

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2010-0313-AIR-E TCEQ ID: RN100225085 CASE NO.: 39232
RESPONDENT NAME: E.I. du Pont de Nemours and Company

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: La Porte Plant, 12501 Strang Road, La Porte, Harris County</p> <p>TYPE OF OPERATION: Chemical manufacturing plant</p> <p>SMALL BUSINESS: ___ 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 August 2, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Gena Hawkins, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2583; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Denver Anderson, SHE Technologist, E.I. du Pont de Nemours and Company, P.O. Box 347, La Porte, Texas 77572 Mr. Dean Thompson, Plant Manager, E.I. du Pont de Nemours and Company, P.O. Box 347, La Porte, Texas 77572 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: October 28, 2009</p> <p>Date of NOV/NOE Relating to this Case: February 10, 2010 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>1) Failure to prevent unauthorized emissions during Incident No. 130915. Specifically, 355 pounds ("lbs") of carbon dioxide and 3,700 lbs of methylene chloride, a hazardous air pollutant, were released from a relief valve (Emissions Point No. LN-21F) in the Lannate/API Unit during an emissions event that began on October 14, 2009 and lasted 7 hours and 6 minutes. The unauthorized release was the result of a failed pressure transmitter which caused the vent system to overpressurize, blowing the rupture disk and raising the relief valve. Since this emissions event was not properly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [New Source Review Air Permit No. 1834, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to timely report Incident No. 130915 within 24 hours after discovery. Specifically, the event was discovered on October 14, 2009, at 11:00 p.m. However, the initial notification was not submitted until October 19, 2009, at 4:31 p.m. [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$10,336</p> <p>Total Deferred: \$2,067 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$8,269</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. On October 26, 2009, training was provided to personnel regarding potential environmental impact from unauthorized releases; importance of operation shut down in the event of process release; and proper reporting of emissions events to prevent the recurrence of emissions events due to the same cause as Incident No. 130915; and</p> <p>b. Developed documentation for the Lannate/API Unit on expected emissions from each relief valve in the event of a release and communicated the information to unit personnel on February 26, 2010.</p>

Additional ID No(s): HG0218K



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	16-Feb-2010	Screening	1-Mar-2010	EPA Due	
	PCW	9-Mar-2010				

RESPONDENT/FACILITY INFORMATION

Respondent	E. I. du Pont de Nemours and Company		
Reg. Ent. Ref. No.	RN100225085		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	89232	No. of Violations	2
Docket No.	2010-0313-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Gena Hawkins
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes: Penalty enhancement due to 20 same or similar NOVs, 33 unrelated NOVs, three agreed orders with a denial of liability, and one agreed order without a denial of liability. Penalty reduction due to one Notice of Intended Audit and two Disclosure of Violations.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 1-Mar-2010

Docket No. 2010-0313-AIR-E

PCW

Respondent E. I. du Pont de Nemours and Company

Policy Revision 2 (September 2002)

Case ID No. 39232

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100225085

Media [Statute] Air

Enf. Coordinator Gena Hawkins

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)	20	100%
	Other written NOVs	33	66%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	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) 246%

>> 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 20 same or similar NOVs, 33 unrelated NOVs, three agreed orders with a denial of liability, and one agreed order without a denial of liability. Penalty reduction due to one Notice of Intended Audit and two Disclosure of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 246%

Screening Date 1-Mar-2010

Docket No. 2010-0313-AIR-E

PCW

Respondent E. I. du Pont de Nemours and Company

Policy Revision 2 (September 2002)

Case ID No. 39232

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100225085

Media [Statute] Air

Enf. Coordinator: Gena Hawkins

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and New Source Review Air Permit No. 1834, Special Condition No. 1

Violation Description

Failed to prevent unauthorized emissions during Incident No. 130915, as documented during an investigation conducted on October 28, 2009. Specifically, 355 pounds ("lbs") of carbon dioxide and 3,700 lbs of methylene chloride, a hazardous air pollutant, were released from a relief valve (Emissions Point No. LN-21F) in the Lannate/API Unit during an emissions event that began on October 14, 2009, and lasted 7 hours and 6 minutes. The unauthorized release was the result of a failed pressure transmitter which caused the vent system to overpressurize, blowing the rupture disk and raising the relief valve. Since the emissions event was not properly reported, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment in the Houston-Galveston nonattainment area have been exposed to a significant amount of pollutants that did not exceed protective levels.

