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EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2009-1781-AIR-E **TCEQ ID:** RN100210319 **CASE NO.:** 38629
RESPONDENT NAME: Equistar Chemicals, 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: Equistar Chemicals La Porte Complex, 1515 Miller Cut Off Road, La Porte, 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: There are no complaints. There are four additional pending enforcement actions regarding this facility location: Docket Nos. 2009-2024-AIR-E, 2010-0328-AIR-E, 2010-0591-AIR-E, and 2009-0154-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the BD and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on June 16, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None 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. Mike Wagner, Environmental Manager, Equistar Chemicals, LP, 1515 Miller Cut Off Road, La Porte, Texas 77573 Ms. Courtney F. Ruth, Site Manager, Equistar Chemicals, LP, 1515 Miller Cut Off Road, La Porte, Texas 77573 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input 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: None</p> <p>Date of Investigation Relating to this Case: July 21, 2009</p> <p>Date of NOE Relating to this Case: October 12, 2009</p> <p>Background Facts: This was a records review.</p> <p>AIR</p> <p>Failure to prevent unauthorized emissions. Specifically, the Respondent released 5,369 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene, 89 lbs of the HRVOC propylene, 32 lbs of polymer, 2.2 lbs of carbon monoxide and 0.54 lbs of nitrogen oxide from the AB3 Unit during an avoidable emissions event (Incident No. 126040) that began on June 25, 2009 and lasted one hour and 48 minutes. The event was the result of a Bafco valve failing in the closed position on the High Pressure Separator ("HPS"). The event also resulted in the exceedance of the 1,200 lb per hour HRVOC limit. 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) and 115.722(c)(1), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 4477, Special Condition No. 1].</p>	<p>Total Assessed: \$10,000</p> <p>Total Deferred: \$2,000 <input type="checkbox"/> Expedited Settlement <input checked="" type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$8,000</p> <p>On or about January 6, 2009, the Respondent filed a petition for bankruptcy relief pursuant to Chapter 11 of the United States Code now pending in the U.S. Bankruptcy Court.</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>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement measures designed to ensure the proper maintenance of valves on the HPS; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision a.</p>

Additional ID: Air Account No. HG0770G



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	19-Oct-2009	Screening	2-Nov-2009	EPA Due	
	PCW	2-Nov-2009				

RESPONDENT/FACILITY INFORMATION	
Respondent	Equistar Chemicals, LP
Reg. Ent. Ref. No.	RN100210319
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	38629	No. of Violations	1
Docket No.	2009-1781-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:	\$5,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	384.0% Enhancement	Subtotals 2, 3, & 7:	\$19,200
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Notes: Enhancement due to 31 NOVs with same or similar violations, 22 NOVs with unrelated violations, two 1660 Agreed Orders, four Findings Orders, one Court Order with a denial of liability and one Federal Order with a denial of liability. Reduction due to nine Notice of Audit letters submitted and three Disclosures of Violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5:	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6:	\$0
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Total EB Amounts	\$42
Approx. Cost of Compliance	\$1,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal:	\$24,200
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment:	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount \$24,200

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty:	\$10,000
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DEFERRAL	20.0% Reduction	Adjustment:	-\$2,000
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$8,000
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Screening Date: 2-Nov-2009

Docket No. 2009-1781-AIR-E

PCW

Respondent: Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 38629

PCW Revision October 30, 2009

Reg. Ent. Reference No. RN100210319

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)	31	155%
	Other written NOVs	22	44%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4	100%
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)	2	60%
	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)	9	-9%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	3	-6%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 384%

>> 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 31 NOVs with same or similar violations, 22 NOVs with unrelated violations, two 1660 Agreed Orders, four Findings Orders, one Court Order with a denial of liability and one Federal Order with a denial of liability. Reduction due to nine Notice of Audit letters submitted and three Disclosures of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 384%

Screening Date 2-Nov-2009

Docket No. 2009-1781-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 38629

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100210319

Media [Statute] Air

Enf. Coordinator John Muennink

Violation Number

1

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. 4477, Special Condition No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,369 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene, 89 lbs of the HRVOC propylene, 32 lbs of polymer, 2.2 lbs of carbon monoxide and 0.54 lbs of nitrogen oxide from the AB3 Unit during an avoidable emissions event (Incident No. 126040) that began on June 25, 2009 and lasted one hour and 48 minutes. The event was the result of a Bafco valve failing in the closed position on the High Pressure Separator ("HPS"). The event also resulted in the exceedance of the 1,200 lb per hour HRVOC limit. 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			Percent
		Major	Moderate	Minor	
	Actual		X		50%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					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 2.7 tons of HRVOCs. Additionally, June 25, 2009 was an ozone action day.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$5,000

One monthly event is recommended based on the emissions event that occurred on June 25, 2009.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$5,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$42

Violation Final Penalty Total \$24,000

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

Economic Benefit Worksheet

Respondent: Equistar Chemicals, LP
Case ID No.: 38629
Reg. Ent. Reference No.: RN100210319
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	25-Jun-2009	1-May-2010	0.85	\$42	n/a	\$42

Notes for DELAYED costs

Estimated expense to implement measures designed to ensure the proper maintenance of valves in the HPS. 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)

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$42

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600124705 Equistar Chemicals, LP	Classification: AVERAGE	Rating: 2.95
Regulated Entity:	RN100210319 EQUISTAR CHEMICALS LA PORTE COMPLEX	Classification: AVERAGE	Site Rating: 14.77

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0770G
	AIR OPERATING PERMITS	PERMIT	1606
	AIR OPERATING PERMITS	PERMIT	2223
	WASTEWATER	PERMIT	WQ0004013000
	WASTEWATER	PERMIT	TPDES0119792
	WASTEWATER	PERMIT	TX0119792
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1012680
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXR000025809
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	85436
	AIR NEW SOURCE PERMITS	PERMIT	19109
	AIR NEW SOURCE PERMITS	PERMIT	4477
	AIR NEW SOURCE PERMITS	PERMIT	5226
	AIR NEW SOURCE PERMITS	PERMIT	5836
	AIR NEW SOURCE PERMITS	PERMIT	18978
	AIR NEW SOURCE PERMITS	PERMIT	22043
	AIR NEW SOURCE PERMITS	PERMIT	38605
	AIR NEW SOURCE PERMITS	PERMIT	40078
	AIR NEW SOURCE PERMITS	PERMIT	42401
	AIR NEW SOURCE PERMITS	PERMIT	43676
	AIR NEW SOURCE PERMITS	PERMIT	45099
	AIR NEW SOURCE PERMITS	PERMIT	46127
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0770G
	AIR NEW SOURCE PERMITS	AFS NUM	4820100055
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX752
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX818
	AIR NEW SOURCE PERMITS	PERMIT	42349
	AIR NEW SOURCE PERMITS	REGISTRATION	70535
	AIR NEW SOURCE PERMITS	PERMIT	49122
	AIR NEW SOURCE PERMITS	PERMIT	53934
	AIR NEW SOURCE PERMITS	PERMIT	53387
	AIR NEW SOURCE PERMITS	REGISTRATION	74666
	AIR NEW SOURCE PERMITS	REGISTRATION	76465
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX752M3
	AIR NEW SOURCE PERMITS	REGISTRATION	77716
	AIR NEW SOURCE PERMITS	REGISTRATION	77957
	AIR NEW SOURCE PERMITS	REGISTRATION	79239
	AIR NEW SOURCE PERMITS	PERMIT	83822
	AIR NEW SOURCE PERMITS	REGISTRATION	51737
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX752M2
	AIR NEW SOURCE PERMITS	REGISTRATION	86948
	AIR NEW SOURCE PERMITS	PERMIT	4157A
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX1122
	AIR NEW SOURCE PERMITS	REGISTRATION	83481
	AIR NEW SOURCE PERMITS	EPA ID	N74
	AIR NEW SOURCE PERMITS	REGISTRATION	89879
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX752M1

