

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2010-0284-AIR-E **TCEQ ID:** RN101619179 **CASE NO.:** 39196
RESPONDENT NAME: ConocoPhillips Company

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" 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: ConocoPhillips Sweeny Refinery, Highway 35 and Farm-to-Market Road 524, Old Ocean, Brazoria County</p> <p>TYPE OF OPERATION: Petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on July 19, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Ms. Trina Grieco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. David Huffman, Plant Manager, ConocoPhillips Company, P.O. Box 866, Sweeny, Texas 77480-0866 Mr. T.J. Rich, General Manager, ConocoPhillips Company, P.O. Box 866, Sweeny, Texas 77480-0866 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: November 18, 2009</p> <p>Date of NOE Relating to this Case: February 12, 2010</p> <p>Background Facts: This was a records review.</p> <p>AIR</p> <p>Failure to prevent unauthorized emissions. Specifically, unauthorized emissions of 6,928.71 pounds ("lbs") of carbon monoxide, 1,184.76 lbs of nitrogen oxides, 10,106.88 lbs of sulfur dioxide, 115.60 lbs of hydrogen sulfide, 8,958.84 lbs of volatile organic compounds ("VOCs"), including 3,786.90 lbs of highly reactive VOCs, were released from Coker Flare No. 29, emission point number ("EPN") 29-61-1, Expansion Low Pressure Flare 17, EPN 56-61-17, Flare 11, EPN 56-61-11, High Pressure Flare 16, EPN 56-61-16, and Old Alky Flare, EPN 56-61-19 in the 26.2 Hydrogen Purification Unit, Unit 27 Fluid Catalytic Cracking Unit, and Unit 38 Ultra Low Sulfur Diesel Unit during an emissions event (Incident No. 131689) that occurred on November 5, 2009 and lasted 13 hours and 20 minutes. Since the cause of the event was never clearly defined, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review Permit Nos. 22086, 5920A and PSD-TX-103M3, and 7467A, Special Condition 1].</p>	<p>Total Assessed: \$10,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$5,000</p> <p>Total Paid to General Revenue: \$5,000</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>Findings Orders Justification: Human health has been exposed to pollutants which exceed levels that are protective.</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement measures designed to prevent the recurrence of emissions events due to the same cause as Incident No. 131689 that occurred on November 5, 2009; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.</p>

Additional ID No(s): BL0042G

Attachment A
Docket Number: 2010-0284-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	ConocoPhillips Company
Penalty Amount:	Ten Thousand Dollars (\$10,000)
SEP Offset Amount:	Five Thousand Dollars (\$5,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Texas PTA – <i>Clean School Bus Program</i>
Location of SEP:	Texas Air Quality Control Region 216 – Houston-Galveston

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

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to *Texas PTA* for the *Clean School Bus Program* as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to reimburse local school districts for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today’s level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

ConocoPhillips Company
Agreed Order - Attachment A

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

2. Performance Schedule

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

Texas Congress of Parents and Teachers dba Texas PTA
Clean School Bus Program
Suzy Swan, Director of Finance
408 West 11th Street
Austin, Texas 78707

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3087

5. Publicity

ConocoPhillips Company
Agreed Order - Attachment A

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES

Assigned PCW 16-Feb-2010
 Screening 22-Feb-2010
 EPA Due 9-Nov-2010

RESPONDENT/FACILITY INFORMATION

Respondent ConocoPhillips Company
 Reg. Ent. Ref. No. RN101619179
 Facility/Site Region 12-Houston Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No. 39196 No. of Violations 1
 Docket No. 2010-0284-AIR-E Order Type Findings
 Media Program(s) Air Government/Non-Profit No
 Multi-Media EC's Team Trina Grieco Enforcement Team 5

Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$10,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 614.0% Enhancement Subtotals 2, 3, & 7 **\$61,400**

Notes: Penalty enhancement due to 39 NOVs issued for same or similar violations, 11 NOVs issued for unrelated violations, nine Agreed Orders without a denial of liability, and nine orders with a denial of liability. Penalty reduction due to four Notice of Audit letters and two Disclosure of Violations submitted.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments Subtotal 5 **\$0**

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

Total EB Amounts \$68
 Approx. Cost of Compliance \$1,500
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal **\$71,400**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$71,400**

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

DEFERRAL 0.0% Reduction Adjustment **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$10,000**

Screening Date 22-Feb-2010

Docket No. 2010-0284-AIR-E

PCW

Respondent ConocoPhillips Company

Policy Revision 2 (September 2002)

Case ID No. 39196

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN101619179

Media [Statute] Air

Enf. Coordinator Trina Grieco

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)	39	195%
	Other written NOVs	11	22%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	9	180%
	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	9	225%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	4	-4%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	2	-4%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 614%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 39 NOVs issued for same or similar violations, 11 NOVs issued for unrelated violations, nine Agreed Orders without a denial of liability, and nine orders with a denial of liability. Penalty reduction due to four Notice of Audit letters and two Disclosure of Violations submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 614%

Screening Date 22-Feb-2010

Docket No. 2010-0284-AIR-E

PCW

Respondent ConocoPhillips Company

Policy Revision 2 (September 2002)

Case ID No. 39198

PCW Revision October 30, 2009

Reg. Ent. Reference No. RN101619179

Media [Statute] Air

Enf. Coordinator Trina Grieco

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3) and 116.115(c), Tex. Health & Safety Code § 382.085(b), New Source Review Permit Nos. 22086, 5920A and PSD-TX-103M3, and 7467A, Special Condition 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 6,928.71 pounds ("lbs") of carbon monoxide, 1,184.76 lbs of nitrogen oxides, 10,106.88 lbs of sulfur dioxide, 115.60 lbs of hydrogen sulfide, 8,958.84 lbs of volatile organic compounds ("VOCs"), including 3,786.90 lbs of highly reactive VOCs, were released from Coker Flare No. 29, emission point number ("EPN") 29-61-1, Expansion Low Pressure Flare 17, EPN 56-61-17, Flare 11, EPN 56-61-11, High Pressure Flare 16, EPN 56-61-16, and Old Alky Flare, EPN 56-61-19 in the 26.2 Hydrogen Purification Unit, Unit 27 Fluid Catalytic Cracking Unit, and Unit 38 Ultra Low Sulfur Diesel Unit during an emissions event (Incident No. 131689) that occurred on November 5, 2009 and lasted 13 hours and 20 minutes. Since the cause of the event was never clearly defined, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	x			100%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

Human health or the environment in the Houston-Galveston-Brazoria non-attainment area has been exposed to significant amounts of contaminants that exceeded protective levels as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1 Number of violation days 1

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$10,000

One daily event is recommended for the event that occurred on November 5, 2009.