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1

Number of violation days 1

daily	
weekly	
monthly	X
quarterly	
semi-annual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$5,000

One monthly event is recommended.

Good Faith Efforts to Comply

10.0% Reduction

\$500

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

Notes

The Respondent completed corrective actions on February 26, 2010, and the NOE is dated February 10, 2010.

Violation Subtotal \$4,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$37

Violation Final Penalty Total \$16,800

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

Economic Benefit Worksheet

Respondent: E. I. du Pont de Nemours and Company

Case ID No.: 39232

Reg. Ent. Reference No.: RN100225085

Media: Air

Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	14-Oct-2009	26-Feb-2010	0.37	\$37	n/a	\$37

Notes for DELAYED costs

Estimated cost of implementing procedures designed to prevent recurrence of unauthorized emissions due to the same cause. The date required is the date of the emissions event, and the final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$37

Screening Date 1-Mar-2010

Docket No. 2010-0313-AIR-E

PCW

Respondent E. I. du Pont de Nemours and Company

Policy Revision 2 (September 2002)

Case ID No. 39232

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100225085

Media [Statute] Air

Enf. Coordinator Gena Hawkins

Violation Number 2

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

Violation Description

Failed to timely report incident No. 180915 within 24 hours after discovery, as documented during an investigation conducted on October 28, 2009. Specifically, the event was discovered on October 14, 2009, at 11:00 p.m. However, the initial notification was not submitted until October 19, 2009, at 4:31 p.m.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

Less than 30% of the rule was not met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

4 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

mark only one with an x

Violation Base Penalty \$100

One single event is recommended, based on one late report.

Good Faith Efforts to Comply

10.0% Reduction

\$10

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

Notes

The Respondent completed corrective actions on February 26, 2010, and the NOE is dated February 10, 2010.

Violation Subtotal \$90

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$9

Violation Final Penalty Total \$336

This violation Final Assessed Penalty (adjusted for limits) \$336

Economic Benefit Worksheet

Respondent: E. I. du Pont de Nemours and Company
Case ID No.: 39232
Reg. Ent. Reference No.: RN100225085
Media: Air
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	14-Oct-2009	26-Feb-2010	0.37	\$9	n/a	\$9
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to develop procedures and conduct training to ensure that emissions events are timely reported. The date required is the date of the emissions event; and the final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$500	TOTAL	\$9
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Compliance History Report

Customer/Respondent/Owner-Operator: CN600128284 E. I. du Pont de Nemours and Company Classification: AVERAGE Rating: 3.51

Regulated Entity: RN100225085 E I DU PONT DE NEMOURS LA Classification: AVERAGE Site Rating: 2.99
PORTE PLANT

