

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.:** 2009-1789-AIR-E **TCEQ ID:** RN100211879 **CASE NO.:** 38635

**RESPONDENT NAME:** Shell Chemical LP

<b>ORDER TYPE:</b>		
<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	
<b>CASE TYPE:</b>		
<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><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Shell Oil Deer Park, 5900 Highway 225, Deer Park, Harris County</p> <p><b>TYPE OF OPERATION:</b> Chemical manufacturing plant</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There are three additional pending enforcement actions regarding this facility location, Docket Nos. 2009-1300-AIR-E, 2009-1571-AIR-E, and 2009-1753-IHW-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on April 26, 2010. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732  <b>TCEQ Enforcement Coordinator:</b> Ms. Roshondra Lowe, Enforcement Division, Enforcement Team 5, MC R-12, (713) 767-3553;                      Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495  <b>Respondent:</b> Mr. Steve Hansen, Environmental Affairs Manager, Shell Chemical LP, 5900 Highway 225, Deer Park, Texas 77536                      Mr. Aamir Farid, General Manager, Deer Park Site, Shell Chemical LP, 5900 Highway 225, Deer Park, Texas 77536  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> September 2, 2009</p> <p><b>Date of NOE Relating to this Case:</b> October 12, 2009</p> <p><b>Background Facts:</b> This was a routine investigation.</p> <p><b>AIR</b></p> <p>Failure to prevent unauthorized emissions. Specifically, 125.02 pounds of benzene were released into the atmosphere due to the landing of the internal floating roof of tank D-381, which occurred when the operator failed to monitor the tank pump-out rates and the tank level indication alarms (Incident No. 125893). The emissions event that occurred on June 21, 2009 lasted three hours. 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 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH &amp; SAFETY CODE § 382.085(b), and Air Permit No. 9334, Special Condition No. 1].</p>	<p><b>Total Assessed:</b> \$10,000</p> <p><b>Total Deferred:</b> \$2,000  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$4,000</p> <p><b>Total Paid to General Revenue:</b> \$4,000</p> <p><b>Site Compliance History Classification</b>  <input checked="" type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. On July 2, 2009, modified Aromatics Fuels management protocol to document the acknowledgement of tank level alarms; and</p> <p>b. On July 6, 2009, held training discussions with Aromatics operators with regard to the monitoring of tank levels and associated alarms.</p> <p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project ("SEP"). (See SEP Attachment A.)</p>

Additional ID No(s): HG0659W

**Attachment A**  
**Docket Number: 2009-1789-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Shell Chemical LP</b>
<b>Payable Penalty Amount:</b>	<b>Eight Thousand Dollars (\$8,000)</b>
<b>SEP Amount:</b>	<b>Four Thousand Dollars (\$4,000)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Houston Regional Monitoring Corporation - Houston Area Monitoring</b>
<b>Location of SEP:</b>	<b>Harris County</b>

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 Houston Regional Monitoring Corporation for the Houston Area Monitoring program as set forth in an agreement between the Third-Party Recipient and the TCEQ. Performing Party shall use SEP Funds to operate, maintain, and potentially expand portions of the existing Houston Regional Monitoring Corporation Ambient Air Quality Monitoring Network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives. SEP funds may be used to operate a single monitoring site or multiple sites contingent upon the amount of SEP funds provided.

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**

Data from this monitoring 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. Performing party notifies the TCEQ on a quarterly basis of all exceedences of the National Ambient Air Quality Standards ("NAAQS") that it measures at its monitoring stations. The TCEQ uses this information, along with information collected at its own monitors and monitors operated by the City of Houston, to evaluate Houston's progress toward achieving or remaining in attainment of the NAAQS.