Good Faith Efforts to Comply

	0.0% Reduction	
	Before NOV	NOV to EDRP/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 \$10,000

Economic Benefit (EB) for this violation

Estimated EB Amount \$68

Statutory Limit Test

Violation Final Penalty Total \$71,400

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

Economic Benefit Worksheet

Respondent ConocoPhillips Company
Case ID No. 39196
Reg. Ent. Reference No. RN101619179
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

	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)	\$1,500	6-Nov-2009	1-Oct-2010	0.90	\$68	n/a	\$68

Notes for DELAYED costs

Estimated cost to implement measures designed to ensure that the Level Indicator for the Oil Separator D-15 is working as designed. The date required is the date of the event and the final date is the date corrective actions are projected to be completed.

Avoided Costs

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

	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

\$1,500

TOTAL

\$68

Compliance History Report

Customer/Respondent/Owner-Operator:	CN601674351 ConocoPhillips Company	Classification: AVERAGE	Rating: 2.82
Regulated Entity:	RN101619179 CONOCOPHILLIPS SWEENEY REFINERY	Classification: AVERAGE	Site Rating: 8.96

ID Number(s):	USED OIL	REGISTRATION	C88564
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD048210645
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30048
	AIR NEW SOURCE PERMITS	REGISTRATION	72035
	AIR NEW SOURCE PERMITS	REGISTRATION	72036
	AIR NEW SOURCE PERMITS	PERMIT	10779
	AIR NEW SOURCE PERMITS	PERMIT	12344
	AIR NEW SOURCE PERMITS	REGISTRATION	12993
	AIR NEW SOURCE PERMITS	REGISTRATION	13744
	AIR NEW SOURCE PERMITS	REGISTRATION	13929
	AIR NEW SOURCE PERMITS	REGISTRATION	13978
	AIR NEW SOURCE PERMITS	PERMIT	1486A
	AIR NEW SOURCE PERMITS	PERMIT	5689A
	AIR NEW SOURCE PERMITS	PERMIT	5920A
	AIR NEW SOURCE PERMITS	PERMIT	7467A
	AIR NEW SOURCE PERMITS	PERMIT	7754A
	AIR NEW SOURCE PERMITS	PERMIT	18142
	AIR NEW SOURCE PERMITS	PERMIT	18601
	AIR NEW SOURCE PERMITS	PERMIT	21265
	AIR NEW SOURCE PERMITS	PERMIT	22086
	AIR NEW SOURCE PERMITS	REGISTRATION	24161
	AIR NEW SOURCE PERMITS	PERMIT	25004
	AIR NEW SOURCE PERMITS	REGISTRATION	24717
	AIR NEW SOURCE PERMITS	REGISTRATION	24162
	AIR NEW SOURCE PERMITS	REGISTRATION	26533
	AIR NEW SOURCE PERMITS	REGISTRATION	25434
	AIR NEW SOURCE PERMITS	PERMIT	30513
	AIR NEW SOURCE PERMITS	REGISTRATION	33153
	AIR NEW SOURCE PERMITS	REGISTRATION	35367
	AIR NEW SOURCE PERMITS	REGISTRATION	35506
	AIR NEW SOURCE PERMITS	REGISTRATION	35780
	AIR NEW SOURCE PERMITS	REGISTRATION	39026
	AIR NEW SOURCE PERMITS	REGISTRATION	42367
	AIR NEW SOURCE PERMITS	REGISTRATION	43038
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0042G
	AIR NEW SOURCE PERMITS	REGISTRATION	55489
	AIR NEW SOURCE PERMITS	REGISTRATION	75616
	AIR NEW SOURCE PERMITS	REGISTRATION	75905
	AIR NEW SOURCE PERMITS	REGISTRATION	75713
	AIR NEW SOURCE PERMITS	AFS NUM	4803900010
	AIR NEW SOURCE PERMITS	REGISTRATION	70113
	AIR NEW SOURCE PERMITS	PERMIT	49140
	AIR NEW SOURCE PERMITS	REGISTRATION	54666
	AIR NEW SOURCE PERMITS	REGISTRATION	52705
	AIR NEW SOURCE PERMITS	REGISTRATION	53563
	AIR NEW SOURCE PERMITS	REGISTRATION	74130

AIR NEW SOURCE PERMITS	EPA ID	PSDTX103M
AIR NEW SOURCE PERMITS	REGISTRATION	76776
AIR NEW SOURCE PERMITS	EPA ID	PSDTX103M2
AIR NEW SOURCE PERMITS	REGISTRATION	76731
AIR NEW SOURCE PERMITS	REGISTRATION	76644
AIR NEW SOURCE PERMITS	EPA ID	PSDTX103M3
AIR NEW SOURCE PERMITS	REGISTRATION	77648
AIR NEW SOURCE PERMITS	REGISTRATION	77153
AIR NEW SOURCE PERMITS	REGISTRATION	77156
AIR NEW SOURCE PERMITS	REGISTRATION	77157
AIR NEW SOURCE PERMITS	REGISTRATION	77152
AIR NEW SOURCE PERMITS	REGISTRATION	77154
AIR NEW SOURCE PERMITS	REGISTRATION	77155
AIR NEW SOURCE PERMITS	REGISTRATION	77336
AIR NEW SOURCE PERMITS	REGISTRATION	78566
AIR NEW SOURCE PERMITS	PERMIT	80806
AIR NEW SOURCE PERMITS	REGISTRATION	81104
AIR NEW SOURCE PERMITS	REGISTRATION	88376
AIR NEW SOURCE PERMITS	REGISTRATION	82689
AIR NEW SOURCE PERMITS	REGISTRATION	82601
AIR QUALITY NON PERMITTED	ACCOUNT NUMBER	BL0042G
AIR OPERATING PERMITS	PERMIT	1626
AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0042G
AIR OPERATING PERMITS	PERMIT	2151
WASTEWATER	PERMIT	TX0007536
WASTEWATER	PERMIT	TX0007536000
WASTEWATER	PERMIT	WQ0000721000
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	20580
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30048
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50186
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50186
WASTEWATER LICENSING	LICENSE	WQ0000721000
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	BL0042G

Location: HIGHWAY 35 AND FM 524, OLD OCEAN, TX, 77463

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: February 17, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 17, 2005 to February 17, 2010

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

Name: Trina Grieco Phone: (210) 403-4006

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A

4. if Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 05/23/2005

ADMINORDER 2004-0704-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 A 382.085(b)

Rqmt Prov: Permit # 5682A /PSD-TX-103M2, SC 19B PA

Description: Failure to conduct successive quarterly cylinder gas audits (CGAs) on the Continuous Emission Monitoring System (CEMS) associated with Unit 27.1 Regenerator Stack (EPN 27.1-36-RE).

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 J 60.105(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR Permit # 30513 SC # 2 PA

Description: Failed to calibrate, certify, maintain, and operate a CEMS capable of continuously monitoring and recording the concentration of H2S in all fuel gases before being burned at the Unit 35 Furnace (EPN 35-36-1).