AIR NEW SOURCE PERMITS	REGISTRATION	90257
WATER LICENSING	LICENSE	1012680
STORMWATER	PERMIT	TXR05N516
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50383
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	50383
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	85436
IHW CORRECTIVE ACTION	PERMIT	50383
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0770G

Location: 1515 MILLER CUT OFF RD, LA PORTE, TX, 77571

TCEQ Region: REGION 12 - HOUSTON

TCEQ Region:

Date Compliance History Prepared: October 20, 2009

Agency Decision Requiring Compliance History: Enforcement

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

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

Name: John Muennink Phone: (361) 825-3100

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator?
OWNOPR Equistar Chemicals, LP
4. If Yes, who was/were the prior owner(s)/operator(s) ?
OPR Millennium Petrochemicals GP LLC
5. When did the change(s) in owner or operator occur?
12/31/2004
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: 12/02/2006

ADMINORDER 2006-0295-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: No.18978, Special Condition No. 1 PERMIT

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

Effective Date: 08/10/2007

ADMINORDER 2006-1232-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. 18978, Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 4477, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to properly notify the TCEQ of emissions events that occurred on December 22, 2003, October 25, 2005 and March 12, 2006.

Classification: Moderate

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

Rqmt Prov: No. 18978, Special Condition. 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: no # 4477 SP #1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/10/2007

ADMINORDER 2006-1932-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Permit #4477, Special Condition #1 PA

Description: Failed to prevent unauthorized emissions and meet the highly reactive volatile organic compounds ("HRVOC") hourly cap.

Classification: Moderate

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

Rqmt Prov: # 18978 Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit #4477, SC#1 PA

Description: Failure to prevent unauthorized emissions of ethylene from PSV V4202RV1 to the atmosphere.

Effective Date: 02/25/2008

ADMINORDER 2007-0519-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit #18978 PA
Special Condition 1 PERMIT

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

Rqmt Prov: Permit #18978, Special Condition 1 PA
Special condition 1 PERMIT

Description: Failed to prevent unauthorized emissions

Classification: Moderate

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

Rqmt Prov: Permit #4477, Special Condition #1 PA

Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit #4477, Special Condition #1 PA
Description: Failed to prevent unauthorized emissions.

Effective Date: 04/03/2008 ADMINORDER 2007-0938-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: SC No.1 PERMIT
TCEQ AIR PERMIT #18978, SC1 PERMIT
Description: Equistar failed to control unauthorized emissions on December 13, 2005.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit #4477, Special Condition #1 PA
Description: Failed to control unauthorized emissions on March 4, 2006

Effective Date: 07/03/2008 ADMINORDER 2007-1715-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 #18978, Special Condition #1 PERMIT
Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit #18978, 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 THSC Chapter 382 382.085(b)
Description: Failed to report Incident No. 96455 within 24 hours after discovery.

Effective Date: 10/01/2008 COURTOORDER

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit #4477, SC #1 PA
Description: Equistar exceeded the VOC permit limit during an avoidable emissions event.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to prevent unauthorized emissions of 1,016.5 lbs of the HRVOC and HAP ethylene from a hole in a pipe in the AB3 LDPU on October 28, 2003 that lasted 2 hours.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ AIR Permit No. 4477 PA
Description: Failed to prevent unauthorized emissions of 6,316 lbs of the HRVOCs and HAPs ethylene and propylene and 354 lbs of particulate matter (PM) from the reactor vents in AB3 LDPU and 80.69 lbs of the HRVOCs and HAPs ethylene and propylene from EPN L3FLARE, in the AB3 LDPU on February 9, 2004 that lasted 2 hours and 17 minut

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #18978, SC# 1 PA

Description: Failed to prevent unauthorized emissions of 10,666 lbs of VOCs, which included the HRVOC butene and the HRVOCs and HAPs 1,3-butadiene and ethylene, 17,363 lbs of CO, and 3,184.60 lbs of NOx from EPN QE8050B in the QE1 Olefins Unit on May 28, 2004 that lasted 9 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC No. 5 PERMIT

Description: Failure to monitor 4,041 valves in VOC service using Method 21.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18978 and PSD-TX-752M3 PERMIT

Description: Failure to monitor 3882 valves in VOC service using Method 21.

Classification: Moderate

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

Rqmt Prov: 18978 and PSD-TX-752M3 PERMIT

Description: Failure to monitor 2,476 connectors in VOC service in the olefins unit using 40 Code of Federal Regulations (CFR) part 60, Method 21.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18978 and PSD-TX-752M3 PERMIT

SC No. 5 PERMIT

Description: Failure to cap or plug 48 open ended lines in the olefins unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC No. 5.PERMIT

Description: Failure to maintain the main flare minimum heating value of 300 BTU/scf during the propylene dryer regeneration periods in the olefins unit on sixteen occasions.

Classification: Moderate

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

Rqmt Prov: General Terms and Conditions OP

Description: Failure to report some instances of deviations (CEMS down times, semiannual reporting, regeneration periods, and fugitive monitoring deviations) in the olefins unit in the report dated December 15, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit the semiannual reports regarding continuous emissions monitoring system (CEMS) down times in the olefins unit for the year 2003.

Classification: Moderate

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

Rqmt Prov: 18978 and PSD-TX-752M3 PERMIT

Description: Failure to maintain the carbon monoxide (CO) emissions from the Pyrolysis Furnace (EPN: QE1009B) in the olefins unit below 0.035 lb/MMBTU for more than 4% of the operating time for two consecutive quarterly reporting periods (Second and Third quarter of 2003).

Classification: Moderate

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

Rqmt Prov: 18978 and PSD-TX-752M3 PERMIT

Description: Failure to maintain the carbon monoxide (CO) emissions from the Pyrolysis Furnaces (EPNs QE1001B through QE1008B) and the Boilers (EPNs QE5802UA and QE5802UB) in the olefins unit below 0.035 lb/MMBTU during the deviation period.

Classification: Moderate

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

Rqmt Prov: 18978 and PSD-TX-752M3 PERMIT

Description: Failure to maintain the carbon monoxide (CO) emissions from the Pyrolysis Furnaces (EPNs QE1001B through QE1009B) and the Boilers (EPNs QE5802UA and QE5802UB) in the olefins unit below the MAERT limit during the deviation period.

Classification: Moderate

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

Rqmt Prov: SC No. 1 PERMIT

Description: Failure to maintain the emissions from the EPN QE3050B within MAERT limit and this could have been avoided by good design, operation and maintenance activities.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #18978, SC #1 PA

Description: Failed to prevent unauthorized emissions of 4,060.1 lbs of VOCs, which included the HRVOC butene and the HRVOCs and HAPs 1,3-butadiene, ethylene, and propylene, 5,486 lbs of CO, and 591 lbs of NOx from EPN QE8050B in the QE1 Ethylene Unit on December 11, 2003 that lasted 27 hours.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 721 lbs of the HRVOCs and HAPs ethylene and propylene and 88 lbs of polymer from the reactor vents (non-permitted EPN L3RXVENTS) in the AB3 Low Density Polyethylene Unit (LDPU), on November 9, 2002 that lasted 25 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #19109, SC #1 PA

Description: Failed to prevent unauthorized emissions of 1,297 pounds (lbs) of volatile organic compounds (VOCs), which included the Highly Reactive VOCs (HRVOCs) and Hazardous Air Pollutants (HAPs) benzene and ethylene, 636.52 lbs of carbon monoxide (CO), and 122.44 lbs of nitrogen oxide (NOx) from emission point number (EPN) HSFL