**C. Minimum Expenditure**

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

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Houston Regional Monitoring Corporation. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Christopher B. Amandes  
Vinson & Elkins LLP  
First City Tower  
1001 Fannin Street, Suite 2500  
Houston, TX 77002-6760

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

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



Shell Chemical LP  
Agreed Order - Attachment A

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

Litigation Division  
Attention: SEP Coordinator, MC 175  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

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

**5. Publicity**

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

**6. Clean Texas Program**

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

**7. Other SEPs by TCEQ or Other Agencies**

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





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

<b>DATES</b>	Assigned	19-Oct-2009	PCW	2-Feb-2010	Screening	3-Nov-2009	EPA Due	3-Jul-2010
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<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Shell Chemical LP
Reg. Ent. Ref. No.	RN100211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

<b>CASE INFORMATION</b>			
Enf./Case ID No.	38635	No. of Violations	
Docket No.	2009-1789-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Roshondra Lowe
		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**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

**Compliance History** 508.0% Enhancement *Subtotals 2, 3, & 7* **\$12,700**

Notes: Penalty enhanced due to 33 NOVs for same or similar violations, 12 NOVs for unrelated violations, six agreed orders containing a denial of liability, and ten agreed orders without denial of liability. Penalty reduction due to an EMS, 27 notices of audits, and seven disclosures of violations.

**Culpability** No 0.0% Enhancement *Subtotal 4* **\$0**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** *Subtotal 5* **\$250**

**Economic Benefit** 0.0% Enhancement\* *Subtotal 6* **\$0**

Total EB Amounts \$7  
Approx. Cost of Compliance \$3,500  
\*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** *Final Subtotal* **\$14,950**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** 0.0% *Adjustment* **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

*Final Penalty Amount* **\$14,950**

**STATUTORY LIMIT ADJUSTMENT** *Final Assessed Penalty* **\$10,000**

**DEFERRAL** 20.0% Reduction *Adjustment* **-\$2,000**

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** **\$8,000**

Screening Date: 3-Nov-2009

Docket No.: 2009-1789-AIR-E

PCW

Respondent: Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No.: 38635

PCW Revision October 30, 2008

Reg. Ent. Reference No.: RN100211879

Media [Statute]: Air

Enf. Coordinator: Roshondra Lowe

### 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)	33	165%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	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 (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)	27	-27%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	7	-14%
Please Enter Yes or No			
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) 508%

>> 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, 12 NOVs for unrelated violations, six agreed orders containing a denial of liability, and ten agreed orders without denial of liability. Penalty reduction due to an EMS, 27 notices of audits, and seven disclosures of violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 508%

Screening Date 3-Nov-2009

Docket No. 2009-1789-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38635

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b), and Air Permit No. 9334, Special Condition No. 1.

Violation Description Failed to prevent unauthorized emissions. Specifically, 125.02 pounds of benzene were released into the atmosphere due to the landing of the internal floating roof of tank D-381, which occurred when the operator failed to monitor the tank pump-out rates and the tank level indication alarms (Incident No. 125893). The emissions event that occurred on June 21, 2009 lasted three hours. 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

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 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 Number of violation days 1

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 which occurred on June 21, 2009.

Good Faith Efforts to Comply

10.0% Reduction

\$250

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

Notes Corrective actions were completed on July 6, 2009 before the October 12, 2009 NOE.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$7

Violation Final Penalty Total \$14,950

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

# Economic Benefit Worksheet

**Respondent** Shell Chemical LP  
**Case ID No.** 38635  
**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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$3,500	21-Jun-2009	6-Jul-2009	0.04	\$7	n/a	\$7

Notes for DELAYED costs

Estimated cost to ensure the monitoring of tank pump-out rates and tank level indication alarms. The date required is the violation date. The final date is date corrective actions were completed.

### Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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

\$3,500

TOTAL

\$7

# Compliance History Report

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	15981
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: November 03, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: November 03, 2004 to November 03, 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.

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.

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.(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.

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.

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.

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.