Classification: Moderate

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

Rqmt Prov: NSR Permit # 30513, SC # 26C PA

Description: Failed to conduct a valid audit on the CEMS associated with the Unit 35 Furnace (EPN 35-36-1) during the September 11, 2003 quarterly CGA schedule.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to note daily observations in the flare (EPN 56-61-17) operation log.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 14H PERMIT

Description: Failed to comply with the 5 and 15 day requirements for leaking valves in Units 4, 20, 27.2, and 35.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to demonstrate compliance with the required primary seal inspection for Tank (EPN 68-95-32) associated with Unit 15 - Hexane Isomerization.

Effective Date: 06/09/2005

ADMINORDER 2003-0446-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 21265 SC 4B, C PERMIT

Description: Failed to submit the semi-annual reports for the wastewater unit (EPN 56 and 56.1) and the copper treater unit (EPN 43) from January 1998 to December 2002.

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 VV 60.482-2(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 30513 SC 4 PERMIT

Description: Failed to implement a fugitive monitoring program for the Continuous Catalyst Reformer Unit No. 35 within 180 days after the initial start up on August 2, 2000.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(vii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include an explanation for the delay in repairing leaking components when repairs are required within 15 days of discovery in semi-annual reports for the periods of July - December 2000, January - June 2001, July - December 2001, and January - July 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit semi-annual reports for Unit 35 to the TCEQ due in February 2001, August 2001, and February 2002.

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 J 60.105(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5682A SC 18 PERMIT

Description: Failed to perform the initial compliance certification test on the Hydrogen Sulfide Continuous Emissions Monitoring System within 30 days of performance testing of the unit, conducted on March 16, 2001.

Effective Date: 09/30/2005

ADMINORDER 2004-1617-AIR-E

Classification: Major

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

Rqmt Prov: TCEQ Air Permit #5682A, SC #1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Effective Date: 01/26/2006

ADMINORDER 2005-0163-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 A 382.085(b)

Rqmt Prov: No. 5682 & PSD-TX-103M2, S.C. #1 PERMIT

Description: Failure to prevent an unplanned shutdown of an incinerator resulting in unauthorized emissions.

Effective Date: 04/14/2006

ADMINORDER 2005-1660-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit # 49140 PA

Description: RE failed to prevent an avoidable emissions event.

Effective Date: 07/14/2006

ADMINORDER 2005-1904-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 A 382.085(b)

Rqmt Prov: 7467A SC 1 PERMIT

Permit No. 5920A and PSD-TX-103M2, SC 1 PA

Description: RE failed to prevent avoidable emissions events.

Effective Date: 09/21/2006

ADMINORDER 2006-0252-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 5682A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions

Classification: Moderate

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

Rqmt Prov: Permit # 5682A & PSD-TX-103M2, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to submit accurate final report after an emissions event

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 5920A PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to submit initial notification within 24 hours from the discovery date for a reportable emissions event.

Effective Date: 12/02/2006

ADMINORDER 2006-0706-AIR-E

Classification: Minor

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

Description: Failed to submit the initial notification within 24 hours of discovery for the emission event that occurred on February 11, 2006. Specifically, the initial notification for Incident No. 71652 was submitted 46 hours after the emissions event.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to maintain an emission rate below the maximum allowable emission limits of 0.11 lbs/hr for nitrogen oxides, 0.83 lbs/hr for carbon monoxide, and 0.06 lbs/hr for sulfur dioxide from the Coker Flare (EPN 29-61-1) on February 11, 2006.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to maintain an emission rate below the maximum allowable emission limits of 0.11 lbs/hr for nitrogen oxides, 0.83 lbs/hr for carbon monoxide, 0.06 lbs/hr for sulfur dioxide, and zero lbs/hr for volatile organic compounds ("VOCs") Coker Flare [emission point number ("EPN") 29-61-1] on January 10, 2006.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1563(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(1)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit 49140 Special Condition 12 PERMIT

Description: Failed to comply with the permitted emission rate of 1.0 lbs of PM per 1,000 lbs of coke burned-off. Specifically, during the stack testings of November 3-4, 2004, June 30, 2005, and December 13, 2005 PM emissions from the Fluid Catalytic Cracking Unit (FCCU) No. 3 Regenerator Vent (EPN 3-95-3) were exceeded.

Effective Date: 05/25/2007

ADMINORDER 2005-1212-AIR-E

Classification: Minor

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

Description: Failed to submit initial notification within 24 hours after the discovery of an emissions event that occurred on October 29-30, 2004 at Unit 26.2.

Classification: Minor

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

Description: Failed to submit a final report within two weeks after the end of an emissions event which occurred on October 29-30, 2004 at Unit 26.2

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 A 382.085(b)

Rqmt Prov: #5682 and PSD-TX-103M2, S.C. #1 PERMIT

Description: failed to control unauthorized emissions at the LP Emergency Flare due to the unplanned shutdown of a compressor at Unit 26.2 on October 29-30, 2004

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 A 382.085(b)

Rqmt Prov: Permit # 5862A/PSD-TX-103M2 PERMIT

Description: Failed to control unauthorized emissions from the LP Emergency Flare during an emissions event which occurred on October 7, 2004 during the startup of Unit 26.1

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 A 382.085(b)

Rqmt Prov: #5682A and PSD-TX-103M2, S.C. #1 PERMIT

Description: failed to control unauthorized emissions from the LP Emergency Flare due to the unplanned shutdown of a compressor at Unit 26.2 on October 21, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.211(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report an emissions event, which occurred on October 7, 2004, when the emissions during startup of Unit 26.1 exceeded the initial estimates in the startup notification.

Effective Date: 06/29/2007

ADMINORDER 2006-1550-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

Rqmt Prov: General Condition 8 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on May 25, 2006 at 3:00 a.m., but was not reported until June 7, 2006 at 12:05 p.m.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on June 1, 2006 at 2:00 a.m., but was not reported until June 12, 2006 at 4:48 p.m.

Effective Date: 07/13/2007

ADMINORDER 2006-2030-AIR-E

Classification: Major

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent an avoidable emissions event.

Effective Date: 03/08/2008

ADMINORDER 2007-0670-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to 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 49140, Special Condition 12 PERMIT

Description: Failed to comply with the permitted emission rate of 2.44 lbs of PM per 1,000 lbs of coke burn-off.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit Representations PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit Representations PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to 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. 5920A, SC #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 A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to properly notify the TCEQ of emissions events that occurred on October 16, 2006 and January 7, 2007.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit Representations PERMIT
Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit Representations PERMIT
Description: Failed to prevent unauthorized emissions.

Effective Date: 06/05/2008 ADMINORDER 2007-1194-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Special Condition 1 PA
TCEQ Air Permit No. SP75864, GC #8 PERMIT
Description: Failed to control unauthorized emissions from April 2 through April 10, 2007.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01626, ST&C 1A OP
Description: Failed to maintain the RTO at or above the required 1500°F.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(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 A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01626, ST&C 19 OP
FOP O-01626, ST&C 1A OP
Permit 18142, Special Condition 15 PERMIT
Permit 22086, Special Condition 9 PERMIT
Permit 30513, Special Condition 5 PERMIT
Permit 5920A, Special Condition 4B PERMIT
Permit 7467A, Special Condition 4 PERMIT

Description: Failed to maintain a continuous pilot light on four flares.

