

Page 1 of 4

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2009-1984-AIR-E TCEQ ID: RN100211879 CASE NO.: 38815
RESPONDENT NAME: Shell Chemical LP

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Shell Oil Deer Park, 5900 Highway 225, Deer Park, Harris County</p> <p>TYPE OF OPERATION: Chemical plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: A complaint was received on July 20, 2009, concerning violation no. 5. The complainant alleged that a massive amount of black smoke was being emitted from the flare for approximately 30 minutes. There are six additional pending enforcement actions regarding this facility location, Docket Nos. 2009-1789-AIR-E, 2009-1300-AIR-E, 2009-1753-IHW-E, 2009-2090-AIR-E, 2010-0245-AIR-E, and 2009-1571-AIR-E.</p> <p>INTERESTED PARTIES: A complaint was received, but the complainant has not expressed a desire to protest this action or to speak at Agenda.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on May 31, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Mr. John Muennink, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Steven Hansen, Environmental Affairs Manager, Shell Chemical LP, P.O. Box 100, Deer Park, Texas 77536 Mr. Aamir Farid, General Manager-Shell Deer Park Site, Shell Chemical LP, P.O. Box 100, Deer Park, Texas 77536 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: July 20, 2009</p> <p>Date of Investigation Relating to this Case: August 21 and September 28, 2009</p> <p>Date of NOV/NOE Relating to this Case: November 24 and December 2 and 17, 2009 (NOE)</p> <p>Background Facts: This was a complaint investigation and record reviews.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions. Specifically, the Respondent released 37.08 pounds ("lbs") of benzene from the Aromatics Concentration Unit during an avoidable emissions event (Incident No. 127526) that began January 20, 2009 and lasted two hours. The event was not discovered until July 28, 2009, during an internal assessment in preparation for Title V deviation reporting. An internal floating roof of a storage tank was lowered to the point where the vacuum breaker opened releasing emissions to the atmosphere. The tank level alarm was improperly set, so there was no indication that the vacuum breaker had opened. Since this emissions event could have been avoided by better operational practices and was not properly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 9334, Special Condition No. 1].</p> <p>2) Failure to submit the initial notification for Incident No. 127526 within 24 hours after the discovery of the event and failed to submit the final report within 14 days after the end of the event. Specifically, the initial notification was due July 29, 2009 but was not submitted until July 31, 2009,</p>	<p>Total Assessed: \$55,899</p> <p>Total Deferred: \$11,179 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$22,360</p> <p>Total Paid to General Revenue: \$22,360</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent:</p> <p>a. Permanently shut down the C39 Scrubber Column in October 2008;</p> <p>b. Amended the IPF Mitigation form OP-CS-IPF-096 to specify the sequence and timing when bypassing IPF inputs on August 18, 2009, to address Incident No. 126985;</p> <p>c. Updated the IPF procedures to reference the IPF Bypass form SDPRC-1061-C for the Olefins Plant 2 and 3 cold job sites on September 15, 2009, to address Incident No. 126985;</p> <p>d. Communicated to the Olefins Operating Department personnel the requirement to obtain written management approval prior to any deviation from operating procedure on September 21, 2009 and to document that deviation in a procedure deviation form, to address Incident No. 126985;</p> <p>e. Changed the location of the alarm station and reaffirmed the responsibility for acknowledgement of the alarm and appropriate actions to correct the issue associated with Incident No. 127526 on July 2, 2009;</p> <p>f. Conducted a discussion with Operating Personnel on July 6, 2009 to review Incident No. 127526 in order to reemphasize the proactive monitoring screens and associated alarms and improve the communications when assignments are made for tasks outside of the established procedure/work practice in order to clarify responsibilities for each action item;</p> <p>g. Tested and replaced relief valve RV1002C on August 19, 2009, in order to address Incident Nos. 127809 and 127810;</p> <p>h. Revised the Phenol 3 operating procedure to include the HIPA flare monitoring and emission exceedance alarm response on July 28, 2009, in order to address Incident Nos. 127809 and 127810;</p>

and the final report was due August 11, 2009 but was not submitted until August 12, 2009 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and (c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3) Failure to prevent unauthorized emissions. Specifically, the Respondent released 278.40 lbs of volatile organic compounds ("VOC"), 240.10 lbs of carbon monoxide ("CO") and 39 lbs of nitrogen oxide ("NOx") from the Houston Isopropyl Alcohol ("HIPA") flare in the Liquified Petroleum Gas ("LPG") Unit during an avoidable emissions event (Incident No. 127810) that began July 15, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review. During the shutdown of the Solvents Unit, the control signal being transferred to the controller in the Phenol 3 control room was lost due to the Phenol 3 control room not being included in the list of instruments involved in the cut-over. This resulted in a pressure valve going into its fail safe position and emissions being released to the atmosphere. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 3179, Special Condition No. 6].

4) Failure to prevent unauthorized emissions. Specifically, the Respondent released 241.40 lbs of VOC, 121.70 lbs of CO, and 25.20 lbs of NOx from the Houston Isopropyl Alcohol ("HIPA") flare in the LPG Unit during an avoidable emissions event (Incident No. 127809) that began July 3, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review. The event was due to a faulty relief valve prematurely opening, allowing emissions to enter the flare. Since this emissions event could have been avoided by better maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 3179, Special Condition No. 6].

5) Failure to prevent unauthorized emissions. Specifically, the Respondent released 12,972 lbs of VOC, 5,816 lbs of

i. Evaluated pressure setpoint PC1332 and raised the setpoint to 250 pounds per square inch gauge on September 28, 2009 to minimize venting to the flare, in order to address Incident Nos. 127809 and 127810;

j. Incorporated the HIPA flare into the Phenol Unit daily compliance check on October 16, 2009, in order to address Incident Nos. 127809 and 127810;

k. Created alarm points for HIPA emission limits in the Phenol 3 Unit on January 31, 2010, in order to address Incident Nos. 127809 and 127810; and

l. Improved oversight of reporting to ensure the timely reporting of emissions events on November 16, 2009.