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 THSC 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 THSC 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 THSC Chapter 382, SubChapter D 382.085(b)

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

Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008

ADMINORDER 2007-1472-AIR-E

Classification: Moderate

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

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

Description: failed to comply with permitted emissions limits

Effective Date: 11/06/2008

ADMINORDER 2007-1218-AIR-E

Classification: Moderate

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

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.

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.

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 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.

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 Terms & 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.

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.

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.

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.

Effective Date: 10/31/2009

ADMINORDER 2009-0465-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, an emissions event occurred from November 13 through 15, 2008, due to accumulation of rain resulting from clogged drain lines on a floating tank roof (Emission Point No. TOL905), that lasted for 38 hours and 44 minutes, resulting in the release of 10,169.40 pounds of volatile organic compounds.

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	11/11/2004	(289756)
2	11/12/2004	(288819)
3	11/12/2004	(290146)
4	11/22/2004	(285617)
5	11/29/2004	(339553)
6	12/05/2004	(268602)
7	12/10/2004	(338725)
8	12/11/2004	(341292)
9	12/11/2004	(342406)
10	12/11/2004	(342558)
11	12/14/2004	(341177)
12	12/14/2004	(342547)
13	12/17/2004	(339115)
14	12/21/2004	(342546)

15 12/28/2004 (290091)  
16 12/28/2004 (388893)  
17 12/29/2004 (342425)  
18 12/30/2004 (342431)  
19 12/30/2004 (344374)  
20 12/30/2004 (344491)  
21 01/04/2005 (285114)  
22 01/04/2005 (288475)  
23 01/04/2005 (288902)  
24 01/04/2005 (293105)  
25 01/04/2005 (342600)  
26 01/05/2005 (288541)  
27 01/05/2005 (289527)  
28 01/06/2005 (289146)  
29 01/06/2005 (344370)  
30 01/06/2005 (344373)  
31 01/07/2005 (288436)  
32 01/09/2005 (289381)  
33 01/10/2005 (279219)  
34 01/10/2005 (286434)  
35 01/10/2005 (287676)  
36 01/26/2005 (342583)  
37 01/31/2005 (342585)  
38 02/01/2005 (342419)  
39 02/22/2005 (350798)  
40 02/23/2005 (371820)  
41 04/01/2005 (346780)  
42 04/29/2005 (344372)  
43 05/03/2005 (373899)  
44 05/09/2005 (378729)  
45 05/25/2005 (380203)  
46 06/17/2005 (392662)  
47 06/28/2005 (394944)  
48 07/06/2005 (398907)  
49 07/13/2005 (374690)  
50 07/18/2005 (379933)  
51 07/18/2005 (379934)  
52 07/20/2005 (400891)  
53 07/21/2005 (400399)  
54 07/28/2005 (379300)  
55 08/02/2005 (400361)  
56 08/03/2005 (399624)  
57 08/05/2005 (341194)  
58 08/05/2005 (341195)  
59 08/05/2005 (341198)  
60 08/05/2005 (341200)  
61 08/05/2005 (341201)  
62 08/10/2005 (403710)  
63 08/15/2005 (453221)  
64 08/16/2005 (404327)  
65 08/16/2005 (404329)  
66 08/18/2005 (404406)  
67 08/22/2005 (400922)  
68 08/23/2005 (401945)  
69 08/23/2005 (404915)  
70 08/25/2005 (405926)  
71 08/30/2005 (401403)  
72 09/28/2005 (431096)  
73 10/04/2005 (405964)