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 965 lbs of they HRVOCs and HAPs ethylene and vinyl acetate and 72 lbs of PM from the reactor vents (non-permitted EPN L3RXVENTS) in the AB3 Polyethylene Unit on April 12, 2004 that lasted 5 minutes.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 842 lbs of VOCs, which included the HRVOCs and HAPs ethylene and propylene and 69 lbs of polymer from the reactor vents (non-permitted EPN L3RXVENTS) in the AB3 LDPU on November 6, 2003 that lasted 1 minute.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 842 lbs of VOCs, which included the HRVOCs

and HAPs ethylene, propylene, and vinyltrimethoxysilane (VTMOS) and 69 lbs of polymer from the reactor vents (non-permitted EPN L3RXVENTS) in the AB3 LDPU on November 9, 2003 that lasted 1 minute.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #18978, SC#1 PA

Description: Failed to prevent unauthorized emissions of 6,272.9 lbs of VOCs, which included the HRVOCs and HAPs ethylene and propylene, 8,782.70 lbs of CO, and 1,559 lbs of NOx from EPN QE8050B in the QE1 Olefins Unit on June 23, 2004 that lasted 5 hours and 54 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #4477, SC#1 PA

Description: Failed to prevent unauthorized emissions of 952 lbs of VOCs, including 762 lbs of the HRVOCs and HAPs ethylene and vinyl acetate, and 71 lbs of polymer from the reactor vents (non-permitted EPN L3RXVENTS) in the AB3 LDPU and 29.57 lbs of VOCs, which included the HRVOCs and HAPs ethylene and vinyl acetate, from EPN L3FL

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #18978, SC#1 PA

Description: Failed to prevent unauthorized emissions of 1,034.71 lbs of VOCs, which included the HRVOC acetylene and the HRVOCs and HAPs ethylene and propylene, 538.99 lbs of CO, and 92.51 lbs of NOx from EPN QE3050B ethylene from the QE1 Olefins on July 4, 2004 that lasted 22 hours and 35 minutes.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 834 lbs of the HRVOCs and HAPs ethylene and propylene and 100 lbs of polymer from reactor vents (non-permitted EPN L3RXVENTS) in the AB3 LDPU on November 24, 2003 that lasted 1 minute.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 834 lbs of the HRVOCs and HAPs ethylene and propylene and 100 lbs of polymer from the reactor vents (non-permitted EPN L3RXVENTS) in the AB3 LDPU on November 29, 2003 that lasted 1 minute.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #4477, SC#1 PA

Description: Failed to prevent unauthorized emissions of 840.52 lbs of the HRVOC VTMOS and the HRVOCs and HAPs ethylene and propylene and 69 lbs of PM (which is not authorized as an emission in the permit) from EPN L3FLARE in the AB3 LDPU on February 18, 2004 that lasted 5 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #19109, SC# 1 PA

Description: Failed to prevent unauthorized emissions of 8,949 lbs of HRVOCs which included the HRVOC butene and the HRVOC and HAP ethylene from the emergency vents in the Q1 Polyethylene Unit and 80.96 VOCs, including 57.4 HRVOCs and 47.51 lbs of CO from EPN HSFLARE in the Q1 Polyethylene Unit on February 1, 2004 that lasted 21 ho

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 952 lbs of the HRVOCs and HAPs ethylene and vinyl acetate and 71 lbs of polymer from the reactor vents (non-permitted EPN L3RXVENTS) in the AB3 LDPU on January 21, 2003 that lasted .01 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)

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

Description: Failed to prevent unauthorized emissions of 3,504 lbs of the HRVOC and HAP ethylene from a pressure relief valve in the UT ethylene meter station on November 30, 2003 that lasted 6 minutes.

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 report an emissions event with 24 hours of discovery. The emissions event that occurred on July 12, 2004 at 2:00 p.m. was not reported until July 14, 2004 at 1:34 p.m.

Classification: Moderate

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

Rqmt Prov: 4477 Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 1,793.87 lbs of the HRVOC and HAP ethylene from EPN L3FUG in the AB3 LDPU on July 12, 2004 that lasted 51 hours and 30 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit #4477 PA

Description: Failed to prevent unauthorized emissions of 1,243 lbs of the HRVOC VTMOs and the HRVOCs and HAPs ethylene and propylene and 102 lbs of PM from the reactor vents (non-permitted EPN L3RXVENTS) in the AB3 LDPU on May 4, 2004 that lasted 5 minutes.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 8,648 lbs of the highly reactive volatile organic compound (HRVOC) and hazardous air pollutant (HAP) ethylene from a pressure relief valve in the UT ethylene meter station on November 9, 2003 that lasted 8 minutes.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 533 lbs of the HRVOC and HAP ethylene from a pressure relief valve in the UT ethylene meter station on November 18, 2003 that lasted 1 minute.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions of 2,630 pounds (lbs) of volatile organic compounds (VOCs). The release of 2,630 lbs of the highly reactive VOC (HRVOC) ethylene from the Olefins Unit through the Process Fugitives, emission point number (EPN) QEFUG, occurred on November 11, 2004 and lasted 17 hours and 25 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 18978, SC #1 PA

Description: Failed to prevent unauthorized emissions of 7,335.87 pounds (lbs) of volatile organic compounds (VOCs), including 8,326.2 of highly reactive VOCs (HRVOCs), 1.87 hazardous air pollutants (HAPs), and 108.1 HRVOCs and HAPs, 9,822 lbs of carbon monoxide (CO), and 1,492 lbs of nitrogen oxides (NOx).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

Rqmt Prov: 19109, SC 12.F PERMIT

O-01606, SC 1.A OP

Description: Failure to monitor 209 valves in VOC service in the Q1 Unit using 40 CFR part 60, Method 21.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.564(a)(1)

Rqmt Prov: 19109, SC 14.C PERMIT

O-01606, SC 14.C OP

Description: Failure to conduct the performance test for the Q1 incinerator stack as required by the NSR permit 19109, dated January 21, 2004, within 180 days of increasing hourly polymer production to greater than 110% of that maintained during the last satisfactory test.

Classification: Moderate

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

Rqmt Prov: 19109, SC No.9 PERMIT
O-01606, SC 9.A OP

Description: Failure to control the particulate emissions as required by the permit standards and by passed the particulate emissions from the mixer feed hoppers in the Q1 unit during the certification period.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(5)(ii)

Rqmt Prov: O-01606, SC 1.A OP

Description: Failure to conduct the daily checks of pumps for four days in Q1 Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: O-01606, SC 1.A OP

Special Condition 12.E. PERMIT

Description: Failure to cap or plug 2 open ended lines in the Q1 Unit.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)

Description: Failure to report particulate matter control deviation and barrier fluid exceedance deviations in the Q1 Unit in the report dated September 24, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(b)

Description: Failure to submit the engineering report describing in detail the vent system used to vent each affected vent stream to a control device after the piping changes in August 2003 in Q1 Unit.

Classification: Moderate

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

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

Rqmt Prov: TCEQ Air Permit No. 18978, SC#1 PA

Description: Failed to prevent unauthorized emissions of 2,161 pounds of the volatile organic compounds acetylene and ethylene, 2,392 pounds of carbon monoxide, and 428 pounds of nitrogen oxides from emission point number QE8050B in the Olefins Unit during an emissions event that occurred on March 9, 2005 and lasted 1.4333 hours.