Ordering Provisions:

The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)

CO and 1,062 lbs of NOx from flaring at the Olefins Flare System in the Olefins 3 Unit during an avoidable emissions event (Incident No. 126985) that began July 19, 2009 and lasted nine hours and 58 minutes. The Respondent also exceeded the hourly Highly Reactive VOC rate of 1,200 pounds per hour ("lbs/hour"). The event was the result of an operator not following the established procedure for bypassing the Instrument Protection Function ("IPF") transmitters. As a result, the LI-5026Z transmitter failed before the operator could complete the bypass of all three transmitters, causing the Propylene Refrigeration Compressor to trip off-line. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 116.115(c) and 115.722(c)(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 3219, Special Condition No. 1].

6) Failure to comply with hourly VOC emission rates. Specifically, the Respondent exceeded the 0.98 lb/hour VOC limit for the C39 Scrubber Column Vent on 221 occasions, releasing an aggregate amount of 57.18 lbs of unauthorized VOC emissions over a total of 119 hours, from July 29 through September 11, 2008 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 19849, Special Condition No. 1 and Federal Operating Permit No. O-01948, Special Condition No. 13].

Additional ID No(s): HG0659W

Attachment A
Docket Number: 2009-1984-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Shell Chemical LP
Penalty Amount:	Forty-Four Thousand Seven Hundred Twenty Dollars (\$44,720)
SEP Offset Amount:	Twenty-Two Thousand Three Hundred Sixty Dollars (\$22,360)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston Regional Monitoring Corporation – <i>HRMC Houston Area Air Monitoring</i>
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 Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

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

The Respondent certifies that it has no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

Any public statements concerning this SEP made by or on behalf of the 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 Offset Amount identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	21-Dec-2009	Screening	29-Dec-2009	EPA Due	21-Aug-2010
	PCW	11-Mar-2010				

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

CASE INFORMATION			
Enf./Case ID No.	38815	No. of Violations	6
Docket No.	2009-1984-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	John Muennink
		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 \$15,200

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 512.0% Enhancement Subtotals 2, 3, & 7 \$77,824

Notes: Enhancement due to 37 NOVs with same or similar violations, seven NOVs with unrelated violations, 10 Findings Orders and six 1660 Agreed Orders. Reduction due to 29 Notice of Audit letters submitted, nine Disclosures of Violations and one Environmental Management System in place.

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 \$3,000

Economic Benefit 0.0% Enhancement Subtotal 6 \$0

Total EB Amounts	\$141
Approx. Cost of Compliance	\$6,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal \$90,024

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$90,024

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$55,899

DEFERRAL 20.0% Reduction Adjustment -\$11,179

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 \$44,720

Screening Date 29-Dec-2009

Docket No. 2009-1984-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38815

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator John Muennink

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)	37	185%
	Other written NOVs	7	14%
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 judgments 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)	29	-29%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	9	-18%

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) 512%

>> 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

Enhancement due to 37 NOVs with same or similar violations, seven NOVs with unrelated violations, 10 Findings Orders and six 1660 Agreed Orders. Reduction due to 29 Notice of Audit letters submitted, nine Disclosures of Violations and one Environmental Management System in place.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 512%

Screening Date 29-Dec-2009

Docket No. 2009-1984-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38815

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 1

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

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 37.08 pounds ("lbs") of benzene from the Aromatics Concentration Unit during an avoidable emissions event (Incident No. 127526) that began January 20, 2009 and lasted two hours. The event was not discovered until July 28, 2009, during an internal assessment in preparation for Title V deviation reporting. An internal floating roof of a storage tank was lowered to the point where the vacuum breaker opened releasing emissions to the atmosphere. The tank level alarm was improperly set, so there was no indication that the vacuum breaker had opened. Since this emissions event could have been avoided by better operational practices and was not properly reported, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

		Harm				
		Major	Moderate	Minor		
Release Actual				x	Percent	25%
Potential						

>> Programmatic Matrix

		Major	Moderate	Minor		
Falsification					Percent	0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$2,500

One quarterly event is recommended based on the emissions event that occurred January 20, 2009.

Good Faith Efforts to Comply

25.0% Reduction

\$625

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

Notes The Respondent completed corrective measures by July 6, 2009, prior to the November 24, 2009 NOE date.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$34

Violation Final Penalty Total \$14,675

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

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38815
Reg. Ent. Reference No. RN100211879
Media: Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment			0.00	\$0	\$0	\$0	
Buildings			0.00	\$0	\$0	\$0	
Other (as needed)			0.00	\$0	\$0	\$0	
Engineering/construction			0.00	\$0	\$0	\$0	
Land			0.00	\$0	n/a	\$0	
Record Keeping System			0.00	\$0	n/a	\$0	
Training/Sampling	\$1,500	20-Jan-2009	6-Jul-2009	0.46	\$34	n/a	\$34
Remediation/Disposal			0.00	\$0	n/a	\$0	
Permit Costs			0.00	\$0	n/a	\$0	
Other (as needed)			0.00	\$0	n/a	\$0	

Notes for DELAYED costs
 Estimated expense to implement measures designed to ensure that operating procedures are followed in order to ensure that appropriate roof levels are maintained on floating roof tanks. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$34

Screening Date 29-Dec-2009

Docket No. 2009-1984-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38815

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a)(1)(B) and (c) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit the Initial notification for Incident No. 127526 within 24 hours after the discovery of the event and failed to submit the final report within 14 days after the end of the event. Specifically, the initial notification was due July 29, 2009 but was not submitted until July 31, 2009, and the final report was due August 11, 2009 but was not submitted until August 12, 2009.