74	10/05/2005	(406803)
75	10/05/2005	(407310)
76	10/05/2005	(431095)
77	10/05/2005	(431097)
78	10/10/2005	(406428)
79	10/26/2005	(433389)
80	10/28/2005	(405406)
81	11/03/2005	(431819)
82	11/04/2005	(431796)
83	11/04/2005	(431865)
84	11/14/2005	(371956)
85	11/23/2005	(433921)
86	11/28/2005	(437043)
87	11/30/2005	(437117)
88	12/16/2005	(451110)
89	01/24/2006	(451885)
90	02/16/2006	(454090)
91	02/21/2006	(454835)
92	02/21/2006	(455170)
93	02/23/2006	(439108)
94	02/23/2006	(455872)
95	02/23/2006	(455897)
96	02/24/2006	(438342)
97	02/25/2006	(456944)
98	02/25/2006	(457085)
99	02/27/2006	(456661)
100	02/27/2006	(457162)
101	02/28/2006	(457143)
102	02/28/2006	(457152)
103	03/03/2006	(455540)
104	03/09/2006	(457675)
105	03/15/2006	(458469)
106	03/17/2006	(451544)
107	03/20/2006	(431859)
108	03/20/2006	(571632)
109	03/23/2006	(290016)
110	03/28/2006	(405965)
111	04/03/2006	(455004)
112	04/24/2006	(449499)
113	04/25/2006	(449838)
114	04/26/2006	(455005)
115	04/27/2006	(440023)
116	04/28/2006	(462216)
117	05/10/2006	(266908)
118	05/10/2006	(268067)
119	05/12/2006	(461088)
120	05/17/2006	(461235)
121	05/17/2006	(466235)
122	05/26/2006	(460095)
123	05/26/2006	(460156)
124	05/26/2006	(460174)
125	05/26/2006	(460637)
126	05/30/2006	(459416)
127	05/30/2006	(460198)
128	05/31/2006	(455293)
129	05/31/2006	(480622)
130	06/12/2006	(455296)
131	06/13/2006	(457735)
132	06/14/2006	(480612)

133	06/15/2006	(449850)
134	06/21/2006	(467546)
135	06/23/2006	(467329)
136	06/23/2006	(467537)
137	06/28/2006	(467525)
138	06/30/2006	(463111)
139	06/30/2006	(466561)
140	07/10/2006	(482757)
141	07/11/2006	(482407)
142	07/11/2006	(482755)
143	07/11/2006	(482760)
144	07/14/2006	(467608)
145	07/26/2006	(487301)
146	07/27/2006	(486448)
147	07/31/2006	(482753)
148	08/08/2006	(482747)
149	08/14/2006	(480383)
150	08/16/2006	(392732)
151	08/18/2006	(457259)
152	08/18/2006	(457480)
153	08/23/2006	(457432)
154	08/28/2006	(479997)
155	08/29/2006	(479999)
156	08/30/2006	(509636)
157	08/31/2006	(457283)
158	09/07/2006	(510326)
159	09/29/2006	(487313)
160	10/04/2006	(510017)
161	10/04/2006	(512388)
162	10/05/2006	(510021)
163	10/05/2006	(512392)
164	10/05/2006	(512393)
165	10/13/2006	(510023)
166	10/26/2006	(512394)
167	10/27/2006	(515112)
168	10/31/2006	(343595)
169	10/31/2006	(509694)
170	10/31/2006	(513138)
171	11/03/2006	(513228)
172	11/03/2006	(513328)
173	11/06/2006	(515706)
174	11/16/2006	(512687)
175	11/21/2006	(517284)
176	11/30/2006	(379581)
177	12/07/2006	(487985)
178	12/07/2006	(488004)
179	12/07/2006	(488023)
180	12/07/2006	(488025)
181	12/15/2006	(508968)
182	12/21/2006	(534053)
183	12/29/2006	(343599)
184	01/19/2007	(531892)
185	01/31/2007	(537439)
186	01/31/2007	(538659)
187	02/17/2007	(532455)
188	02/20/2007	(457345)
189	02/23/2007	(532452)
190	02/23/2007	(532463)
191	02/27/2007	(532471)