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)

Rqmt Prov: FOP O-01626, ST&C 19 OP
FOP O-01626, ST&C 1A OP
Permit 5920A, Special Condition 1 PERMIT
Permit 5920A, Special Condition 9 PERMIT

Description: Failed to comply with the SRU TGI (EPN 28.2-36-2) MAER for SO₂ of 115.42 lbs/hr and/or an in-stack hourly average concentration of 250 ppmv.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(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 J 60.103(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(a)(1)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01626, ST&C 19 OP
FOP O-01626, ST&C 1A OP
Permit 30513, Special Condition 1 PERMIT
Permit 5920A, Special Condition 1 PERMIT
Permit 5920A, Special Condition 23 PERMIT

Description: Failed to comply with the CO emission rates on the HOC Unit Regenerator Stack (EPN 27.1-36-RE), Vacuum Unit Heater (EPN 29.1-36-1), Coke Heaters (EPN Unit 29.2-36-CS), and CCR Furnace (EPN 35-36-1)

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01626, ST&C 19 OP
FOP O-01626, ST&C 1A OP
Permit 5920A, Special Condition 3 PERMIT

Description: Failed to comply with the average fuel gas H2S maximum concentration limit of 160 ppmv for one hour and/or the three-hour rolling average of 162 ppmv.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01626, ST&C 1A OP

Description: Failed to maintain the pH level in the Caustic Scrubber (EPN 35-95-102) at or above 7.68.

Effective Date: 06/19/2008

ADMINORDER 2007-1730-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 21265, GC #8 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: TCEQ Permit No. 5920A, SC #1 PERMIT

Description: Failed to prevent unauthorized emissions

Effective Date: 03/12/2009

ADMINORDER 2008-0687-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 5920A, SC #1 PERMIT

Description: Failed to prevent unauthorized emissions during a one hour 35 minute emissions event which occurred on January 28, 2008, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on February 21, 2008.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 5920A, SC #1 PERMIT

Description: Failed to prevent unauthorized emissions during a four hour 40 minute emissions event which occurred on February 9, 2008, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on March 24, 2008.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 5920A, SC #1 PERMIT

Description: Failed to prevent unauthorized emissions during a four hour 23 minute emissions event which occurred on February 25, 2008, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and

116.115(c), Air Permit Nos. 5920A and PSD-TX-103M3, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on March 24, 2008.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 21265, GC #8 PERMIT

Description: Failed to prevent unauthorized emissions during a four hour emissions event which occurred on February 14, 2008, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F), Air Permit No. 21265, General Condition 8, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on March 24, 2008. This was Incident No. 103700.

Effective Date: 06/15/2009 ADMINORDER 2008-1890-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 5920A, SC #1 PERMIT

Description: Failure to prevent unauthorized emissions, specifically, Conoco failed to prevent a high level of hydrocarbons from traveling to the gas liquid knockout drum causing the Wet Gas Compressor to trip offline.

Effective Date: 09/21/2009 ADMINORDER 2009-0301-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent unauthorized emissions. The regulated entity failed to bypass the Fail Safe Controller due to operator error.

Effective Date: 01/28/2010 ADMINORDER 2009-1203-AIR-E

Classification: Moderate

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

Rqmt Prov: #5920A, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 987.26 pounds ("lbs") of sulfur dioxide, 731.86 lbs of carbon monoxide, 314 lbs of volatile organic compounds, 37.8 lbs of nitrogen oxide and 9.84 lbs of hydrogen sulfide from the Coker Unit during an avoidable emissions event (Incident No. 122601) that began April 9, 2009 and lasted 29 hours and five minutes. A single size reduction carbon steel bushing gave way and resulted in a fire in the Coker Unit leading to th

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	02/21/2005	(349952)
2	02/21/2005	(351188)
3	02/22/2005	(350692)
4	02/23/2005	(382045)
5	02/23/2005	(382046)
6	02/23/2005	(382047)
7	02/25/2005	(350491)
8	03/03/2005	(349462)
9	03/03/2005	(371965)
10	03/09/2005	(345300)
11	03/09/2005	(372280)
12	03/16/2005	(343615)
13	03/16/2005	(373194)
14	03/21/2005	(575759)

15	03/29/2005	(372022)
16	03/31/2005	(350563)
17	04/12/2005	(374970)
18	04/12/2005	(375119)
19	05/19/2005	(378252)
20	05/20/2005	(375132)
21	05/23/2005	(575764)
22	06/20/2005	(396218)
23	06/22/2005	(575766)
24	06/23/2005	(349036)
25	06/24/2005	(374887)
26	06/24/2005	(397011)
27	07/11/2005	(396156)
28	07/11/2005	(398367)
29	07/15/2005	(400176)
30	07/20/2005	(399359)
31	07/20/2005	(575770)
32	07/20/2005	(575772)
33	07/26/2005	(400458)
34	08/02/2005	(402413)
35	08/15/2005	(404591)
36	08/22/2005	(406298)
37	08/24/2005	(406619)
38	08/30/2005	(402698)
39	08/30/2005	(418482)
40	09/26/2005	(575773)
41	10/12/2005	(345293)
42	10/21/2005	(433893)
43	10/24/2005	(575775)
44	10/28/2005	(403331)
45	10/28/2005	(418688)
46	10/31/2005	(433354)
47	11/21/2005	(575778)
48	12/01/2005	(438294)
49	12/22/2005	(575780)
50	01/02/2006	(439019)
51	01/23/2006	(575782)
52	01/30/2006	(440119)
53	01/30/2006	(451619)
54	01/30/2006	(453505)
55	02/07/2006	(453152)
56	02/08/2006	(440116)
57	02/08/2006	(440354)
58	02/13/2006	(440416)
59	02/21/2006	(449529)
60	02/23/2006	(451390)
61	02/23/2006	(453702)
62	02/23/2006	(455205)
63	02/23/2006	(575757)
64	02/24/2006	(438289)
65	02/27/2006	(440305)
66	03/13/2006	(453717)
67	03/14/2006	(453727)
68	03/16/2006	(433352)
69	03/16/2006	(438820)
70	03/16/2006	(450930)
71	03/17/2006	(438894)
72	03/20/2006	(278774)
73	03/21/2006	(345285)