Base Penalty \$10,000

>> Environmental Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

The Respondent has met at least 70% of the rule requirement.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 2

2 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$200

Two single events are recommended based on the two late reports.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

The Respondent completed corrective measures by November 16, 2009, prior to the November 24, 2009 NOE date.

Violation Subtotal \$200

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$30

Violation Final Penalty Total \$1,224

This violation Final Assessed Penalty (adjusted for limits) \$1,224

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38815
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

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	\$1,500	29-Jul-2009	16-Nov-2009	0.30	\$23	n/a	\$23
Remediation/Disposal				0.00	\$0	n/a	\$0
Other (as needed)	\$250	29-Jul-2009	16-Nov-2009	0.30	\$4	n/a	\$4
Other (as needed)	\$250	11-Aug-2009	16-Nov-2009	0.27	\$3	n/a	\$3

Notes for DELAYED costs
 Estimated expense to implement measures designed to ensure the timely submittal of emissions event reports and to submit a timely initial notification and final report. The Dates Required are the dates that the reports were due. The Final Dates are the estimated dates that corrective measures will be completed.

Avoided Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs
 (Empty box for notes)

Approx. Cost of Compliance \$2,000
TOTAL \$30

Screening Date 29-Dec-2009

Docket No. 2009-1984-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38815

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Permit No. 3179, Special Condition No. 6

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 278.40 lbs of volatile organic compounds ("VOC"), 240.10 lbs of carbon monoxide ("CO") and 39 lbs of nitrogen oxide ("NOx") from the Houston Isopropyl Alcohol ("HIPA") flare in the LPG ("Liquified Petroleum Gas") Unit during an avoidable emissions event (Incident No. 127810) that began July 15, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review. During the shutdown of the Solvents Unit, the control signal being transferred to the controller in the Phenol 3 control room was lost due to the Phenol 3 control room not being included in the list of instruments involved in the cut-over. This resulted in a pressure valve going into its fail safe position and emissions being released to the atmosphere. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			X	25%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 1

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 on the emissions event that occurred July 15, 2009.

Good Faith Efforts to Comply

10.0% Reduction

\$250

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

Notes The Respondent completed corrective measures by January 31, 2010, after the December 2, 2009 NOE date.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$14

Violation Final Penalty Total \$15,050

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

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38815
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	15-Jul-2009	31-Jan-2010	0.55	\$14	n/a	\$14

Notes for DELAYED costs

Estimated expense to revise shutdown and/or operating procedures to include all instruments that are required to receive transfer signals involved in shutdowns. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures are estimated to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$14

Screening Date 29-Dec-2009

Docket No. 2009-1984-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38815

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Permit No. 3179, Special Condition No. 6

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 241.40 lbs of VOC, 121.70 lbs of CO and 25.20 lbs of NOx from the HIPA flare in the LPG Unit during an avoidable emissions event (Incident No. 127809) that began July 3, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review. The event was due to a faulty relief valve prematurely opening, allowing emissions to enter the flare. Since this emissions event could have been avoided by better maintenance practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$2,500

One quarterly event is recommended based on the emissions event that occurred July 3, 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

The Respondent completed corrective measures by January 31, 2010, after the December 2, 2009 NOE date.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$29

Violation Final Penalty Total \$15,050

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

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38815
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	3-Jul-2009	31-Jan-2010	0.58	\$29	n/a	\$29

Notes for DELAYED costs

Estimated expense to revise shutdown and/or operating procedures to include all instruments that are required to receive transfer signals involved in shutdowns. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures are estimated to be completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$29

Screening Date 29-Dec-2009

Docket No. 2009-1984-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38815

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 115.722(c)(1), Tex. Health & Safety Code § 382.085(b) and Permit No. 3219, Special Condition No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,972 lbs of VOC, 5,816 lbs of CO and 1,062 lbs of NOx from flaring at the Olefins Flare System in the Olefins 3 Unit during an avoidable emissions event (Incident No. 126985) that began July 19, 2009 and lasted nine hours and 58 minutes. The event was the result of an operator not following the established procedure for bypassing the Instrument Protection Function transmitters. As a result, the LI-5026Z transmitter failed before the operator could complete the bypass of all three transmitters, causing the Propylene Refrigeration Compressor to trip off-line. The Respondent also exceeded the hourly Highly Reactive VOC ("HRVOC") rate of 1,200 lbs/hour. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to a significant amount of pollutants that do not exceed levels protective of human health or environmental receptors. The Houston-Galveston-Brazoria County Non-Attainment Area has been exposed to 5.5 tons of HRVOCs. Air Dispersion Modeling showed no exceedances of National Ambient Air Quality Standards or Effects Screening Levels, and the off property concentrations were less than the State Property Line Standards.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$5,000

One monthly event is recommended based on the emissions event that occurred July 19, 2009.

Good Faith Efforts to Comply

25.0% Reduction

\$1,250

Extraordinary

Before NOV NOV to EDRP/Settlement Offer

Ordinary

x

N/A

(mark with x)

Notes

The Respondent completed corrective measures on September 21, 2009, prior to the December 2, 2009 NOE data.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$29,350

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

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38815
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,000	19-Jul-2009	21-Sep-2009	0.18	\$9	n/a	\$9
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated expense to implement measures designed to ensure that established instrument bypass procedures are properly followed. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$9

Screening Date 29-Dec-2009

Docket No. 2009-1984-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 38815

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Permit No. 19849, Special Condition No. 1 and Federal Operating Permit No. O-01948, Special Condition No. 13

Violation Description

Failed to comply with hourly VOC emission rates. Specifically, the Respondent exceeded the 0.96 lb/hour VOC limit for the C39 Scrubber Column Vent on 221 occasions, releasing an aggregate amount of 57.18 lbs of unauthorized VOC emissions over a total of 119 hours, from July 29 through September 11, 2008.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			x	25%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 44

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$2,500

One quarterly event is recommended based on the one quarter that exceedances occurred.