192	03/01/2007	(509707)
193	03/05/2007	(406521)
194	04/12/2007	(554202)
195	04/25/2007	(532459)
196	04/25/2007	(542681)
197	04/26/2007	(541475)
198	04/30/2007	(542592)
199	04/30/2007	(542683)
200	05/07/2007	(537121)
201	05/08/2007	(542690)
202	05/09/2007	(467500)
203	05/14/2007	(542697)
204	05/18/2007	(542652)
205	05/29/2007	(559183)
206	05/30/2007	(560809)
207	06/25/2007	(563779)
208	06/25/2007	(564308)
209	06/27/2007	(564822)
210	06/27/2007	(564828)
211	07/06/2007	(565610)
212	07/10/2007	(565422)
213	08/01/2007	(567841)
214	08/03/2007	(568522)
215	08/13/2007	(571026)
216	08/14/2007	(567884)
217	08/15/2007	(571883)
218	08/17/2007	(571025)
219	09/18/2007	(571877)
220	09/19/2007	(572770)
221	10/12/2007	(560777)
222	10/16/2007	(593594)
223	10/25/2007	(596852)
224	11/06/2007	(565492)
225	11/06/2007	(593367)
226	11/15/2007	(597891)
227	11/15/2007	(597968)
228	11/19/2007	(572257)
229	11/19/2007	(599691)
230	11/27/2007	(597446)
231	11/30/2007	(601276)
232	11/30/2007	(608138)
233	12/04/2007	(600886)
234	12/20/2007	(610419)
235	01/07/2008	(598077)
236	01/17/2008	(599615)
237	01/17/2008	(599668)
238	01/17/2008	(599822)
239	01/17/2008	(600635)
240	01/22/2008	(613355)
241	01/25/2008	(597769)
242	01/25/2008	(615280)
243	01/25/2008	(615969)
244	01/25/2008	(615999)
245	01/28/2008	(616080)
246	01/28/2008	(616082)
247	02/01/2008	(607448)
248	02/01/2008	(613923)
249	02/01/2008	(614301)
250	02/01/2008	(614303)

251 02/01/2008 (615075)  
252 02/04/2008 (614031)  
253 02/05/2008 (610680)  
254 02/13/2008 (616505)  
255 03/07/2008 (612807)  
256 03/10/2008 (617388)  
257 03/12/2008 (637217)  
258 03/24/2008 (616741)  
259 03/24/2008 (638443)  
260 03/28/2008 (600448)  
261 03/31/2008 (610634)  
262 04/09/2008 (610636)  
263 04/11/2008 (610638)  
264 04/11/2008 (637073)  
265 04/21/2008 (639674)  
266 04/22/2008 (663495)  
267 05/02/2008 (660560)  
268 05/20/2008 (664015)  
269 05/20/2008 (664943)  
270 05/23/2008 (637956)  
271 05/23/2008 (638051)  
272 05/23/2008 (664353)  
273 06/06/2008 (654842)  
274 06/10/2008 (671393)  
275 06/18/2008 (683279)  
276 06/30/2008 (600450)  
277 07/11/2008 (685564)  
278 07/17/2008 (656863)  
279 07/17/2008 (686593)  
280 07/23/2008 (683726)  
281 07/24/2008 (682501)  
282 08/14/2008 (686729)  
283 08/19/2008 (689497)  
284 08/22/2008 (699629)  
285 08/31/2008 (637068)  
286 08/31/2008 (637076)  
287 09/05/2008 (700024)  
288 10/09/2008 (703510)  
289 10/16/2008 (704306)  
290 10/23/2008 (682549)  
291 10/27/2008 (706455)  
292 10/27/2008 (706540)  
293 11/03/2008 (700060)  
294 11/03/2008 (701753)  
295 11/24/2008 (641389)  
296 11/24/2008 (684019)  
297 12/04/2008 (665248)  
298 12/04/2008 (709362)  
299 12/04/2008 (709367)  
300 12/12/2008 (721015)  
301 12/30/2008 (705657)  
302 01/09/2009 (723179)  
303 01/15/2009 (707647)  
304 01/20/2009 (708950)  
305 01/28/2009 (720984)  
306 02/09/2009 (709972)  
307 02/18/2009 (735789)  
308 02/20/2009 (723069)  
309 03/10/2009 (722825)