See addendum for information regarding federal actions.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	10/20/2004	(367339)
2	10/25/2004	(291882)
3	10/31/2004	(288355)
4	11/11/2004	(290530)
5	11/12/2004	(338008)
6	11/29/2004	(367340)
7	12/10/2004	(253708)
8	12/10/2004	(276453)
9	12/10/2004	(285085)
10	12/13/2004	(291053)
11	12/20/2004	(285304)
12	12/20/2004	(339171)

13	12/21/2004	(284737)
14	12/21/2004	(287807)
15	12/21/2004	(289537)
16	12/21/2004	(289814)
17	12/21/2004	(338825)
18	12/21/2004	(338830)
19	12/22/2004	(272306)
20	12/22/2004	(340087)
21	12/22/2004	(340088)
22	12/22/2004	(340090)
23	12/27/2004	(338823)
24	12/27/2004	(338826)
25	12/27/2004	(390239)
26	12/28/2004	(274165)
27	12/28/2004	(275757)
28	12/28/2004	(275765)
29	12/28/2004	(287579)
30	12/28/2004	(288900)
31	12/28/2004	(340085)
32	12/28/2004	(342437)
33	12/30/2004	(339169)
34	12/31/2004	(339170)
35	01/04/2005	(275598)
36	01/05/2005	(288752)
37	01/05/2005	(342314)
38	01/06/2005	(286945)
39	01/06/2005	(346266)
40	01/07/2005	(340854)
41	01/07/2005	(345093)
42	01/10/2005	(275036)
43	01/26/2005	(347775)
44	02/14/2005	(345107)
45	02/14/2005	(345108)
46	02/14/2005	(345109)
47	02/23/2005	(390238)
48	02/25/2005	(347508)
49	02/25/2005	(347533)
50	02/28/2005	(350647)
51	03/16/2005	(372522)
52	03/18/2005	(372086)
53	03/21/2005	(427694)
54	03/31/2005	(348992)
55	04/20/2005	(350846)
56	04/22/2005	(348993)
57	04/25/2005	(427695)
58	04/25/2005	(427698)
59	04/27/2005	(377666)
60	05/02/2005	(379023)
61	05/02/2005	(379025)
62	05/02/2005	(379027)
63	05/11/2005	(378796)
64	05/11/2005	(380586)
65	05/24/2005	(427696)
66	06/16/2005	(371763)
67	06/23/2005	(427697)
68	07/06/2005	(398300)
69	07/08/2005	(397159)
70	07/08/2005	(397164)
71	07/08/2005	(397169)

72	07/29/2005	(400016)
73	07/29/2005	(402225)
74	08/03/2005	(402565)
75	08/08/2005	(404125)
76	08/09/2005	(402106)
77	08/10/2005	(404030)
78	08/19/2005	(404431)
79	08/23/2005	(404501)
80	08/23/2005	(447751)
81	08/24/2005	(392722)
82	08/24/2005	(405380)
83	08/25/2005	(405740)
84	08/30/2005	(404242)
85	09/14/2005	(431715)
86	09/21/2005	(431539)
87	09/23/2005	(447752)
88	10/26/2005	(492906)
89	10/26/2005	(492909)
90	11/21/2005	(433841)
91	11/21/2005	(435080)
92	11/28/2005	(492907)
93	12/21/2005	(492908)
94	01/20/2006	(439064)
95	01/20/2006	(439066)
96	01/26/2006	(431992)
97	02/02/2006	(439295)
98	02/02/2006	(439522)
99	02/02/2006	(439633)
100	02/15/2006	(439561)
101	02/21/2006	(453963)
102	02/22/2006	(432284)
103	02/22/2006	(492904)
104	02/23/2006	(455883)
105	02/24/2006	(451235)
106	02/25/2006	(456913)
107	02/28/2006	(456463)
108	02/28/2006	(457026)
109	02/28/2006	(457167)
110	03/08/2006	(454488)
111	03/13/2006	(458226)
112	03/16/2006	(454029)
113	03/16/2006	(454588)
114	03/16/2006	(454636)
115	03/16/2006	(455964)
116	03/23/2006	(492905)
117	04/19/2006	(462735)
118	04/24/2006	(506468)
119	04/26/2006	(455073)
120	05/25/2006	(463280)
121	05/25/2006	(506469)
122	05/26/2006	(467363)
123	05/26/2006	(467375)
124	05/26/2006	(467379)
125	05/26/2006	(467382)
126	05/26/2006	(467391)
127	05/26/2006	(467396)
128	05/31/2006	(466933)
129	06/21/2006	(462913)
130	06/21/2006	(481795)

131	06/22/2006	(483443)
132	06/26/2006	(506470)
133	06/27/2006	(455404)
134	06/27/2006	(455405)
135	06/29/2006	(484570)
136	06/30/2006	(483762)
137	07/11/2006	(484826)
138	07/14/2006	(486946)
139	07/17/2006	(485587)
140	07/17/2006	(485923)
141	07/19/2006	(506471)
142	08/07/2006	(345081)
143	08/08/2006	(485874)
144	08/09/2006	(490279)
145	08/11/2006	(467626)
146	08/11/2006	(467635)
147	08/18/2006	(528685)
148	08/23/2006	(458894)
149	09/05/2006	(488631)
150	09/05/2006	(488651)
151	09/08/2006	(497595)
152	09/19/2006	(528686)
153	09/19/2006	(528687)
154	10/20/2006	(516121)
155	10/20/2006	(516554)
156	10/20/2006	(516566)
157	10/31/2006	(517252)
158	11/16/2006	(519602)
159	11/17/2006	(516921)
160	11/20/2006	(514502)
161	11/20/2006	(551952)
162	12/11/2006	(531680)
163	12/13/2006	(533373)
164	12/18/2006	(517871)
165	12/20/2006	(551953)
166	01/19/2007	(531635)
167	01/19/2007	(551954)
168	01/26/2007	(535998)
169	02/05/2007	(531641)
170	02/16/2007	(532610)
171	02/20/2007	(536017)
172	02/20/2007	(551951)
173	02/26/2007	(532609)
174	03/05/2007	(542456)
175	03/20/2007	(532775)
176	03/20/2007	(536006)
177	03/20/2007	(589296)
178	04/05/2007	(542368)
179	04/05/2007	(542369)
180	04/05/2007	(542370)
181	04/12/2007	(532611)
182	04/12/2007	(554892)
183	04/19/2007	(589297)
184	05/11/2007	(462772)
185	05/14/2007	(534972)
186	05/15/2007	(558701)
187	05/17/2007	(589298)
188	05/31/2007	(561392)
189	06/01/2007	(554895)

190	06/20/2007	(589299)
191	07/09/2007	(532634)
192	07/10/2007	(565209)
193	07/12/2007	(558881)
194	07/13/2007	(559650)
195	07/18/2007	(565509)
196	07/19/2007	(589300)
197	07/25/2007	(563252)
198	08/20/2007	(605806)
199	08/28/2007	(570434)
200	09/06/2007	(605807)
201	09/07/2007	(571530)
202	09/20/2007	(605809)
203	09/28/2007	(594920)
204	10/09/2007	(571528)
205	10/09/2007	(594695)
206	10/11/2007	(594693)
207	10/15/2007	(594690)
208	10/15/2007	(594692)
209	10/15/2007	(594694)
210	10/19/2007	(605808)
211	11/15/2007	(594689)
212	11/16/2007	(597973)
213	11/20/2007	(631964)
214	11/27/2007	(570521)
215	12/10/2007	(610695)
216	12/11/2007	(610682)
217	12/12/2007	(598310)
218	12/12/2007	(609039)
219	12/20/2007	(612437)
220	12/20/2007	(631965)
221	01/14/2008	(613552)
222	01/15/2008	(614252)
223	01/17/2008	(610699)
224	01/24/2008	(610674)
225	01/25/2008	(613512)
226	01/25/2008	(613541)
227	01/25/2008	(613555)
228	01/25/2008	(613857)
229	01/25/2008	(613874)
230	01/25/2008	(614229)
231	01/28/2008	(598307)
232	01/29/2008	(609101)
233	02/08/2008	(612730)
234	02/13/2008	(612840)
235	02/19/2008	(677433)
236	02/28/2008	(618019)
237	03/10/2008	(616812)
238	03/19/2008	(677434)
239	03/31/2008	(636151)
240	04/01/2008	(616811)
241	04/03/2008	(619011)
242	04/06/2008	(637320)
243	04/07/2008	(639314)
244	04/07/2008	(641592)
245	04/10/2008	(677435)
246	04/10/2008	(677436)
247	04/22/2008	(638949)
248	05/01/2008	(638959)