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0218K
	AIR OPERATING PERMITS	PERMIT	1845
	AIR OPERATING PERMITS	PERMIT	1846
	AIR OPERATING PERMITS	PERMIT	1905
	AIR OPERATING PERMITS	PERMIT	1906
	AIR OPERATING PERMITS	PERMIT	1907
	AIR OPERATING PERMITS	PERMIT	1911
	AIR OPERATING PERMITS	PERMIT	1990
	AIR OPERATING PERMITS	PERMIT	1908
	AIR OPERATING PERMITS	PERMIT	1891
	AIR NEW SOURCE PERMITS	AFS NUM	4820100011
	AIR NEW SOURCE PERMITS	REGISTRATION	91667
	AIR NEW SOURCE PERMITS	REGISTRATION	71932
	AIR NEW SOURCE PERMITS	REGISTRATION	12705
	AIR NEW SOURCE PERMITS	REGISTRATION	12725
	AIR NEW SOURCE PERMITS	PERMIT	20800
	AIR NEW SOURCE PERMITS	PERMIT	21130
	AIR NEW SOURCE PERMITS	REGISTRATION	23740
	AIR NEW SOURCE PERMITS	REGISTRATION	23688
	AIR NEW SOURCE PERMITS	REGISTRATION	25009
	AIR NEW SOURCE PERMITS	REGISTRATION	25657
	AIR NEW SOURCE PERMITS	REGISTRATION	25400
	AIR NEW SOURCE PERMITS	REGISTRATION	27385
	AIR NEW SOURCE PERMITS	REGISTRATION	26222
	AIR NEW SOURCE PERMITS	REGISTRATION	26496
	AIR NEW SOURCE PERMITS	REGISTRATION	26340
	AIR NEW SOURCE PERMITS	REGISTRATION	28383
	AIR NEW SOURCE PERMITS	REGISTRATION	24984
	AIR NEW SOURCE PERMITS	REGISTRATION	26592
	AIR NEW SOURCE PERMITS	REGISTRATION	30182
	AIR NEW SOURCE PERMITS	REGISTRATION	30428
	AIR NEW SOURCE PERMITS	REGISTRATION	32351
	AIR NEW SOURCE PERMITS	REGISTRATION	34030
	AIR NEW SOURCE PERMITS	REGISTRATION	34178
	AIR NEW SOURCE PERMITS	REGISTRATION	35510
	AIR NEW SOURCE PERMITS	REGISTRATION	36110
	AIR NEW SOURCE PERMITS	REGISTRATION	36341
	AIR NEW SOURCE PERMITS	REGISTRATION	37427
	AIR NEW SOURCE PERMITS	REGISTRATION	37277
	AIR NEW SOURCE PERMITS	REGISTRATION	37750
	AIR NEW SOURCE PERMITS	REGISTRATION	39520
	AIR NEW SOURCE PERMITS	REGISTRATION	41316
	AIR NEW SOURCE PERMITS	REGISTRATION	41436
	AIR NEW SOURCE PERMITS	REGISTRATION	41786
	AIR NEW SOURCE PERMITS	REGISTRATION	44102
	AIR NEW SOURCE PERMITS	REGISTRATION	44807
	AIR NEW SOURCE PERMITS	REGISTRATION	44835
	AIR NEW SOURCE PERMITS	REGISTRATION	44934
	AIR NEW SOURCE PERMITS	REGISTRATION	45783
	AIR NEW SOURCE PERMITS	REGISTRATION	46250
	AIR NEW SOURCE PERMITS	REGISTRATION	46795
	AIR NEW SOURCE PERMITS	REGISTRATION	47006
	AIR NEW SOURCE PERMITS	REGISTRATION	47657
	AIR NEW SOURCE PERMITS	REGISTRATION	48201
	AIR NEW SOURCE PERMITS	REGISTRATION	48336
	AIR NEW SOURCE PERMITS	REGISTRATION	50145
	AIR NEW SOURCE PERMITS	PERMIT	1834
	AIR NEW SOURCE PERMITS	PERMIT	2295A
	AIR NEW SOURCE PERMITS	PERMIT	2295B
	AIR NEW SOURCE PERMITS	PERMIT	2446A
	AIR NEW SOURCE PERMITS	PERMIT	2751
	AIR NEW SOURCE PERMITS	PERMIT	3406
	AIR NEW SOURCE PERMITS	PERMIT	4445