74 03/22/2006 (575760)
75 03/28/2006 (433648)
76 03/28/2006 (451496)
77 03/30/2006 (458137)
78 03/30/2006 (458160)
79 04/20/2006 (458139)
80 04/20/2006 (460114)
81 04/24/2006 (575762)
82 04/25/2006 (461497)
83 05/04/2006 (461458)
84 05/16/2006 (462220)
85 05/16/2006 (462319)
86 05/17/2006 (461841)
87 05/17/2006 (463612)
88 05/18/2006 (575765)
89 05/22/2006 (434378)
90 05/22/2006 (463514)
91 05/25/2006 (458131)
92 05/31/2006 (460763)
93 06/22/2006 (575767)
94 06/23/2006 (480400)
95 06/23/2006 (480579)
96 06/27/2006 (480326)
97 06/27/2006 (480331)
98 06/30/2006 (463704)
99 06/30/2006 (482027)
100 07/07/2006 (460719)
101 07/10/2006 (480119)
102 07/10/2006 (482038)
103 07/11/2006 (483052)
104 07/19/2006 (484922)
105 07/21/2006 (486875)
106 07/21/2006 (575768)
107 07/24/2006 (465685)
108 07/28/2006 (484927)
109 07/31/2006 (484998)
110 08/04/2006 (483248)
111 08/07/2006 (483230)
112 08/07/2006 (484904)
113 08/16/2006 (485078)
114 08/16/2006 (497297)
115 08/21/2006 (497477)
116 08/21/2006 (497714)
117 08/22/2006 (575771)
118 08/25/2006 (484989)
119 08/29/2006 (485092)
120 08/29/2006 (485973)
121 09/01/2006 (487285)
122 09/05/2006 (481595)
123 09/05/2006 (487182)
124 09/18/2006 (575774)
125 10/02/2006 (511382)
126 10/20/2006 (497684)
127 10/23/2006 (575776)
128 10/24/2006 (516622)
129 10/30/2006 (289180)
130 10/30/2006 (511381)
131 11/03/2006 (513963)
132 11/03/2006 (514125)

133 11/03/2006 (514242)
134 11/06/2006 (453818)
135 11/07/2006 (487028)
136 11/15/2006 (432050)
137 11/21/2006 (514771)
138 11/21/2006 (514871)
139 11/22/2006 (575779)
140 11/30/2006 (514772)
141 12/06/2006 (514931)
142 12/08/2006 (514770)
143 12/19/2006 (531219)
144 12/21/2006 (514890)
145 12/22/2006 (575781)
146 12/28/2006 (533933)
147 01/05/2007 (514904)
148 01/10/2007 (534506)
149 01/19/2007 (575783)
150 01/25/2007 (531232)
151 01/25/2007 (535014)
152 01/29/2007 (531242)
153 01/29/2007 (534512)
154 02/05/2007 (516120)
155 02/05/2007 (536784)
156 02/05/2007 (538614)
157 02/22/2007 (516228)
158 02/22/2007 (516309)
159 02/22/2007 (516368)
160 02/22/2007 (516413)
161 02/22/2007 (538168)
162 02/26/2007 (575758)
163 02/28/2007 (534513)
164 02/28/2007 (535042)
165 02/28/2007 (541083)
166 03/01/2007 (489392)
167 03/23/2007 (508787)
168 03/23/2007 (575761)
169 03/28/2007 (554903)
170 03/28/2007 (555356)
171 03/30/2007 (541806)
172 04/04/2007 (553900)
173 04/05/2007 (554567)
174 04/12/2007 (555765)
175 04/18/2007 (535818)
176 04/20/2007 (541785)
177 04/23/2007 (575763)
178 04/27/2007 (536863)
179 04/27/2007 (538234)
180 05/02/2007 (557193)
181 05/08/2007 (536805)
182 05/16/2007 (543939)
183 05/16/2007 (556084)
184 05/21/2007 (560688)
185 05/21/2007 (607617)
186 05/29/2007 (560939)
187 05/30/2007 (558665)
188 05/31/2007 (557814)
189 05/31/2007 (557887)
190 05/31/2007 (558165)
191 05/31/2007 (558933)

192 05/31/2007 (561604)
193 06/08/2007 (563044)
194 06/18/2007 (564174)
195 06/20/2007 (563448)
196 06/27/2007 (564004)
197 06/27/2007 (564948)
198 07/06/2007 (562320)
199 07/06/2007 (566372)
200 07/10/2007 (566109)
201 07/12/2007 (566817)
202 07/18/2007 (562884)
203 07/18/2007 (564160)
204 07/18/2007 (565411)
205 07/20/2007 (575769)
206 07/26/2007 (534491)
207 07/30/2007 (570079)
208 08/13/2007 (562652)
209 08/20/2007 (572167)
210 08/24/2007 (570711)
211 09/05/2007 (572989)
212 09/22/2007 (607618)
213 09/22/2007 (607619)
214 09/24/2007 (607621)
215 09/26/2007 (594057)
216 10/12/2007 (594704)
217 10/12/2007 (595879)
218 10/12/2007 (595919)
219 10/15/2007 (557764)
220 10/16/2007 (597749)
221 10/22/2007 (607620)
222 11/02/2007 (571706)
223 11/06/2007 (599098)
224 11/20/2007 (608723)
225 11/20/2007 (608750)
226 11/21/2007 (596538)
227 11/21/2007 (596539)
228 11/21/2007 (596540)
229 12/03/2007 (609822)
230 12/17/2007 (612145)
231 12/18/2007 (599171)
232 12/19/2007 (612456)
233 12/21/2007 (593859)
234 12/21/2007 (600228)
235 12/21/2007 (612851)
236 01/03/2008 (612155)
237 01/04/2008 (612937)
238 01/07/2008 (557934)
239 01/14/2008 (613926)
240 01/18/2008 (614903)
241 01/18/2008 (615198)
242 01/24/2008 (612103)
243 01/28/2008 (612848)
244 01/28/2008 (613020)
245 01/31/2008 (613321)
246 02/11/2008 (613195)
247 02/11/2008 (614276)
248 02/11/2008 (616106)
249 02/13/2008 (608867)
250 02/14/2008 (618465)

251	02/15/2008	(617395)
252	03/13/2008	(613193)
253	03/24/2008	(639374)
254	03/27/2008	(639901)
255	04/02/2008	(640059)
256	04/04/2008	(637905)
257	04/04/2008	(640212)
258	04/04/2008	(640783)
259	04/09/2008	(641666)
260	04/09/2008	(641681)
261	04/10/2008	(680347)
262	04/17/2008	(653311)
263	04/30/2008	(640815)
264	04/30/2008	(641819)
265	04/30/2008	(653939)
266	05/16/2008	(653953)
267	05/19/2008	(639382)
268	06/06/2008	(640956)
269	06/25/2008	(682772)
270	07/21/2008	(685742)
271	07/21/2008	(687073)
272	07/23/2008	(686359)
273	08/01/2008	(687062)
274	08/01/2008	(687867)
275	08/11/2008	(689155)
276	08/27/2008	(700348)
277	09/20/2008	(702288)
278	09/24/2008	(699681)
279	10/01/2008	(703544)
280	10/01/2008	(703696)
281	10/01/2008	(703971)
282	10/03/2008	(688505)
283	10/03/2008	(688528)
284	10/03/2008	(688665)
285	10/03/2008	(688675)
286	10/30/2008	(706377)
287	11/21/2008	(706390)
288	12/04/2008	(707940)
289	12/17/2008	(700784)
290	01/21/2009	(709192)
291	02/03/2009	(723350)
292	02/06/2009	(709033)
293	02/13/2009	(709189)
294	02/18/2009	(709028)
295	02/20/2009	(709032)
296	02/20/2009	(709498)
297	02/20/2009	(709539)
298	02/20/2009	(710155)
299	02/20/2009	(710201)
300	02/27/2009	(735795)
301	03/20/2009	(726792)
302	03/24/2009	(726793)
303	03/27/2009	(726794)
304	04/03/2009	(709031)
305	04/10/2009	(741090)
306	04/22/2009	(726795)
307	05/07/2009	(739098)
308	05/11/2009	(740936)
309	06/05/2009	(741192)