310 04/02/2009 (722827)  
 311 04/30/2009 (744066)  
 312 05/11/2009 (741959)  
 313 05/13/2009 (737311)  
 314 05/13/2009 (742834)  
 315 05/14/2009 (742134)  
 316 05/28/2009 (726407)  
 317 06/01/2009 (742131)  
 318 06/08/2009 (737950)  
 319 06/08/2009 (741940)  
 320 07/10/2009 (737104)  
 321 07/22/2009 (763029)  
 322 07/23/2009 (747258)  
 323 08/04/2009 (741963)  
 324 08/04/2009 (742135)  
 325 08/12/2009 (764686)  
 326 08/12/2009 (764845)  
 327 08/12/2009 (765197)  
 328 08/12/2009 (765199)  
 329 08/13/2009 (760336)  
 330 08/13/2009 (760346)  
 331 08/18/2009 (737105)  
 332 08/19/2009 (766023)  
 333 08/21/2009 (766514)  
 334 08/28/2009 (747477)  
  
 335 08/31/2009 (687729)  
 336 08/31/2009 (763433)  
 337 09/15/2009 (726215)  
 338 09/15/2009 (747259)  
 339 09/21/2009 (760334)  
 340 09/21/2009 (762422)  
 341 09/23/2009 (766994)  
 342 09/28/2009 (777627)  
 343 09/30/2009 (737217)  
 344 10/12/2009 (762569)  
 345 10/14/2009 (779040)  
 346 10/23/2009 (778758)  
 347 10/30/2009 (765451)

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

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.

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.

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.

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 #:21262,PSD-TX-928, SC #1 PA  
Description: Failure to Control Emissions

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.

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.

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.

Date: 04/29/2005 (344372) CN601405145  
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.

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)  
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)  
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)  
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)  
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)  
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  
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)

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.

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

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

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)  
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  
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

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

Citation: 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)  
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

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

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) 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

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)

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)  
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 8H 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

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  
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)  
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  
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.

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.

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 IPACRUF6 (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 8 hours 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

Description: FOP O-01945, SC 21(A) OP  
NSR 3179, SC 2 PERMIT  
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)  
 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.

Date: 09/15/2009 (747259) CN601405145

Self Report? NO Classification: Moderate  
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 1H(i) OP

Description: Failed to conduct sampling when HRVOC analyzer for A&S flare was offline.

Self Report? NO Classification: Moderate  
Citation: 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)  
O-01947, SC 1H(i) OP

Description: Failed to meet 95% uptime requirement for the A&S Flare HRVOC monitoring system.

Self Report? NO Classification: Minor  
Citation: 266, SC 2 PERMIT

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)  
5C THSC Chapter 382 382.085(b)  
O-01947, SC 13 OP

Description: Failed to maintain a complete record of the flare pilot monitor for the A&S flare.

Date: 09/15/2009 (726215)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: NOR was not timely updated.

Date: 09/30/2009 (737217)

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 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP, General Terms and Condition 1A OP  
FOP, Special Condition 21 OP  
NSR, Special Condition 7E PERMIT

Description: Failure to seal open ended lines. (Category C10 violation)

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 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)  
5C THSC Chapter 382 382.085(b)  
FOP, General Condition 1A OP  
FOP, Special Condition 21 OP  
NSR 3218 SC 9H, and NSR 3216 SC 6H PERMIT

Description: Failed to tag leaking fugitive components.

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 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
  
5C THSC Chapter 382 382.085(b)  
FOP, Special Condition 21 PERMIT  
FOP, Special Condition 23 PERMIT

Description: Failed to register Permit by Rule (PBR) 106.261 and 106.262.