249	05/07/2008	(638961)
250	05/09/2008	(638778)
251	05/16/2008	(641203)
252	05/19/2008	(671026)
253	05/20/2008	(696168)
254	05/28/2008	(638962)
255	06/16/2008	(646366)
256	06/19/2008	(646368)
257	06/20/2008	(696169)
258	07/03/2008	(653609)
259	07/11/2008	(653610)
260	07/14/2008	(638964)
261	07/14/2008	(653719)
262	07/31/2008	(686092)
263	07/31/2008	(686093)
264	08/18/2008	(688789)
265	08/19/2008	(717807)
266	08/20/2008	(688715)
267	08/28/2008	(610625)
268	09/04/2008	(689451)
269	09/20/2008	(717808)
270	10/16/2008	(717810)
271	10/20/2008	(717809)
272	10/28/2008	(686185)
273	11/12/2008	(733136)
274	12/04/2008	(688113)
275	12/04/2008	(700715)
276	12/16/2008	(756297)
277	01/15/2009	(709042)
278	02/17/2009	(756293)
279	02/20/2009	(709495)
280	02/25/2009	(721083)
281	02/25/2009	(721084)
282	02/25/2009	(735621)
283	03/05/2009	(721082)
284	03/18/2009	(756294)
285	03/30/2009	(756295)
286	03/30/2009	(756296)
287	05/05/2009	(739945)
288	05/18/2009	(741225)
289	05/19/2009	(773263)
290	06/08/2009	(739477)
291	06/10/2009	(773264)
292	06/16/2009	(743921)
293	06/18/2009	(749634)
294	06/29/2009	(721079)
295	08/06/2009	(764956)
296	08/10/2009	(764924)
297	08/20/2009	(741169)
298	08/24/2009	(759202)
299	08/28/2009	(721238)
300	09/16/2009	(764661)
301	09/17/2009	(761496)
302	10/12/2009	(763103)
303	10/14/2009	(766458)
304	10/15/2009	(767716)

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

Date: 12/13/2004 (253708) CN600124705
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 No. 4477 PA
Description: Equistar failed to re-calibrated the pressure transducers in the reactor system.

Date: 12/13/2004 (291053) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #4477, SC #1 PA
Description: Equistar failed to change the seal air filters and properly conduct maintenance on the rental compressor equipment.

Date: 12/20/2004 (339171) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #5226, SC#1 PA
Description: Equistar failed to maintain the normal operating pressure of the ethylene supply line causing the pressure relief valve to open.

Date: 12/21/2004 (287807) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #4477, SC#1 PA
Description: Equistar failed to maintain the proper liquid level in the knockout drum.

Date: 12/30/2004 (338823) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit # 18978, SC #1 PA
Description: Equistar Chemicals, Inc. failed to maintain the set screws securing the secondary seal resulting in the failure of pump 3604JB.

Date: 12/31/2004 (367341) CN600124705
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 01/05/2005 (342314) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #18978, SC#4 PA
Description: Equistar failed to prevent the excess O2 valve from closing.

Date: 01/06/2005 (275598) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #18978, SC#1 PA
Description: Equistar failed failed to prevent the over-pressurization of the depropanizer due to non-condensable impurities in the feed stream from an abnormal upstream process condition.

Date: 03/16/2005 (372522) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #18978, SC#1 PA
Description: Lyondell/Equistar Chemicals, LP failed to open a 12" block valve required for F9 feed in prior to placing DMS in the furnace leading to the temporary poisoning of the MA/PD reactor.

Date: 03/31/2005 (427695) CN600124705
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2005 (348992) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
Description: Failed to limit the VOC emissions from surface coating facility activities in three days during certification period in the XL unit/common areas.

Date: 04/22/2005 (348993) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
Description: Failure to represent the emissions properly in the Permit Amendment Application dated September 17, 1999.

Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
Description: Failure to monitor 11 valves in VOC service in the ABIII Units using 40 CFR part 60, Method 21

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(6)
Description: Failure to repair the pumps in VOC service in the ABIII Units within 15 days and also make the first attempt of repair within five days

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
No. 4477, S.C. No.2 PERMIT
O-02225, S.C. 11.A OP
Description: Failure to limit the production rates below the 31,300 lb/hr for five days during certification period in the ABIII Units.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
No. 4477, S.C. No. 11.E PERMIT
O-02225, S.C. No. 11.A OP

Description: Failure to cap or plug 38 open ended lines in the ABIII units.
Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(4)
Description: Failure to include the total number of valves and pumps to the fugitive monitoring program (revisions) in the semiannual report for the period ending June 30, 2004.

Date: 05/03/2005 (379025) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Permit#18978, SC #10A PA
Description: The CEMS were not operated in the time shared mode as required. During the RATA, the CEMS were operated in a dedicated or locked mode for the tests. The CEMS were locked on one furnace for the nine-21 minute runs.

Date: 05/03/2005 (379027) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Permit#18978, SC - 10A PA
Description: The CEMS were not operated in the time shared mode as required and were not certified. During the RATA, the CEMS were operated in a dedicated or locked mode for the tests. The CEMS were locked on one furnace for the nine-21 minute runs.

Date: 05/03/2005 (379023) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Permit Nos. 18978, SC No. 10A PA
Description: The CEMS were not operated in the time shared mode as required and were not certified. During the RATA, the CEMS were operated in a dedicated or locked mode for the tests.

Date: 05/31/2005 (427697) CN600124705
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/06/2005 (398300) CN600124705
Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
Description: Failure to completely seal the plug on the open ended lines.

Date: 07/29/2005 (402225) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
O-02224, SC 1.A OP
Description: Failure to monitor 24 valves in Volatile Organic Compound (VOC) service using Method 21.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
Description: Failure to report three instances of deviations (non reportable emissions events that occurred on January 22, January 26 and April 19, 2004) in the report dated June 21, 2004. The regulated entity submitted these deviations on September 30, 2004.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
O-02224, SC1.A OP
Description: Failure to cap or plug three open ended lines and two valves at the end of the line in the utilities unit.

Date: 08/08/2005 (404125) CN600124705
Self Report? NO Classification: Moderate
Citation: 18978 & PSD-TX-752M3, SC 13.F PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
Description: Failure to monitor 31 valves in VOC service in the olefins unit using 40 CFR part 60, Method 21 within 30 days of addition to the HRVOC Service.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
Description: Failure to represent emissions from the Propylene Refrigeration Compressor, the Process Gas Compressor, and the Ethylene Refrigeration Compressor sour oil vents from olefins unit in the NSR Permit Application dated October 13, 2003.

Self Report? NO Classification: Moderate
Citation: 18978 & PSD-TX-752M3 SC NO.13E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to cap or plug 64 open ended lines in the olefins unit.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
Description: Failure to report some instances of deviations in the olefins unit in the report dated July 21, 2004. The regulated entity submitted these deviations on October 1, 2004.

Self Report? NO Classification: Minor

Citation: 18978 & PSD-TX-752M3, SC 16E PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
Description: Failure to include the details regarding the CEMS down times (date, time, and nature of the system repairs) in the quarterly reports when CEMS down time exceeded more than 5% of the operating time as required by 40 CFR 60.7(c)(3) in the olefins unit for third quarter of 2004.

Date: 08/10/2005 (402106) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #18978, SC#1 PA
Description: Failure to prevent a pinhole leak on the propylene dryer inlet drain piping.

Date: 08/19/2005 (404431) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit No. 19109, SC#1 PA
Description: Failure to prevent an avoidable emissions event.

Date: 08/24/2005 (392722) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
TCEQ Air Permit #4477, SC#1 PA
Description: Lyondell-Equistar Chemicals, LP failed to prevent the C4202 secondary compressor shutdown.

Date: 09/30/2005 (492906) CN600124705
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/2005 (492908) CN600124705
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2005 (492909) CN600124705
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 01/20/2006 (439064) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
NSR 4477, SC 2 PERMIT
O-02225, SC 11A OP

Description: It was determined that Equistar failed to maintain the maximum production rate at the ABIII Unit on January 1, 2005.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(5)
O-02225, SC 1A OP

Description: It was determined that Equistar failed to check the sensors for six pumps on January 22, 2005. This constitutes a violation of 40 CFR 60.482-2(d)(5)(i).
It was determined that Equistar failed to check the sensors for six pumps on January 22, 2005. This constitutes a violation of 40 CFR 60.482-2(d)(5)(i).