Good Faith Efforts to Comply

25.0% Reduction

\$625

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

Notes

The Respondent completed corrective measures in October 2008.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$26

Violation Final Penalty Total \$14,875

This violation Final Assessed Penalty (adjusted for limits) \$14,875

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 38815
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	29-Jul-2008	31-Oct-2008	0.26	\$26	\$26

Notes for DELAYED costs

Estimated expense to shut down the unit. The Date Required is the date of the investigation. The Final Date is the date that the unit was shut down.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$26

Compliance History Report

Customer/Respondent/Owner-Operator: CN601405145 Shell Chemical LP Classification: AVERAGE Rating: 7.78
 Regulated Entity: RN100211879 SHELL OIL DEER PARK Classification: AVERAGE Site Rating: 13.37

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	PERMIT	TX0004871
WASTEWATER	EPA ID	TX0004871
AIR NEW SOURCE PERMITS	REGISTRATION	92386
AIR NEW SOURCE PERMITS	REGISTRATION	92219
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	REGISTRATION	11177
AIR NEW SOURCE PERMITS	REGISTRATION	12152
AIR NEW SOURCE PERMITS	REGISTRATION	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	REGISTRATION	13713
AIR NEW SOURCE PERMITS	REGISTRATION	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	9334
AIR NEW SOURCE PERMITS	REGISTRATION	10888
AIR NEW SOURCE PERMITS	REGISTRATION	11096
AIR NEW SOURCE PERMITS	REGISTRATION	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	REGISTRATION	12829
AIR NEW SOURCE PERMITS	REGISTRATION	13678
AIR NEW SOURCE PERMITS	REGISTRATION	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	REGISTRATION	15262
AIR NEW SOURCE PERMITS	REGISTRATION	15365
AIR NEW SOURCE PERMITS	REGISTRATION	15499
AIR NEW SOURCE PERMITS	REGISTRATION	15940
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	REGISTRATION	24096
AIR NEW SOURCE PERMITS	PERMIT	24874
AIR NEW SOURCE PERMITS	REGISTRATION	27598
AIR NEW SOURCE PERMITS	REGISTRATION	29597
AIR NEW SOURCE PERMITS	REGISTRATION	32282
AIR NEW SOURCE PERMITS	REGISTRATION	33524
AIR NEW SOURCE PERMITS	REGISTRATION	34230
AIR NEW SOURCE PERMITS	REGISTRATION	34358
AIR NEW SOURCE PERMITS	REGISTRATION	35243
AIR NEW SOURCE PERMITS	REGISTRATION	35808
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	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	4933
AIR NEW SOURCE PERMITS	REGISTRATION	41920
AIR NEW SOURCE PERMITS	REGISTRATION	41875
AIR NEW SOURCE PERMITS	REGISTRATION	42221
AIR NEW SOURCE PERMITS	REGISTRATION	42573
AIR NEW SOURCE PERMITS	REGISTRATION	42512
AIR NEW SOURCE PERMITS	REGISTRATION	43605
AIR NEW SOURCE PERMITS	REGISTRATION	42118
AIR NEW SOURCE PERMITS	REGISTRATION	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	REGISTRATION	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	REGISTRATION	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	REGISTRATION	70903
AIR NEW SOURCE PERMITS	REGISTRATION	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	REGISTRATION	54061
AIR NEW SOURCE PERMITS	REGISTRATION	50548
AIR NEW SOURCE PERMITS	REGISTRATION	52565
AIR NEW SOURCE PERMITS	REGISTRATION	52089
AIR NEW SOURCE PERMITS	REGISTRATION	52088
AIR NEW SOURCE PERMITS	REGISTRATION	50388
AIR NEW SOURCE PERMITS	REGISTRATION	50423
AIR NEW SOURCE PERMITS	REGISTRATION	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
AIR EMISSIONS INVENTORY
AIR EMISSIONS INVENTORY

REGISTRATION
ACCOUNT NUMBER
ACCOUNT NUMBER

32780
HG0659W
HG0659W

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

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 06, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 08, 2004 to December 08, 2009

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

Name: Staff Name Phone: 239 - 1000

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 judgments, 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.i(6).

Classification: Minor

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

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

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 THC Chapter 382, SubChapter D 382.085(b)

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

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

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

Classification: Moderate

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

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

Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008

ADMINORDER 2007-1472-AIR-E

Classification: Moderate

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

5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No.1968, Special Condition #1, MAERT PERMIT
Description: Shell failed to prevent an avoidable emissions event that resulted in the release of a large quantity of VOCs.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.3214, Special Condition #1 PERMIT
Description: failed to comply with permitted emissions limits.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to list the compound descriptive type for the emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 3219, Gen Condition 8 PERMIT
Description: failed to comply with permitted emissions limits

Effective Date: 11/06/2008

ADMINORDER 2007-1218-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.3173, Special Condition #1 PERMIT
Description: Failure to install the metallurgically correct cap to a pump causing a leak to develop on a pump.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 9334, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to notify the TCEQ Region Office of an emission event within 24 hours.

