VP, Houston Region Operations

Title

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

Attachment A
Docket Number: 2010-0821-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Enterprise Products Operating LLC

Payable Penalty Amount: Five Thousand Eight Hundred Thirty-Seven Dollars
(\$5,837)

SEP Amount: Two Thousand Nine Hundred Eighteen Dollars
(\$2,918)

Type of SEP: Pre-approved

Third-Party Recipient: Barbers Hill Independent School District-Alternative
Fueled Vehicle and Equipment Program

Location of SEP: Chambers 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 Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Barbers Hill Independent School District** for the **Alternative Fueled Vehicle and Equipment Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP funds will only be used for the incremental costs of purchase of clean fuel or lower-emission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

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

2. Performance Schedule

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

John Johnson
Carl Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 101
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