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)
NSR 4477, SC 9E PERMIT
O-02225, SC 11A OP
O-02225, SC 1A OP

Description: It was determined that Equistar failed to equip open-ended lines with a second valve, cap, or plug on 64 occasions in the fugitive area (L3FUG). This constitutes a violation of 30 TAC 115.352(4), 115.783(5), and 116.115(c), and 40 CFR 60.482-6(a)(1).
. It was determined that Equistar failed to equip open-ended lin

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)
NSR 5836, SC 1E PERMIT
O-02225, SC 1A & SC 11A OP

Description: It was determined that Equistar failed to equip open-ended lines with a second valve, cap, or plug on 26 occasions in the fugitive area (MRUFUG). This constitutes a violation of 30 TAC 115.352(4), 115.783(5), and 116.115(c), and 40 CFR 60.482-6(a)(1).
It was determined that Equistar failed to equip open-ended lines w

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)

Description: It was determined that Equistar failed to satisfy the conditions of Permitted by-Rule (PBR) 106.261 for the installation of a propylene seal pot in the ABIII Unit. This constitutes a violation of 30 TAC 116.110(a)(4).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
NSR 4477, SC 1 PERMIT
O-02225, SC 1A & 11A OP

Description: Equistar failed to properly maintain VOC emissions from storage silos(L3SILOS) in the ABIII Unit on the following three occasions: 1,134 ppm on 10/8/04, 1,127 ppm on 4/11/05, and 1,158.6 ppm on 8/9/05.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
NSR 4477, SC 7B PERMIT
O-02225, SC 11A OP

Description: It was determined that Equistar failed to continuously monitor the presence of flare pilot flames for the flare (L3Flare) on May 26 & 27, 2005. This constitutes a violation of 30 TAC 116.115(c).

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.146(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
O-02225, SC 5A OP

Description: It was determined that Equistar failed to maintain records on industrial

wastewater streams as needed to demonstrate compliance with 30 TAC 115.142. This constitutes a violation of 30 TAC 115.146(1).

Date: 01/20/2006 (439066) CN600124705

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 1A OP

Description: failure to monitor NOx emissions for Boilers G and H on 18 occasions

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 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
SC 1A OP

Description: It was determined that Equistar failed to equip two open-ended lines with caps/plugs. This constitutes a violation of 30 TAC 115.352(4), 30 TAC 115.783(5), and 40 CFR 60.482-6(a)(1).
It was determined that Equistar failed to equip two open-ended lines with caps/plugs.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 1A OP

Description: Equistar failed to operate diesel engines outside of the restricted hours between 6:00 a.m. and noon on two occasions. This constitutes a violation of 30 TAC 117.206(i).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter H 101.359(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 1A OP

Description: Equistar failed to submit NOx ECT-1 Annual Report for Boilers G and H, and Polymers Diesel Engines by the deadline of March 31, 2005. This constitutes a violation of 30 TAC 101.359(a).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.216(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 1A OP

Description: It was determined that Equistar failed to submit NOx Final Report Plan for Boilers G and H, and Polymers Diesel Engines by the deadline of March 31, 2005. This constitutes a violation of 30 TAC 117.216(c).
It was determined that Equistar failed to submit NOx Final Report Plan for Boilers G and H, and Polymers Diesel

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 1 PERMIT
SC 8 OP

Description: It was determined that Equistar failed to properly maintain CO emissions from Boiler G on September 26, 2005. This constitutes a violation of 30 TAC 116.115(c).
It was determined that Equistar failed to properly maintain CO emissions from Boiler G on September 26, 2005. This constitutes a violation of 30 TAC 116.115

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 1 PERMIT
SC 8 OP

Description: It was determined that Equistar failed to properly maintain CO emissions from Boiler H on April 5 and 12, 2005. This constitutes a violation of 30 TAC 116.115(c).
It was determined that Equistar failed to properly maintain CO emissions from Boiler H on April 5 and 12, 2005. This constitutes a violation of 30 TAC 116

Date: 03/17/2006 (454588) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(e)(4)(B)(ii)
Description: Violation of 117.213 (e)(4)(B)(ii). Failed to operate the CEMS system in a time shared mode while conducting CEMS RATA.

Date: 03/17/2006 (454029) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 19109, Special Condition No. 1 PERMIT
Description: Equistar failed to prevent an avoidable emissions event.

Date: 03/17/2006 (454636) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(e)(4)(B)(ii)
Description: Violation of 117.213 (e)(4)(B)(ii). Failed to operate the CEMS system in a time shared mode while conducting CEMS RATA.

Date: 08/29/2006 (458894) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter B 111.205(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Equistar failed to provide fire training notification for the training that occurred on October 6, 2004.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Equistar failed to maintain visible emissions from a portable diesel lighting system south of AB3 flare within the 30% opacity limit on October 23, 2004.

Date: 10/31/2006 (551952) CN600124705
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 11/16/2006 (519602) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Permit #18978, SC#1 PA
Description: Failure to prevent the unauthorized emissions of HRVOC and VOC from the decoking drum.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
Description: Failure to include the permit number in the final report.

Date: 12/18/2006 (517871) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
Description: Failure to perform the manganese oxide correction analysis.

Date: 02/16/2007 (532610) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02225, Special Condition 1.H OP
Description: Failure to install a continuous monitoring system for pressure relief valve

V4229RV1.

Self Report? NO Classification: Moderate
Citation: 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)
5836, Special Condition 4E PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to seal open-ended lines containing volatile organic compounds.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02225, Special Condition 1.A. OP

Description: Failure to maintain appropriate records of a land based volatile organic compound (VOC) transfer to a transport vessel.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02225, Special Condition 8.A.(i) OP

Description: Failure to ensure a tank-truck being filled with VOCs had a current annual leak test.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
4477, Special Condition 3 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02225, Special Condition 11.A OP

Description: Failure of preventing the exceedence of the production limit as listed in Table 2 of the confidential section of the permit application. (CATEGORY B19.g.1)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
4477, Special Condition 9F PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02225, Special Condition 11.A OP

Description: Failure to conduct valve monitoring for three consecutive quarters.

Date: 02/27/2007 (532609) CN600124705

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to analyze the HRVOC concentrations in the ARU flare (EPN: QE3050B) flare header gas. (B.19.g.1)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(d)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02223, Special Condition 1.A. OP

Description: Failure of not repairing pumps seals within the six month deadline. (B19.g.(1))

Self Report? NO Classification: Moderate
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)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02223, Special Condition 1.A. OP
O-02223, Special Condition 13.A. OP
Permit 18978/PSD-TX-752M3, SC 13.H. PERMIT

Description: Failure to place leaker tags on equipment designating it as leaking components.