AIR NEW SOURCE PERMITS	PERMIT	6502
AIR NEW SOURCE PERMITS	PERMIT	7820
AIR NEW SOURCE PERMITS	PERMIT	7941
AIR NEW SOURCE PERMITS	PERMIT	7986
AIR NEW SOURCE PERMITS	REGISTRATION	51618
AIR NEW SOURCE PERMITS	REGISTRATION	51352
AIR NEW SOURCE PERMITS	REGISTRATION	52051
AIR NEW SOURCE PERMITS	REGISTRATION	84460
AIR NEW SOURCE PERMITS	REGISTRATION	55092
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0218K
AIR NEW SOURCE PERMITS	REGISTRATION	54748
AIR NEW SOURCE PERMITS	REGISTRATION	55472
AIR NEW SOURCE PERMITS	REGISTRATION	55189
AIR NEW SOURCE PERMITS	REGISTRATION	53691
AIR NEW SOURCE PERMITS	REGISTRATION	53898
AIR NEW SOURCE PERMITS	REGISTRATION	53933
AIR NEW SOURCE PERMITS	REGISTRATION	54142
AIR NEW SOURCE PERMITS	REGISTRATION	55100
AIR NEW SOURCE PERMITS	REGISTRATION	55125
AIR NEW SOURCE PERMITS	REGISTRATION	75780
AIR NEW SOURCE PERMITS	REGISTRATION	75781
AIR NEW SOURCE PERMITS	REGISTRATION	75939
AIR NEW SOURCE PERMITS	REGISTRATION	55942
AIR NEW SOURCE PERMITS	REGISTRATION	75522
AIR NEW SOURCE PERMITS	REGISTRATION	70090
AIR NEW SOURCE PERMITS	REGISTRATION	70680
AIR NEW SOURCE PERMITS	REGISTRATION	71485
AIR NEW SOURCE PERMITS	REGISTRATION	71515
AIR NEW SOURCE PERMITS	REGISTRATION	71521
AIR NEW SOURCE PERMITS	REGISTRATION	71555
AIR NEW SOURCE PERMITS	REGISTRATION	71589
AIR NEW SOURCE PERMITS	REGISTRATION	71637
AIR NEW SOURCE PERMITS	REGISTRATION	71079
AIR NEW SOURCE PERMITS	REGISTRATION	70683
AIR NEW SOURCE PERMITS	REGISTRATION	54434
AIR NEW SOURCE PERMITS	REGISTRATION	55709
AIR NEW SOURCE PERMITS	REGISTRATION	54656
AIR NEW SOURCE PERMITS	REGISTRATION	72501
AIR NEW SOURCE PERMITS	REGISTRATION	73137
AIR NEW SOURCE PERMITS	REGISTRATION	55614
AIR NEW SOURCE PERMITS	REGISTRATION	55864
AIR NEW SOURCE PERMITS	REGISTRATION	74445
AIR NEW SOURCE PERMITS	REGISTRATION	74547
AIR NEW SOURCE PERMITS	REGISTRATION	73850
AIR NEW SOURCE PERMITS	REGISTRATION	74781
AIR NEW SOURCE PERMITS	REGISTRATION	77245
AIR NEW SOURCE PERMITS	REGISTRATION	77924
AIR NEW SOURCE PERMITS	REGISTRATION	77101
AIR NEW SOURCE PERMITS	REGISTRATION	79091
AIR NEW SOURCE PERMITS	REGISTRATION	79153
AIR NEW SOURCE PERMITS	REGISTRATION	79624
AIR NEW SOURCE PERMITS	REGISTRATION	79912
AIR NEW SOURCE PERMITS	REGISTRATION	79682
AIR NEW SOURCE PERMITS	REGISTRATION	80234
AIR NEW SOURCE PERMITS	REGISTRATION	79824
AIR NEW SOURCE PERMITS	REGISTRATION	81545
AIR NEW SOURCE PERMITS	REGISTRATION	81161
AIR NEW SOURCE PERMITS	REGISTRATION	81466
AIR NEW SOURCE PERMITS	REGISTRATION	81328
AIR NEW SOURCE PERMITS	REGISTRATION	82048
AIR NEW SOURCE PERMITS	REGISTRATION	83253
AIR NEW SOURCE PERMITS	REGISTRATION	82394
AIR NEW SOURCE PERMITS	REGISTRATION	82353
AIR NEW SOURCE PERMITS	REGISTRATION	81488
AIR NEW SOURCE PERMITS	REGISTRATION	85923
AIR NEW SOURCE PERMITS	REGISTRATION	88555
AIR NEW SOURCE PERMITS	REGISTRATION	81487
AIR NEW SOURCE PERMITS	REGISTRATION	88256
AIR NEW SOURCE PERMITS	REGISTRATION	83743
AIR NEW SOURCE PERMITS	REGISTRATION	86302

AIR NEW SOURCE PERMITS	REGISTRATION	83045
AIR NEW SOURCE PERMITS	REGISTRATION	90542
WASTEWATER	PERMIT	WQ0000474000
WASTEWATER	PERMIT	TPDES0007293
WASTEWATER	PERMIT	TX0007293
UNDERGROUND INJECTION CONTROL	PERMIT	WDW082
UNDERGROUND INJECTION CONTROL	PERMIT	WDW083
UNDERGROUND INJECTION CONTROL	PERMIT	WDW149
UNDERGROUND INJECTION CONTROL	PERMIT	WDW360
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1011171
PETROLEUM STORAGE TANK	REGISTRATION	35066
REGISTRATION		
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008079212
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30046
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50213
WATER LICENSING	LICENSE	1011171
STORMWATER	PERMIT	TXR05P548
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30046
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0218K

Location: 12501 STRANG RD, LA PORTE, TX, 77571
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: March 09, 2010
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: March 01, 2005 to March 01, 2010
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Gena Hawkins Phone: 512-239-2583

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: 03/03/2005 ADMINORDER 2002-1118-IWD-E
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: Effluent Limit. and Mon. Requirements PERMIT
Description: Failure to comply with permit limits.

Effective Date: 08/23/2007 ADMINORDER 2006-2093-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit # 1834, SC #1 PA
Description: Failed to prevent unauthorized emissions during an emissions event that started on June 15, 2006.