310 06/10/2009 (738530)
 311 06/23/2009 (747659)
 312 06/25/2009 (742122)
 313 07/10/2009 (744410)
 314 07/20/2009 (759475)
 315 07/20/2009 (759854)
 316 07/23/2009 (761549)
 317 07/31/2009 (749895)
 318 07/31/2009 (759437)
 319 08/10/2009 (760953)
 320 08/12/2009 (762649)
 321 09/02/2009 (748016)
 322 09/16/2009 (760944)
 323 10/14/2009 (777475)
 324 10/23/2009 (778904)
 325 10/23/2009 (779448)
 326 12/03/2009 (779587)
 327 12/16/2009 (766970)
 328 12/16/2009 (766971)
 329 12/18/2009 (785568)
 330 12/21/2009 (784380)
 331 01/11/2010 (786835)
 332 01/15/2010 (785551)
 333 02/01/2010 (788979)
 334 02/12/2010 (788304)
 335 02/16/2010 (791839)

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

Date: 10/21/2005 (433893) CN601674351
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)
 Description: Failed to report the opacity event within 24 hours of the start of the event.

Date: 03/22/2006 (438894) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 SC 12 PERMIT
 Description: Failure to properly control the torch oil atomizing steam injection rate.

Date: 05/04/2006 (461458) CN601674351
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
 Description: Failure to determine if the event is a reportable emissions event within 24 hours of discovery a of a reportable emissions event and failure to notify the affected TCEQ Regional Office within 24 hours of discovery.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Special Condition 1 PERMIT
 Description: Failure to keep emissions of SO2 and CO from the Coker Flare within their Maximum Allowable Emision Rate limits under TCEQ Air Permit No. 5920A.

Date: 05/17/2006 (462220) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Special Condition 1 PERMIT
 Description: Failed to keep regenerator flue gas opacity within permitted limits.

Date: 06/16/2006 (462319) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 12 PERMIT
Description: Failure to keep the opacity level at the Regenerator ESP stack within permit limits while returning the unit to full operating rates following a stack test.

Date: 06/28/2006 (480331) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent overpressures in Units 7 and 35.

Date: 06/28/2006 (480326) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 12 PERMIT
Description: Failed to properly design the electrostatic precipitator.

Date: 07/07/2006 (460719) CN601674351
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
Description: Failure to include the several light paraffins on the final report and amounts of all unauthorized pollutants released.

Date: 07/12/2006 (483052) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 12 PERMIT
Description: Failure to properly control opacity from the Regenerator resulting in the excess opacity event.

Date: 07/31/2006 (484998) CN601674351
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failure to submit the Initial Notification for an Emissions Event to the TCEQ within 24 hours of discovery.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent an avoidable emissions event.

Date: 08/29/2006 (485092) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: Failed to properly design, maintain, and operate feed stream to Unit 27, leading to interruption of the feed stream and of process operations.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to keep the opacity of the Regenerator Flue Gas Stream at or below 20%.

Date: 11/30/2006 (514772) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 12 PERMIT
Description: The RE failed to properly design the electrostatic precipitator on the Unit 3
Regenerator.

Date: 12/11/2006 (514770) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 6 PERMIT
Description: The RE failed to route the vent stream from Aeration Tank 69 to the Regenerative
Thermal Oxidizer.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to meet the affirmative defense.

Date: 12/21/2006 (514890) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 12 PERMIT
Description: The RE failed to properly design the electrostatic precipitator in Unit 3, resulting in
avoidable periods of excess opacity, and thereby failed to minimize the durations
and intensities of periods of excess opacity.

Date: 01/05/2007 (514904) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: The RE failed to prevent an unnecessary maintenance event resulting in
unauthorized emissions.

Date: 01/26/2007 (535014) CN601674351
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
Description: CP failed to submit a complete final report.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Air Permit No. 75864, GC #8 PERMIT
Description: CP failed to prevent overfilling of Drum D-1.

Date: 01/26/2007 (531232) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 12 PERMIT
Description: The RE failed to properly design the ESP and failed to recognize, within a timely
manner, the underlying causes of the event, resulting in an extended excess
opacity event.

Date: 01/28/2007 (534512) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: The RE failed to prevent a leak caused by avoidable corrosion.

Date: 01/29/2007 (531242) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter A 382.085(b)
General Condition 2 PERMIT
Description: The RE failed to promptly refill the Coker Flare water seal following a pressure spike.

Date: 03/30/2007 (541806) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Air Permit No. 49140, SC #12 PERMIT
Description: Chevron failed to control excess opacity.

Date: 04/04/2007 (553900) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(1)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Air Permit No. 75864, GC #8 PERMIT
Description: Conoco failed to completely remove trapped water from the bottom pumps prior to a unit startup resulting in unauthorized emissions

Date: 04/26/2007 (542918) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Special Condition 1 PERMIT
Description: The RE failed to prevent a coke conveyor belt fire.

Date: 05/22/2007 (555841) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THC Chapter 382, SubChapter D 382.085(b)
Description: ConocoPhillips Sweeny refinery caused nuisance dust emissions as a result of transportation of Coker product in uncovered railcars.

Date: 05/31/2007 (558665) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Conoco failed to properly maintain the governor valve on the C-111 compressor in Unit 26.2 resulting in unauthorized emissions.

Date: 07/06/2007 (543586) CN601674351
Self Report? YES Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
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 GGG 60.592(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01626, ST&C 19 OP
FOP O-01626, ST&C 1A OP
Permit 30513, Special Condition 15F PERMIT
Permit 49140, Special Condition 6F PERMIT
Permit 5920A, Special Condition 16F PERMIT
Description: Failure to perform initial Method 21 monitoring of 38 new LDAR components.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(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 GGG 60.592(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01626, ST&C 19 OP
FOP O-01626, ST&C 1A OP
Permit 18142, Special Condition 7H PERMIT
Permit 22086, Special Condition 6H PERMIT
Permit 49140, Special Condition 6H PERMIT
Permit 5920A Special Condition 17H PERMIT

Description: Failure to repair 34 leaking components within 15 days.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01626, ST&C 1A OP

Description: Failure to make a first attempt of repair to 27 leaking components within 5 days.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01626, ST&C 1A OP
FOP O-01626, ST&C 1N(v) OP

Description: Failure to repair HRVOC-service leaks within 1 business day.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01626, ST&C 19 OP
FOP O-01626, ST&C 1A OP
Permit 18142, Special Condition 7E PERMIT
Permit 22086, Special Condition 6E PERMIT
Permit 30513, Special Condition 15E PERMIT
Permit 49140, Special Condition 6E PERMIT
Permit 5920A Special Condition 17E PERMIT

Description: Failure to cap or plug open-ended valves/lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01626, ST&C 19 OP
Permit 49140, Special Condition 12 PERMIT

Description: Failure to comply with the limit of 1.0 lbs of PM per 1000 lbs of Cokeburn.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.214(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01626, ST&C 1A OP

Description: Failure to perform weekly ammonia sampling to the Crude Charge Heater on Unit 25.1.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626, ST&C 19 OP
 FOP O-01626, ST&C 1A OP
 Permit 49140, Special Condition 14B PERMIT

Description: Failure to perform Cylinder Gas Audits.