Self Report? NO Classification: Moderate
Citation: 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 D 382.085(b)
O-02223, Special Condition 1.A. OP

Description: Failure to identify fugitive components on tubing/piping associated with a sampling system in "benzene" service. (B19.g.(1))
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)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02223, Special Condition 1.A. OP
O-02223, Special Condition 13.A. OP
Permit 18978/PSD-TX-752M3, SC 13.E. PERMIT

Description: Failure to seal open-ended lines in HRVOC and VOC service.
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)(5)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit the CEMS downtime report in a timely manner.
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to keep the degreaser lid closed.
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02223, Special Condition 6.A.(i) OP

Description: Failure to ensure trailers being filled with VOCs had a current annual leak test.
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(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02223, Special Condition 1.A. OP

Description: Failure to ensure the net heating value of flare QE8050B did not drop below 300 Btu/scf. (B19.g.(1))
Self Report? NO **Classification:** Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(c)(2)

Description: Failure to ensure the wastewater met the 10 ppm standard. (B19.g.(1))
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.214(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to stack test six diesel air compressors and one diesel engine pump. (B19.g.(1))
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 D 382.085(b)
O-02223, Special Condition 13.A. OP
Permit 18978/PSD-TX-752M3, SC 1 PERMIT

Description: Failure to ensure two diesel engines did not exceed the permitted tons/year allowable. (B19.g.(1))
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02223, General Terms and Conditions OP

Description: Failure to include two compressors in the MAERT as emission points. (B19.g.(1))
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02223, Special Condition 3.A.(i) OP

Description: Failure to prevent the exceedance of the opacity limit for the MAPD decoking process. (B19.g.(1))
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 D 382.085(b)
O-02223, Special Condition 13.A. OP
Permit 18978/PSD-TX-752M3, SC 1 PERMIT
Permit 18978/PSD-TX-752M3, SC 3.B. PERMIT

Description: Failure to prevent the exceedance of permitted allowables for Furnaces 1, 4, 5, 7, 8, and 9. (Category B19.g.(1))

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 D 382.085(b)
O-02223, SC 13.A. OP
Permit 18978/PSD-TX-752M3, SC 1 PERMIT
Permit 18978/PSD-TX-752M3, SC 2.B. PERMIT
Permit 18978/PSD-TX-752M3, SC 3.B. PERMIT

Description: Failure to prevent the exceedance of permitted allowables for Boilers A and B. (B19.g.(1))

Date: 04/04/2007 (542370) CN600124705

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Permit #4477, Special Condition #1 PA

Description: Failure to prevent unauthorized emissions of ethylene, particulate matter, and vinyl acetate/

Date: 04/05/2007 (542368) CN600124705

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Permit #4477, Special Condition #1 PA

Description: Failure to prevent the unauthorized emission of ethylene.

Date: 05/24/2007 (558701) CN600124705

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Permit #18978 PA

Description: Failure to prevent the unauthorized emissions of HRVOC and VOC.

Date: 07/09/2007 (532634) CN600124705

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(c)(3)(II)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR Permit 19109, SC 6A PERMIT
Title V Permit O-01606, SC 1A & SC 9A OP

Description: failed to maintain the heating value of the gas being combusted being 300 Btu/scf or greater in the Q-1 Flare (HSFLARE) on December 11, 2005.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V Permit O-01606 OP

Description: failed to properly perform the initial calibration of the highly reactive volatile organic compounds (HRVOC) analyzer for the Q-1 Flare by January 31, 2006, and also failed to perform daily calibrations until March 17, 2006.

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 THC Chapter 382, SubChapter D 382.085(b)
Title V Permit O-01606, SC 1A OP

Description: failed to properly perform the initial calibration of the highly reactive volatile

organic compounds (HRVOC) analyzer for the cooling tower (Q1CT) until March 30, 2006, and also failed to perform daily calibrations on April 9 and 10, 2006.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V Permit O-01606, SC 1A OP

Description: failed to install a continuous monitoring system to determine status of relief valves and duration of pressure relief events for pressure relief valves (HRVOC PSV) on the butene unloading system: PSV-R1779, PSV-R724, and PSV-J781RV.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V Permit O-01606, SC 1A OP

Description: failed to maintain operating limits established during the HRVOC emission test on four occasions.

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)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR Permit 19109, SE 12E PERMIT
Title V Permit O-01606, SC 1A & 9A OP

Description: failed to equip open-ended lines with a plug or second valve on two occasions.

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 D 382.085(b)
NSR Permit 19109, SC 1 PERMIT
Title V Permit O-01606, SC 9A OP

Description: failed to maintain VOC emissions from railcar unloading to storage.

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 D 382.085(b)
NSR Permit 19109, SC 7D PERMIT
Title V Permit O-01606, SC 9A OP

Description: failed to continuously monitor the incinerator stack oxygen concentration on October 4, 2005.

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 D 382.085(b)
NSR Permit 19109, SC 8 PERMIT
Title V Permit O-01606, SC 9A OP

Description: failed to perform the required cylinder gas audit (CGA) on the oxygen analyzer by March 31, 2006.

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 D 382.085(b)
NSR Permit 19109, SC 2 PERMIT
Title V Permit O-01606, SC 9A OP

Description: failed to limit the volatile organic compounds (VOC) content in the polyethylene powder exiting the product purge bin to 100 ppm by weight on October 31, 2005.

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 D 382.085(b)
NSR Permit 19109, SC 1 PERMIT
Title V Permit O-01606, SC 9A OP

Description: failed to maintain NOx emissions from the Q-1 Flare (HSFLARE) within the limit of 0.50 lb/hr.

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 D 382.085(b)
NSR Permit 19109, SC 9 PERMIT
Title V Permit O-01606, SC 9A OP
Description: failed to maintain a sock filter on the powder feeder hopper on April 8, 2006.

Date: 07/10/2007 (565209) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Permit #4477, Special Condition #1 PERMIT
Description: Failure to prevent the lifting of safety relief valves which resulted in unauthorized emissions of ethylene to the atmosphere.

Date: 10/31/2007 (631964) CN600124705
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 11/16/2007 (597973) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Permit #4477, Special Condition #1 PERMIT
Description: Failure to block in the High Pressure Separator overhead valve resulting in unauthorized emissions.

Date: 02/08/2008 (612730) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Permit #4477, Special Condition #1 PERMIT
Description: Failure to prevent the opening of the reactor vent to the atmosphere which resulted in the release of ethylene.

Date: 06/20/2008 (646368) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition #1 PERMIT
Description: Failure to prevent bumping of the barring-over controls on the Recycle compressor which resulted in the shutdown of the compressor and the venting of contaminants to the atmosphere.

Date: 07/11/2008 (653610) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition #1 PERMIT
Description: Failure to prevent pressure build up in the gas recycle system which resulted in the lifting of a High Pressure Separator Relief Valve to the atmosphere.

Date: 08/20/2008 (688715) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
5C THSC Chapter 382 382.085(b)
Description: Failure to include the heat exchanger leak in Incident #96015.

Date: 03/31/2009 (756295) CN600124705

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

Date: 06/16/2009 (743921) CN600124705

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

Description: Failure to measure the flow at Outfall 001 at the required frequency.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.6
30 TAC Chapter 319, SubChapter A 319.9(c)

Description: Failure to properly calibrate the pH meter and perform the required Quality Assurance/Quality Control (QA/QC) for the chlorine meter.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Other Requirements, No. 3, p. 12-13 PERMIT

Description: Failure to properly complete the Discharge Monitoring Reports (DMRs) for total zinc at Outfall 001 in March 2009.

Date: 06/29/2009 (721079) CN600124705

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 W 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)
5C THSC Chapter 382 382.085(b)
Special Condition 14E PERMIT
Special Condition 5 PERMIT
Special Condition 6A PERMIT
Special Term and Condition 13 OP
Special Term and Condition 1A OP

Description: Failure to maintain a cap, blind flange, plug or second valve on four (4) open ended lines. (Category C10 violation)

Self Report? NO Classification: Moderate
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)
Special Term and Condition 1J(v) OP

Description: Failure to repair eleven (11) leaking components in HRVOC service within seven (7) days. (Category B19(g)(1) violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)

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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT W 60.482-7(d)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Part 61, Subpart V 61.242-7(d)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 14I PERMIT
Special Condition 5 PERMIT
Special Condition 6A PERMIT
Special Term and Condition 13 OP
Special Term and Condition 1A OP
Special Term and Condition 1J(v) OP

Description: Failure to repair twelve (12) leaking components in HRVOC service within fifteen (15) days. (Category B19(g)(1) violation)

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)
Special Condition 11A PERMIT
Special Condition 5 PERMIT
Special Term and Condition 13 OP
Special Term and Condition 1A OP
Description: Failure to maintain a minimum of 300 BTU for flare QE3050B. (Category B19(g)(1) Violation)

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)
Special Term and Condition 1J(iii) OP

Description: Failure to maintain HRVOC emissions below the HRVOC cap of 1200 lbs/hr. (Category B19(g)(1) violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter T 106.454(3)(B)
30 TAC Chapter 115, SubChapter E 115.412(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 13 OP
Special Term and Condition 1A OP

Description: Failure to maintain a closed lid on the Olefins degreaser while the degreaser was not in use. (Category B19(g)(1) violation)

Self Report? NO Classification: Moderate

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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
Special Conditions 11C PERMIT
Special Term and Condition 13 OP
Special Term and Condition 1A OP

Description: Failure to limit visible emissions to less than five minutes within a two hour period from flare QE3050B. (Category B19(g)(1))

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms and Conditions 13 OP

Description: Failure to maintain NOX emissions below 31.75 lbs/hr for Furnace #9 (QE1009B). (Category B19(g)(1) violation)

Date: 08/24/2009 (759202) CN600124705

Self Report? NO Classification: Moderate

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

Description: Failure to prevent unauthorized emissions due to water entering the high voltage disconnect switch structure.