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 THSC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #21262, SC1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 3179, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC 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 THSC 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 THSC 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 THSC 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 THSC 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 THSC 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	12/10/2004	(338725)
2	12/11/2004	(341292)
3	12/11/2004	(342406)
4	12/11/2004	(342558)
5	12/14/2004	(341177)
6	12/14/2004	(342547)
7	12/17/2004	(339115)
8	12/21/2004	(342546)
9	12/28/2004	(290091)
10	12/28/2004	(338893)
11	12/29/2004	(342425)
12	12/30/2004	(342431)
13	12/30/2004	(344374)
14	12/30/2004	(344491)
15	01/04/2005	(285114)
16	01/04/2005	(288475)
17	01/04/2005	(288902)
18	01/04/2005	(293105)
19	01/04/2005	(342600)
20	01/05/2005	(288541)
21	01/05/2005	(289527)
22	01/06/2005	(289146)
23	01/06/2005	(344370)
24	01/06/2005	(344373)
25	01/07/2005	(288436)
26	01/09/2005	(289381)
27	01/10/2005	(279219)
28	01/10/2005	(286434)
29	01/10/2005	(287676)
30	01/26/2005	(342583)
31	01/31/2005	(342585)

32	02/01/2005	(342419)
33	02/22/2005	(350798)
34	02/23/2005	(371820)
35	04/01/2005	(346780)
36	04/29/2005	(344372)
37	05/03/2005	(373899)
38	05/09/2005	(378729)
39	05/25/2005	(380203)
40	06/17/2005	(392662)
41	06/28/2005	(394944)
42	07/06/2005	(398907)
43	07/13/2005	(374690)
44	07/18/2005	(379933)
45	07/18/2005	(379934)
46	07/20/2005	(400891)
47	07/21/2005	(400399)
48	07/28/2005	(379300)
49	08/02/2005	(400361)
50	08/03/2005	(399624)
51	08/05/2005	(341194)
52	08/05/2005	(341195)
53	08/05/2005	(341198)
54	08/05/2005	(341200)
55	08/05/2005	(341201)
56	08/10/2005	(403710)
57	08/15/2005	(453221)
58	08/16/2005	(404327)
59	08/16/2005	(404329)
60	08/18/2005	(404406)
61	08/22/2005	(400922)
62	08/23/2005	(401945)
63	08/23/2005	(404915)
64	08/25/2005	(405926)
65	08/30/2005	(401403)
66	09/28/2005	(431096)
67	10/04/2005	(405964)
68	10/05/2005	(406803)
69	10/05/2005	(407310)
70	10/05/2005	(431095)
71	10/05/2005	(431097)
72	10/10/2005	(406428)
73	10/26/2005	(433389)
74	10/28/2005	(405406)
75	11/03/2005	(431819)
76	11/04/2005	(431796)
77	11/04/2005	(431865)
78	11/14/2005	(371956)
79	11/23/2005	(433921)
80	11/28/2005	(437043)
81	11/30/2005	(437117)
82	12/16/2005	(451110)
83	01/24/2006	(451885)
84	02/16/2006	(454090)
85	02/21/2006	(454835)
86	02/21/2006	(455170)
87	02/23/2006	(439108)
88	02/23/2006	(455872)
89	02/23/2006	(455897)
90	02/24/2006	(438342)

91	02/25/2006	(456944)
92	02/25/2006	(457085)
93	02/27/2006	(456661)
94	02/27/2006	(457162)
95	02/28/2006	(457143)
96	02/28/2006	(457152)
97	03/03/2006	(455540)
98	03/09/2006	(457675)
99	03/15/2006	(458469)
100	03/17/2006	(451544)
101	03/20/2006	(431859)
102	03/20/2006	(571632)
103	03/23/2006	(290016)
104	03/28/2006	(405965)
105	04/03/2006	(455004)
106	04/24/2006	(449499)
107	04/25/2006	(449838)
108	04/26/2006	(455005)
109	04/27/2006	(440023)
110	04/28/2006	(462216)
111	05/10/2006	(266908)
112	05/10/2006	(268067)
113	05/12/2006	(461088)
114	05/17/2006	(461235)
115	05/17/2006	(466235)
116	05/26/2006	(460095)
117	05/26/2006	(460156)
118	05/26/2006	(460174)
119	05/26/2006	(460637)
120	05/30/2006	(459416)
121	05/30/2006	(460198)
122	05/31/2006	(455293)
123	05/31/2006	(480622)
124	06/12/2006	(455296)
125	06/13/2006	(457735)
126	06/14/2006	(480612)
127	06/15/2006	(449850)
128	06/21/2006	(467546)
129	06/23/2006	(467329)
130	06/23/2006	(467537)
131	06/28/2006	(467525)
132	06/30/2006	(463111)
133	06/30/2006	(466561)
134	07/10/2006	(482757)
135	07/11/2006	(482407)
136	07/11/2006	(482755)
137	07/11/2006	(482760)
138	07/14/2006	(467608)
139	07/26/2006	(487301)
140	07/27/2006	(486448)
141	07/31/2006	(482753)
142	08/08/2006	(482747)
143	08/14/2006	(480383)
144	08/16/2006	(392732)
145	08/18/2006	(457259)
146	08/18/2006	(457480)
147	08/23/2006	(457432)
148	08/28/2006	(479997)
149	08/29/2006	(479999)