#### F. Environmental audits.

Notice of Intent Date: 10/20/2003 (263033) OUT OF 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

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

No DOV Associated

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

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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)

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).

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

No DOV Associated

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

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

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

No DOV Associated

Notice of Intent Date: 08/24/2007 (594238)

No DOV Associated

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.

Notice of Intent Date: 04/08/2008 (654698)

No DOV Associated

Notice of Intent Date: 04/18/2008 (654683)

No DOV Associated

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.

Notice of Intent Date: 06/17/2008 (686667)

No DOV Associated

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

N/A

NON 30 TAC CH 90 CERTIFIED

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  
SHELL CHEMICAL LP  
RN100211879**

§  
§  
§  
§  
§

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2009-1789-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 Shell Chemical LP ("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 5900 Highway 225 in Deer Park, Harris 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 October 17, 2009.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Thousand Dollars (\$4,000) of the administrative penalty and Two Thousand Dollars (\$2,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all

the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Four Thousand Dollars (\$4,000) shall be 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 July 2, 2009, modified Aromatics Fuels management protocol to document the acknowledgement of tank level alarms; and
  - b. On July 6, 2009, held training discussions with Aromatics operators with regard to the monitoring of tank levels and associated alarms.
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 failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 9334, Special Condition No. 1, as documented during an investigation conducted on September 2, 2009. Specifically, 125.02 pounds of benzene were released into the atmosphere due to the landing of the internal floating roof of tank D-381, which occurred when the operator failed to monitor the tank pump-out rates and the tank level indication alarms (Incident No. 125893). The emissions event that occurred on June 21, 2009 lasted three hours. 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.

### 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: Shell Chemical LP, Docket No. 2009-1789-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, Four Thousand Dollars (\$4,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP.
3. 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.
4. 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.
5. 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.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this

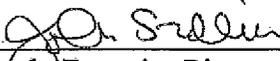
Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

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

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
\_\_\_\_\_  
For the Executive Director

4/15/2010  
Date

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

FEB 4 2010  
Date

AAMIR FARID  
Name (Printed or typed)  
Authorized Representative of  
Shell Chemical LP

GENERAL MGR  
Title DEER PARK SITE

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



Attachment A

Docket Number: 2009-1789-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** Shell Chemical LP  
**Payable Penalty Amount:** Eight Thousand Dollars (\$8,000)  
**SEP Amount:** Four Thousand Dollars (\$4,000)  
**Type of SEP:** Pre-approved  
**Third-Party Recipient:** Houston Regional Monitoring Corporation - Houston Area 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 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 Houston Regional Monitoring Corporation for the Houston Area Monitoring program as set forth in an agreement between the Third-Party Recipient and the TCEQ. Performing Party shall use SEP Funds to operate, maintain, and potentially expand portions of the existing Houston Regional Monitoring Corporation Ambient Air Quality Monitoring Network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives. SEP funds may be used to operate a single monitoring site or multiple sites contingent upon the amount of SEP funds provided.

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

Data from this monitoring 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. Performing party notifies the TCEQ on a quarterly basis of all exceedences of the National Ambient Air Quality Standards (“NAAQS”) that it measures at its monitoring stations. The TCEQ uses this information, along with information collected at its own monitors and monitors operated by the City of Houston, to evaluate Houston’s progress toward achieving or remaining in attainment of the NAAQS.

C. Minimum Expenditure

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

2. **Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Houston Regional Monitoring Corporation. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Christopher B. Amandes  
Vinson & Elkins LLP  
First City Tower  
1001 Fannin Street, Suite 2500  
Houston, TX 77002-6760

3. **Records and Reporting**

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

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

4. **Failure to Fully Perform**

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

Shell Chemical LP  
Agreed Order – Attachment A

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

Litigation Division  
Attention: SEP Coordinator, MC 175  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

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

**5. Publicity**

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

**6. Clean Texas Program**

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

**7. Other SEPs by TCEQ or Other Agencies**

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