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 J 60.104(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626, ST&C 19 OP
 FOP O-01626, ST&C 1A OP
 Permit 5920A, Special Condition 3 PERMIT

Description: Failure to comply with the 162 ppm H₂S limit in fuel gas streams.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626, ST&C 19 OP
 Permit 49140, Special Condition 12 PERMIT

Description: Failure to comply with the 200 PPM NO_x Limit.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626, ST&C 1A OP

Description: Failure to make roof repairs to Tank 96 within the required time frames.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(b)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626, ST&C 1A OP

Description: Failure to submit NSPS Inspection Results letter for Tank 249.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626, ST&C 19 OP
 FOP O-01626, ST&C 1A OP
 Permit 18142, Special Condition 7F PERMIT
 Permit 49140, Special Condition 6F PERMIT
 Permit 5920A, Special Condition 17F PERMIT

Description: Failure to perform Method 21 monitoring to leaking components on Delay of Repair.

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 J 60.102(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626, ST&C 19 OP
 FOP O-01626, ST&C 1A OP
 Permit 49140, Special Condition 12 PERMIT

Description: Failure to Comply with Opacity Emissions Limits during the second quarter of 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)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626, ST&C 19 OP
 FOP O-01626, ST&C 1A OP
 Permit 49140, Special Condition 14 PERMIT

Description: Failure to perform continuous monitoring for CO on EPN-3-95-3.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382, SubChapter A 382.085(b)
 FOP O-01626 General Terms and Conditions OP
 Description: Failure to include all deviations in the deviation reports.

Date: 09/30/2007 (607620) CN601674351
 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: 11/20/2007 (596538) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125
 PP V-A-1 PERMIT
 Description: Permitted units were not marked with the TCEQ permit numbers.

Date: 12/18/2007 (613193) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 5C THSC Chapter 382 382.085(b)
 TCEQ Permit No. 21265, GC #8 PERMIT
 Description: Failure to prevent valve malfunctioning.

Date: 01/07/2008 (557934) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 No. 5920A, S.C. No. 1 PERMIT
 Description: ConocoPhillips exceeded the MAERT limit for NOx emission.

Date: 02/15/2008 (617395) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 TCEQ Permit No. 49140, SC #1 PERMIT
 Description: Conoco failed to prevent a valve fitting blow out.

Date: 04/02/2008 (640059) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 5C THSC Chapter 382 382.085(b)
 Description: ConocoPhillips failed to prevent an excess opacity in Unit 27.1.

Date: 04/04/2008 (637905) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 TCEQ Air Permit No. 49140, SC #12 PERMIT
 Description: Failure to control excess opacity.

Date: 04/04/2008 (640212) CN601674351
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
 5C THSC Chapter 382 382.085(b)
 TCEQ Permit No. 21265, GC #8 PERMIT
 Description: Failure to prevent failure of #2 chamber valve pin.

Date: 06/25/2008 (682772) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THSC Chapter 382 382.085(b)
TCEQ Standard Permit No. 75864, GC #8 PERMIT
Description: ConocoPhillips failed to prevent the shutdown of the unit charge pump.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
TCEQ Permit No. 5920A, SC #1 PERMIT
Description: ConocoPhillips failed to prevent the shutdown of the unit charge pump.

Date: 07/22/2008 (686359) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
WQ00721-002 PERMIT
Description: Failure to comply with permitted effluent limits for oil and grease (O&G), total suspended solids (TSS), and pH.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.11(a)
Description: Failure to collect Oil and Grease (O&G) samples as required.

Date: 08/27/2008 (700348) CN601674351
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failure to submit an annual compliance certification within the required time frame.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failure to submit semi-annual deviation reports within the required time frame.

Date: 02/06/2009 (709033) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition #12 PERMIT
Description: Failure to prevent excess opacity. The regulated entity failed to prevent the malfunction of the rapper system microprocessor.

Date: 02/20/2009 (709032) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. The regulated entity (RE) failed to prevent the overloading of the Regenerative Thermal Oxidizer (RTO) with volatile organic compounds (VOC).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b)
Description: Failure to include permit number authorization in the incident report.

Date: 03/24/2009 (726793) CN601674351
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b)

Description: Failure to include the permit number authorization in the incident reports for the process or operation.

Date: 04/22/2009 (726795) CN601674351

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. The regulated entity failed to prevent the excessive amount of nitrogen in the Recycle Gas Loop.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Special Condition 4B PERMIT

Description: Failure to prevent flare outage.

Date: 05/07/2009 (739098) CN601674351

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart G 63.119(c)(2)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 6C PERMIT
Special Terms and Conditions 19 OP
Special Terms and Conditions 1A OP

Description: Failure to maintain hatch in closed position on Tank 75, Unit ID 68-95-75.
(CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(3)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP

Description: Failure to keep the roof floated on liquid from 10/29/2008 to 03/09/2009 on Tank 98, Unit ID 68-95-98. (CATEGORY B18 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)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms and Conditions 19 OP

Description: Failure to maintain emissions in pounds per hour (lbs/hr) below the limit listed in the Maximum Allowable Emission Rate Table in NSR Permit 30513 on Tank 75, Unit ID 68-95-75. (CATEGORY B14 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)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Terms and Conditions 19 OP

Description: Failure to maintain emissions in pounds per hour (lbs/hr) below the limit listed in the Maximum Allowable Emission Rate Table in NSR Permit 5920A on Tank 98, Unit ID 68-95-98.

Date: 06/10/2009 (738530) CN601674351

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(1)(H)
5C THSC Chapter 382 382.085(b)

Description: Failure to identify in the final report, all compound descriptive types listed in the definition of RQ.

Date: 06/24/2009 (747659) CN601674351
Self Report? NO Classification: Moderate
Citation: 21265 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)
Description: Failed to prevent unauthorized emissions. CP failed to have adequate operations inspection procedures to allow for proper maintenance at the waste water treatment unit.

Date: 07/31/2009 (759437) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)
MAERT PERMIT
Description: Failure to prevent unauthorized emissions. This was due to Chamber #4 outlet valve in the Regenerative Thermal Oxidizer (RTO) getting stuck.