150	08/30/2006	(509636)
151	08/31/2006	(457283)
152	09/07/2006	(510326)
153	09/29/2006	(487313)
154	10/04/2006	(510017)
155	10/04/2006	(512388)
156	10/05/2006	(510021)
157	10/05/2006	(512392)
158	10/05/2006	(512393)
159	10/13/2006	(510023)
160	10/26/2006	(512394)
161	10/27/2006	(515112)
162	10/31/2006	(343595)
163	10/31/2006	(509694)
164	10/31/2006	(513138)
165	11/03/2006	(513228)
166	11/03/2006	(513328)
167	11/06/2006	(515706)
168	11/16/2006	(512687)
169	11/21/2006	(517284)
170	11/30/2006	(379581)
171	12/07/2006	(487985)
172	12/07/2006	(488004)
173	12/07/2006	(488023)
174	12/07/2006	(488025)
175	12/15/2006	(508968)
176	12/21/2006	(534053)
177	12/29/2006	(343599)
178	01/19/2007	(531892)
179	01/31/2007	(537439)
180	01/31/2007	(538659)
181	02/17/2007	(532455)
182	02/20/2007	(457345)
183	02/23/2007	(532452)
184	02/23/2007	(532463)
185	02/27/2007	(532471)
186	03/01/2007	(509707)
187	03/05/2007	(406521)
188	04/12/2007	(554202)
189	04/25/2007	(532459)
190	04/25/2007	(542681)
191	04/26/2007	(541475)
192	04/30/2007	(542592)
193	04/30/2007	(542683)
194	05/07/2007	(537121)
195	05/08/2007	(542690)
196	05/09/2007	(467500)
197	05/14/2007	(542697)
198	05/18/2007	(542652)
199	05/29/2007	(559183)
200	05/30/2007	(560809)
201	06/25/2007	(563779)
202	06/25/2007	(564308)
203	06/27/2007	(564822)
204	06/27/2007	(564828)
205	07/06/2007	(565610)
206	07/10/2007	(565422)
207	08/01/2007	(567841)
208	08/03/2007	(568522)

209	08/13/2007	(571026)
210	08/14/2007	(567884)
211	08/15/2007	(571883)
212	08/17/2007	(571025)
213	09/18/2007	(571877)
214	09/19/2007	(572770)
215	10/12/2007	(560777)
216	10/16/2007	(593594)
217	10/25/2007	(596852)
218	11/06/2007	(565492)
219	11/06/2007	(593367)
220	11/15/2007	(597891)
221	11/15/2007	(597968)
222	11/19/2007	(572257)
223	11/19/2007	(599691)
224	11/27/2007	(597446)
225	11/30/2007	(601276)
226	11/30/2007	(608138)
227	12/04/2007	(600886)
228	12/20/2007	(610419)
229	01/07/2008	(598077)
230	01/17/2008	(599615)
231	01/17/2008	(599668)
232	01/17/2008	(599822)
233	01/17/2008	(600635)
234	01/22/2008	(613355)
235	01/25/2008	(597769)
236	01/25/2008	(615280)
237	01/25/2008	(615969)
238	01/25/2008	(615999)
239	01/28/2008	(616080)
240	01/28/2008	(616082)
241	02/01/2008	(607448)
242	02/01/2008	(613923)
243	02/01/2008	(614301)
244	02/01/2008	(614303)
245	02/01/2008	(615075)
246	02/04/2008	(614031)
247	02/05/2008	(610680)
248	02/13/2008	(616505)
249	03/07/2008	(612807)
250	03/10/2008	(617388)
251	03/12/2008	(637217)
252	03/24/2008	(616741)
253	03/24/2008	(638443)
254	03/28/2008	(600448)
255	03/31/2008	(610634)
256	04/09/2008	(610636)
257	04/11/2008	(610638)
258	04/11/2008	(637073)
259	04/21/2008	(639674)
260	04/22/2008	(653495)
261	05/02/2008	(650560)
262	05/20/2008	(654015)
263	05/20/2008	(654943)
264	05/23/2008	(637956)
265	05/23/2008	(638051)
266	05/23/2008	(654353)
267	06/06/2008	(654842)

268 06/10/2008 (671393)
269 06/18/2008 (683279)
270 06/30/2008 (600450)
271 07/11/2008 (685564)
272 07/17/2008 (656863)
273 07/17/2008 (686593)
274 07/23/2008 (683726)
275 07/24/2008 (682501)
276 08/14/2008 (686729)
277 08/19/2008 (689497)
278 08/22/2008 (699629)
279 08/31/2008 (637068)
280 08/31/2008 (637076)
281 09/05/2008 (700024)
282 10/09/2008 (703510)
283 10/16/2008 (704306)
284 10/23/2008 (682549)
285 10/27/2008 (706455)
286 10/27/2008 (706540)
287 11/03/2008 (700060)
288 11/03/2008 (701753)
289 11/24/2008 (641389)
290 11/24/2008 (684019)
291 12/04/2008 (665248)
292 12/04/2008 (709362)
293 12/04/2008 (709367)
294 12/12/2008 (721015)
295 12/30/2008 (705857)
296 01/09/2009 (723179)
297 01/15/2009 (707647)
298 01/20/2009 (708950)
299 01/28/2009 (720984)
300 02/09/2009 (709972)
301 02/18/2009 (735789)
302 02/20/2009 (723069)
303 03/10/2009 (722825)
304 04/02/2009 (722827)
305 04/30/2009 (744066)
306 05/11/2009 (741959)
307 05/13/2009 (737311)
308 05/13/2009 (742834)
309 05/14/2009 (742134)
310 05/28/2009 (726407)
311 06/01/2009 (742131)
312 06/08/2009 (737950)
313 06/08/2009 (741940)
314 07/10/2009 (737104)
315 07/22/2009 (763029)
316 07/23/2009 (747258)
317 08/04/2009 (741963)
318 08/04/2009 (742135)
319 08/12/2009 (764686)
320 08/12/2009 (764845)
321 08/12/2009 (765197)
322 08/12/2009 (765199)
323 08/13/2009 (760336)
324 08/13/2009 (760346)
325 08/18/2009 (737105)
326 08/19/2009 (766023)

327 08/21/2009 (766514)
 328 08/28/2009 (747477)
 329 08/31/2009 (687729)
 330 08/31/2009 (763433)
 331 09/15/2009 (726215)
 332 09/15/2009 (747259)
 333 09/21/2009 (760334)
 334 09/21/2009 (762422)
 335 09/23/2009 (766994)
 336 09/28/2009 (777627)
 337 09/30/2009 (737217)
 338 10/12/2009 (762569)
 339 10/14/2009 (779040)
 340 10/23/2009 (778758)
 341 10/30/2009 (765451)
 342 11/10/2009 (760343)
 343 11/23/2009 (778496)
 344 11/24/2009 (766997)
 345 11/30/2009 (780176)
 346 12/02/2009 (763495)
 347 12/02/2009 (766995)
 348 12/02/2009 (766996)

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

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 #s: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
 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005

Self Report? NO **Classification:** Minor
Citation: 1948, Special Condition 13 OP
 19849, Special Condition 7D PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to inspect Tank T667B by the due date of March 2005

Self Report? NO **Classification:** Moderate
Citation: 1948, Special Condition 13 OP
 30 TAC Chapter 106, SubChapter K 106.261(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3173, Special Condition 1 PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)
Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.