Date: 08/28/2009 (721238) CN600124705

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 13 PERMIT
Special Terms & Conditions 15 PERMIT

Description: Failed to perform monthly sampling and testing for residual VOC, which constitutes the violation of NSR Permit 19109, Special Condition 13. (CATEGORY C1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
Special Terms & Conditions 12(E) PERMIT

Special Terms & Conditions 15 PERMIT
Special Terms & Conditions 1A PERMIT
Description: Failure to seal one open-ended line with a cap, plug, blind flange, or a second valve. [Category C10]
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions 2F PERMIT
Description: Failed to create a final record of five reportable events no later than two weeks after the end of an emissions event. (CATEGORY C3 violation)

Date: 09/17/2009 (761496) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event.
Specifically, Equistar failed to prevent unauthorized emissions from the High Pressure Separator relief valve (L3Fug).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit the Initial Notification for a reportable emissions event within 24 hours of discovery of the event.

F. Environmental audits.

Notice of Intent Date: 11/28/2006 (534264)

No DOV Associated

Notice of Intent Date: 07/27/2007 (593661)

Disclosure Date: 04/29/2008

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-2
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026

Description: Failure to monthly monitor specific components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)

Description: Failure to maintain 3 calibration precision tests and 19 daily calibration test records.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1064(g)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(e)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(e)(1)

Description: Failure to maintain Heavy Liquid Equipment Lists.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: PERMIT NSR 4477

Description: Failure to close 4 open ended lines.

Notice of Intent Date: 07/31/2007 (593666)

Disclosure Date: 03/31/2008

Viol. Classification: Moderate

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

Description: Failure to include all benzene waste streams at the facility in the total annual benzene quantity.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.344
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.348
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349

Description: Failure to meet benzene waste operations control standards for tanks, surface impoundments, containers, individual drain systems, oil water separators, treatment processes, closed vent systems and control devices.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357

Description: Failure to properly monitor, report, and maintain records for benzene waste operations.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355

Description: Failure to follow test methods, procedures and compliance provisions for benzene waste operations.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)

Description: Failure to accurately calculate the benzene quantities of certain waste streams.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(c)

Description: Failure to determine the proper flow-weighted annual average benzene concentration.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(c)(1)

Description: Failure to use all phases when determining the weighted-average benzene concentration.

Notice of Intent Date: 11/05/2007 (615486)

No DOV Associated

Notice of Intent Date: 11/05/2007 (615488)

No DOV Associated

Notice of Intent Date: 11/05/2007 (615489)

Disclosure Date: 08/20/2008

Viol. Classification: Moderate

Rqmt Prov: PERMIT Title V Operating Permit O-2225

Description: Failure to comply with Title V operating permit O-2225.

Notice of Intent Date: 04/22/2008 (681801)

No DOV Associated

Notice of Intent Date: 06/23/2008 (688517)

No DOV Associated

Notice of Intent Date: 09/28/2009 (779143)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: EQUISTAR CHEMICALS LA PORTE COMPLE

Reg Entity Add: 1515 MILLER CUT-OFF **Reg Entity No:**

Reg Entity City: LA PORTE **RN100210319**

Customer Name: Equistar Chemicals **Customer No:** CN600124705

EPA Case No: 06-2004-3409 **Order Issue Date (yyyymmdd):** 20080126

Case Result: Final Order with Penalty **Statute:** CAA **Sect of Statute:** 502

Classification: MODERATE **Program:** NESHAPs **Citation:**

Violation Type: Violation of NESHAP **Cite Sect:** **Cite Part:**

Enforcement Action: Consent Decree/Court Order

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EQUISTAR CHEMICALS, LP
RN100210319

§
§
§
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§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2009-1781-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 Equistar Chemicals, 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 1515 Miller Cut Off Road in La Porte, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about October 17, 2009.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). On or about January 6, 2009, the Respondent filed a petition for bankruptcy relief pursuant to Chapter 11 of the United States Code now pending in the U.S. Bankruptcy Court for the Southern District of

New York. Debtor remains as a debtor in possession and no trustee or examiner has been appointed. The Automatic Stay imposed by the Federal Bankruptcy Code (specifically, 11 USC § 362(a)) does not apply to the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power, by virtue of the exception set out at 11 USC § 362(b)(4). Accordingly, TCEQ (a governmental unit as defined under 11 USC § 101 (27)) is expressly excepted from the automatic stay in pursuing enforcement of the State's Environmental Protection Laws, and in seeking to liquidate its damages for such violations. These violations having been incurred post-petition are entitled to be treated as an administrative expense priority for purposes of the claims hierarchy of payment from the bankruptcy estate. So long as the Debtor's bankruptcy proceedings are pending and/or until relief from the automatic stay is granted, the TCEQ will, however, not seek to execute upon any monetary judgment obtained without first approaching the United States Bankruptcy Court where the Debtor's bankruptcy case is pending as necessary, after consultation with the Office of the Attorney General. Two Thousand Dollars (\$2,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. Any 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 upon approval of the bankruptcy court.

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 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.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 115.722(c)(1), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 4477, Special Condition No. 1, as documented during a record review conducted on July 21, 2009. Specifically, the Respondent released 5,369 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene, 89 lbs of the HRVOC propylene, 32 lbs of polymer, 2.2 lbs of carbon monoxide and 0.54 lbs of nitrogen oxide from the AB3 Unit during an avoidable emissions event (Incident No. 126040) that began on June 25, 2009 and lasted one hour and 48 minutes. The event was the result of a Bafco valve failing in the closed position on the High Pressure Separator ("HPS"). The event also resulted in the exceedance of the 1,200 lb per hour HRVOC limit. 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.

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 be assessed an administrative penalty as set forth in Section I, Paragraph 6 above. The assessment 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. However, the agreement by the Respondent to the assessment of a penalty is expressly not in lieu of or an alternative to compliance with all injunctive requirements in this Agreed order. 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 when paid shall be made payable to "TCEQ" and sent with the notation "Re: Equistar Chemicals, LP, Docket No. 2009-1781-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. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement measures designed to ensure the proper maintenance of valves on the HPS; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 2.a.

The certification shall be notarized by a State of Texas Notary Public and contain the following language:

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

The certification shall be submitted to:

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

with a copy to:

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

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

7. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.

8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

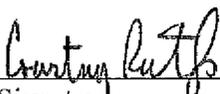
Date 6/10/2010

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

I also understand that failure to comply with the Ordering Provisions, if any, in this order may result in:

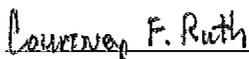
- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees;
- Increased penalties in any future enforcement actions;
- Automatic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

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



Signature

Date 4-1-10



Name (Printed or typed)

Authorized Representative of
Equistar Chemicals, LP

Site Manager
Title

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