Date: 09/29/2009 (749836) CN601674351
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.263(e)(5)
30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: The RE failed to demonstrate that they achieved at least 90% control efficiency during the eight storage tank degassing and cleaning procedures conducted under 30 TAC §115.541(a)(1)(B) and 30 TAC §106.263(e)(5).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(C)
30 TAC Chapter 115, SubChapter F 115.542(a)(4)
5C THSC Chapter 382 382.085(b)
Description: The RE failed to prevent vapor venting from Tanks 98, 109, 213, 214, and 215 during the spray washing procedure, as required by 30 TAC §115.541(a)(1)(A), which requires that all vapors emitted from the tank during degassing and cleaning be controlled.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter F 115.545
5C THSC Chapter 382 382.085(b)
Description: The RE used a portable gas analyzer to measure VOC concentrations during the cleaning and degassing of stationary storage tanks between July 1, 2007 and December 31, 2008, contrary to the requirements of 30 TAC §115.545(11).

Date: 12/16/2009 (766970) CN601674351
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: ConocoPhillips failed to prevent an avoidable emissions event. Specifically, ConocoPhillips failed to prevent the false activation of a Halon 1301 fire suppressant system.

Date: 12/16/2009 (766971) CN601674351
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. Specifically, ConocoPhillips failed to prevent a false activation of the Halon 1301 fire suppressant system.

Date: 12/21/2009 (784380) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125
PPVII.G.2 PERMIT
Description: Failure to maintain cover of its permitted land-based units in accordance with permit provisions.

Date: 01/11/2010 (786835) CN601674351
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 12 PERMIT
Description: Failure to prevent excess opacity due to a Torch Oil Double Block Valve.

Date: 01/19/2010 (785551) CN601674351
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(1)(l)
5C THSC Chapter 382 382.085(b)
Description: Failed to report all emissions in the final report

F. Environmental audits.

Notice of Intent Date: 09/27/2005 (434812)
Disclosure Date: 03/20/2006
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.782
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(1)(i)
Description: Failure to properly monitor skip periods on 19,140 HON valves.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.783
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)
Description: Failure to monitor single seal pumps that were incorrectly listed as exempt in the LDAR database.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.782
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.480
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-2
40 CFR Part 60, Subpart VV 60.482-7
Description: Failure to meet first attempt repair deadlines 17 times and successful repair deadlines 205 times.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
Description: Failure to document all visual inspections.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter H 115.781
40 CFR Part 60, Subpart VV 60.482-6
Description: Failure to close 53 open-ended lines.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)
Description: Failure to monitor PRDs.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.781

30 TAC Chapter 115, SubChapter H 115.782
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(a)

Description: Failure to monitor compressors.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.782
40 CFR Part 60, Subpart VV 60.482-9

Description: Failure to properly manage Delay of Repair issues.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.782
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.480
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-7

Description: Failure to tag 56 components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.355

Description: Failure to replace calibration gas after expiration date.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter D 115.355
30 TAC Chapter 115, SubChapter H 115.781

Description: Failure to maintain written procedures for QA/QC review of monitoring data.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter H 115.781
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.480
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-7

Description: Failure to properly manage several valves which were logged as temporarily out of service and not monitored.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter D 115.355
30 TAC Chapter 115, SubChapter H 115.781

Description: Failure to correctly include time stamps on monitoring data logs.

Notice of Intent Date: 08/02/2007 (594140)

Disclosure Date: 01/03/2008

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.480
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-7

Description: Failure to close open ended lines.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter H 115.781
30 TAC Chapter 115, SubChapter H 115.783

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)
40 CFR Part 63, Subpart H 63.168

Description: Failure to properly communicate management of change; therefore, components were not evaluated, documented, tagged and monitored in a timely manner.

Notice of Intent Date: 07/27/2009 (764948)

No DOV Associated

Notice of Intent Date: 09/16/2009 (777741)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CONOCOPHILLIPS COMPANY
RN101619179**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2010-0284-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ConocoPhillips Company ("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 presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a petroleum refinery at Highway 35 and Farm-to-Market Road 524 in Old Ocean, Brazoria County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review on November 18, 2009, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 6,928.71 pounds ("lbs") of carbon monoxide, 1,184.76 lbs of nitrogen oxides, 10,106.88 lbs of sulfur dioxide, 115.60 lbs of hydrogen sulfide, 8,958.84 lbs of volatile organic compounds ("VOCs"), including 3,786.90 lbs of highly reactive VOCs, were released from Coker Flare No. 29, emission point number ("EPN") 29-61-1, Expansion Low Pressure Flare 17, EPN 56-61-17, Flare 11, EPN 56-61-11, High Pressure Flare 16, EPN 56-61-16, and Old Alky Flare, EPN 56-61-19 in the 26.2 Hydrogen Purification Unit, Unit 27 Fluid Catalytic Cracking Unit, and Unit 38 Ultra Low Sulfur Diesel Unit during an emissions event (Incident No. 131689) that occurred on November 5, 2009 and lasted 13 hours and 20 minutes.
4. The Respondent received notice of the violations on February 16, 2010.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), New Source Review Permit Nos. 22086, 5920A and PSD-TX-103M3, and 7467A, Special Condition 1. Since the cause of the event was never clearly defined, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Five Thousand Dollars (\$5,000) of the administrative penalty. Five Thousand Dollars (\$5,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Ten Thousand Dollars (\$10,000) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ConocoPhillips Company, Docket No. 2010-0284-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 4 above, Five Thousand Dollars (\$5,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implements the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement measures designed to prevent the recurrence of emissions events due to the same cause as Incident No. 131689 that occurred on November 5, 2009; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. 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.
9. 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.

10. 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.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date 6/22/2010

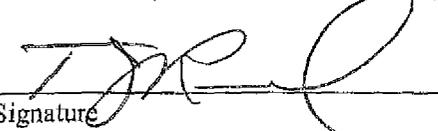
I, the undersigned, have read and understand the attached Agreed Order in the matter of ConocoPhillips Company. I am authorized to agree to the attached Agreed Order on behalf of ConocoPhillips Company, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting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

I understand that by entering into this Agreed Order, ConocoPhillips Company waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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



Signature

Date 5/18/10

T. J. Rich

Name (Printed or typed)
Authorized Representative of
ConocoPhillips Company

Title General Manager

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

Attachment A
Docket Number: 2010-0284-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	ConocoPhillips Company
Penalty Amount:	Ten Thousand Dollars (\$10,000)
SEP Offset Amount:	Five Thousand Dollars (\$5,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Texas PTA – <i>Clean School Bus Program</i>
Location of SEP:	Texas Air Quality Control Region 216 – Houston-Galveston

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

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to *Texas PTA* for the *Clean School Bus Program* as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to reimburse local school districts for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today’s level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

ConocoPhillips Company
Agreed Order - Attachment A

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

2. Performance Schedule

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

Texas Congress of Parents and Teachers dba Texas PTA
Clean School Bus Program
Suzy Swan, Director of Finance
408 West 11th Street
Austin, Texas 78707

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3087

5. Publicity

ConocoPhillips Company
Agreed Order - Attachment A

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