Self Report? NO **Classification:** Moderate
Citation: 1948, Special Condition 1H(lv) 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)
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
 O-1943, Special Condition 17 OP

Description: Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 10D PERMIT
 O-1943, Special Condition 17 OP
 O-1943, Special Condition 1A OP

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 6H PA
NSR #3217, Special Condition 3H PA

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

Self Report? NO Classification: Minor

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

FOP #O-01946, Special Condition 21 OP
NSR 3216, Special Condition 2 PA
NSR 3218, Special Condition 2 PA
Description: Failure to maintain 94 LDAR components with identification tags as required by 40 CFR 61.242-1(d) as well NSR Permits #3216 and #3218.

Self Report? NO Classification: Minor
Citation:

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

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

Self Report? NO Classification: Minor
Citation:

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

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

Self Report? NO Classification: Minor
Citation:

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

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

Self Report? NO Classification: Minor
Citation:

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

5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 21 OP
NSR Permit 3216, Special Condition 1 PA

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

Self Report? NO Classification: Minor
Citation:

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

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

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

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 28 OP
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 88796 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 IPACRUFE (in HRVOC service) within 15 days

Self Report? NO Classification: Minor

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

Description: Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.

Self Report? NO Classification: Minor

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

Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).

Self Report? NO Classification: Minor

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

Description: Failure to collect samples when the HRVOC monitor went off-line for more than 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
FOP O-01945, SC 21(A) OP
NSR 3179, SC 2 PERMIT
Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.
- Self Report?** NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 20E PERMIT
NSR 3179, SC 21E PERMIT
NSR 3179, SC 3(B) PERMIT
Description: Failure to prevent four open-ended lines: Tag No. 4501333.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.
- Self Report?** NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 21(H) PERMIT
Description: Failure to tag the following components: Tag No. 322769 in Phenol 3 on February 8, 2007, and tag no. 950522 in Phenol 3 on March 21, 2007, which constitutes the violation of NSR Permit 3179 SC 21H, 30 TAC 115.354(5), and 40 CFR 63.181(b)(10).
- Self Report?** NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)

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

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

Date: 07/14/2009 (737104) CN601405145

Self Report? NO Classification: Minor

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

Description: Failure to tag leaking components.

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Part 60, Subpart A 60.18(c)(4)(i)
5C THSC Chapter 382 382.085(b)
9334, SC 5 PERMIT
O-01943, SC 17 OP

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Moderate

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

Description: Failure to store VOC in proper storage tanks.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)

5C THSC Chapter 382 382.085(b)
Description: Failure to comply with the sitewide hourly HROVC limit.

Date: 07/24/2009 (747258)

CN601405145

Self Report? NO Classification: Minor

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

Disclosure Date: 12/19/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to properly calculate and report emissions from tank floating roof landings on the annual emissions inventory submittal.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(2)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(1)

Description: Failure to identify two sour water strippers (SWS-1 and SWS-2) on the 2006 TAB update report.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

30 TAC Chapter 115, SubChapter B 115.112

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

Description: Failure to perform 10 year internal tank inspections for two internal floating roof tanks.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)

Description: Failure to cap four open ended lines out of 42 observed in the distilling units (DU-2 and DU-3).

Viol. Classification: Minor

Citation: 40 CFR Part 60, Subpart VV 60.482-7

Description: Failure to maintain 3% requirement for difficult to monitor list.

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

No DOV Associated

Notice of Intent Date: 12/19/2007 (791204)

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)

Disclosure Date: 11/25/2008

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT TPDES 00402

Description: Failure to comply with TPDES permit conditions. Specifically, 160 ft of sewer confined to 4 segments contained defects and structural cracks that may affect the hydraulic integrity of these segments.

Notice of Intent Date: 08/18/2008 (701440)
Disclosure Date: 02/19/2009
Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 10/27/2009 (785669)
No DOV Associated

Notice of Intent Date: 11/12/2009 (785386)
No DOV Associated

- G. Type of environmental management systems (EMSs).
01/11/2008 01/10/2011 ENVIRONMENTAL MANAGEMENT SYSTEM NON 30 TAC CH 90 CERTIFIED
- 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

§
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§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2009-1984-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 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 November 29, 2009, December 7 and 22, 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 Fifty-Five Thousand Eight Hundred Ninety-Nine Dollars (\$55,899) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Twenty-Two Thousand Three Hundred Sixty Dollars (\$22,360) of the administrative penalty and Eleven Thousand One Hundred Seventy-Nine

Dollars (\$11,179) 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. Twenty-Two Thousand Three Hundred Sixty Dollars (\$22,360) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent:
 - a. Permanently shut down the C39 Scrubber Column in October 2008;
 - b. Amended the Instrument Protective Function ("IPF") Mitigation form OP-CS-IPF-096 to specify the sequence and timing when bypassing IPF inputs on August 18, 2009, to address Incident No. 126985;
 - c. Updated the IPF procedures to reference the IPF Bypass form SDPRC-1061-C for the Olefins Plant 2 and 3 cold job sites on September 15, 2009, to address Incident No. 126985;
 - d. Communicated to the Olefins Operating Department personnel the requirement to obtain written management approval prior to any deviation from operating procedure on September 21, 2009 and to document that deviation in a procedure deviation form, to address Incident No. 126985;
 - e. Changed the location of the alarm station and reaffirmed the responsibility for acknowledgement of the alarm and appropriate actions to correct the issue associated with Incident No. 127526 on July 2, 2009;
 - f. Conducted a discussion with Operating Personnel on July 6, 2009 to review Incident No. 127526 in order to reemphasize the proactive monitoring screens and associated alarms and improve the communications when assignments are made for tasks outside of the established procedure/work practice in order to clarify responsibilities for each action item;
 - g. Tested and replaced relief valve RV1002C on August 19, 2009, in order to address Incident Nos. 127809 and 127810;
 - h. Revised the Phenol 3 operating procedure to include the Houston Isopropyl Alcohol ("HIPA") flare monitoring and emission exceedance alarm response on July 28, 2009, in order to address Incident Nos. 127809 and 127810;

- i. Evaluated pressure setpoint PC1332 and raised the setpoint to 250 pounds per square inch gauge on September 28, 2009 to minimize venting to the flare, in order to address Incident Nos. 127809 and 127810;
 - j. Incorporated the HIPA flare into the Phenol Unit daily compliance check on October 16, 2009, in order to address Incident Nos. 127809 and 127810;
 - k. Created alarm points for HIPA emission limits in the Phenol 3 Unit on January 31, 2010, in order to address Incident Nos. 127809 and 127810; and
 - l. Improved oversight of reporting to ensure the timely reporting of emissions events on November 16, 2009.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

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

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 9334, Special Condition No. 1, as documented during a record review conducted on August 21, 2009. Specifically, the Respondent released 37.08 pounds ("lbs") of benzene from the Aromatics Concentration Unit during an avoidable emissions event (Incident No. 127526) that began January 20, 2009 and lasted two hours. The event was not discovered until July 28, 2009, during an internal assessment in preparation for Title V deviation reporting. An internal floating roof of a storage tank was lowered to the point where the vacuum breaker opened releasing emissions to the atmosphere. The tank level alarm was improperly set, so there was no indication that the vacuum breaker had opened. Since this emissions event could have been avoided by better operational practices and was not properly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
2. Failed to submit the initial notification for Incident No. 127526 within 24 hours after the discovery of the event and failed to submit the final report within 14 days after the end of the event, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and (c) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on August 21, 2009. Specifically, the initial notification was due July 29, 2009 but was not submitted until July

31, 2009, and the final report was due August 11, 2009 but was not submitted until August 12, 2009.

3. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 3179, Special Condition No. 6, as documented during a record review conducted on August 21, 2009. Specifically, the Respondent released 278.40 lbs of volatile organic compounds ("VOC"), 240.10 lbs of carbon monoxide ("CO") and 39 lbs of nitrogen oxide ("NOx") from the HIPA flare in the LPG ("Liquified Petroleum Gas") Unit during an avoidable emissions event (Incident No. 127810) that began July 15, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review. During the shutdown of the Solvents Unit, the control signal being transferred to the controller in the Phenol 3 control room was lost due to the Phenol 3 control room not being included in the list of instruments involved in the cut-over. This resulted in a pressure valve going into its fail safe position and emissions being released to the atmosphere. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
4. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 3179, Special Condition No. 6, as documented during a record review conducted on August 21, 2009. Specifically, the Respondent released 241.40 lbs of VOC, 121.70 lbs of CO and 25.20 lbs of NOx from the HIPA flare in the LPG Unit during an avoidable emissions event (Incident No. 127809) that began July 3, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review. The event was due to a faulty relief valve prematurely opening, allowing emissions to enter the flare. Since this emissions event could have been avoided by better maintenance practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
5. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 115.722(c)(1), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 3219, Special Condition No. 1, as documented during a record review conducted on August 21, 2009. Specifically, the Respondent released 12,972 lbs of VOC, 5,816 lbs of CO and 1,062 lbs of NOx from flaring at the Olefins Flare System in the Olefins 3 Unit during an avoidable emissions event (Incident No. 126985) that began July 19, 2009 and lasted nine hours and 58 minutes. The Respondent also exceeded the hourly Highly Reactive VOC rate of 1,200 lbs/hour. The event was the result of an operator not following the established procedure for bypassing the Instrument Protection Function transmitters. As a result, the LI-5026Z transmitter failed before the operator could complete the bypass of all three transmitters, causing the Propylene Refrigeration Compressor to trip off-line. Since this emissions event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
6. Failed to comply with hourly VOC emission rates, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 19849, Special Condition No. 1 and Federal Operating Permit No. O-01948, Special Condition No. 13, as documented during a record review conducted on September 28, 2009. Specifically, the Respondent exceeded the 0.98 lb/hour VOC limit for the C39 Scrubber Column Vent on 221

occasions, releasing an aggregate amount of 57.18 lbs of unauthorized VOC emissions over a total of 119 hours, from July 29 through September 11, 2008.

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. 2009-1984-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, Twenty-Two Thousand Four Hundred Fifty-Seven Dollars (\$22,457) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent

receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Joel S. Miller
For the Executive Director

5/21/2010
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.

Amir Farid
Signature

MARCH 25 2010
Date

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

GENERAL MGR - SHELL DEEP PARKS ITE
Title

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

Attachment A
Docket Number: 2009-1984-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Shell Chemical LP

Penalty Amount: Forty-Four Thousand Seven Hundred Twenty Dollars (\$44,720)

SEP Offset Amount: Twenty-Two Thousand Three Hundred Sixty Dollars (\$22,360)

Type of SEP: Pre-approved

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

Location of SEP: Harris County

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

1. Project Description

A. Project

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

The Respondent certifies that it has no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

Any public statements concerning this SEP made by or on behalf of the 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 Offset Amount identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