Effective Date: 04/03/2008 ADMINORDER 2007-1435-IWD-E
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: Effluent Limits PERMIT
Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit #4445, SC#1 PA

Description: Failed to prevent unauthorized emissions during a February 19, 2006 emissions event. Since the emissions event was avoidable, excessive, and not properly reported, the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

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 VV 60.482-10(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
40 CFR Part 60, Subpart A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP No. O-01911, Spec. Cond. 15 OP
FOP No. O-01911, Spec. Cond. 1A OP
NSR Permit No. 4445, Spec. Cond. 5A PERMIT

Description: Failed to maintain the net heating value of the gas being combusted by Flare VS-202C at 300 Btu/scf or greater.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart G 63.120(d)(5)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP No. O-01911, Spec. Cond. 15 OP
FOP No. O-01911, Spec. Cond. 1A OP
NSR Permit No. 4445, Spec. Cond. 6 PERMIT

Description: Failed to maintain the liquid flow rate to Tank Farm Super Scrubber VS-206 above 17 gpm.

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	03/16/2005	(373933)
2	03/22/2005	(350004)
3	03/22/2005	(382025)
4	04/01/2005	(764627)
5	04/07/2005	(376192)
6	04/07/2005	(376218)
7	04/11/2005	(376215)
8	04/18/2005	(350288)
9	04/25/2005	(372807)
10	04/25/2005	(372813)
11	04/25/2005	(372818)
12	04/25/2005	(377502)
13	04/25/2005	(377506)
14	04/25/2005	(377508)
15	04/25/2005	(419877)
16	05/06/2005	(379898)
17	05/23/2005	(419878)
18	06/06/2005	(376261)
19	06/13/2005	(393264)
20	06/16/2005	(396000)
21	06/16/2005	(396330)
22	06/21/2005	(419879)
23	07/14/2005	(397608)
24	07/14/2005	(397619)
25	07/14/2005	(397623)
26	07/21/2005	(440994)
27	08/19/2005	(440995)
28	08/23/2005	(377109)
29	09/28/2005	(440996)

30	10/18/2005	(468719)
31	10/19/2005	(440993)
32	11/21/2005	(435492)
33	11/28/2005	(488720)
34	12/02/2005	(437474)
35	12/07/2005	(438530)
36	12/07/2005	(438533)
37	12/07/2005	(438536)
38	12/07/2005	(438537)
39	12/19/2005	(449755)
40	12/20/2005	(449884)
41	01/17/2006	(468721)
42	01/17/2006	(468722)
43	01/20/2006	(449883)
44	01/27/2006	(432622)
45	02/24/2006	(468717)
46	03/07/2006	(449762)
47	03/10/2006	(450047)
48	03/24/2006	(468718)
49	04/24/2006	(498402)
50	05/09/2006	(461347)
51	05/15/2006	(465437)
52	05/15/2006	(465445)
53	05/15/2006	(465457)
54	05/23/2006	(498403)
55	05/25/2006	(467420)
58	05/30/2006	(480436)
57	06/15/2006	(464682)
58	06/21/2006	(498404)
59	06/23/2006	(481674)
60	06/28/2006	(462251)
61	07/25/2006	(520408)
62	07/31/2006	(480156)
63	08/02/2006	(480157)
64	08/21/2006	(489548)
65	08/23/2006	(486587)
66	08/23/2006	(486595)
67	08/23/2006	(486603)
68	08/23/2006	(520409)
69	08/29/2006	(509906)
70	09/22/2006	(520410)
71	09/25/2006	(520411)
72	10/13/2006	(515906)
73	10/24/2006	(544748)
74	10/27/2006	(514269)
75	10/30/2006	(482067)
76	10/30/2006	(517651)
77	11/21/2006	(519058)
78	11/21/2006	(519064)
79	11/27/2006	(544749)
80	11/29/2006	(515929)
81	12/19/2006	(544750)
82	01/24/2007	(533714)
83	02/22/2007	(575705)
84	03/12/2007	(540364)
85	03/12/2007	(540373)
86	03/22/2007	(575706)
87	04/16/2007	(542380)
88	04/24/2007	(575707)
89	04/25/2007	(543346)
90	04/25/2007	(543355)
91	04/25/2007	(543358)

92	06/22/2007	(543552)
93	05/23/2007	(560156)
94	05/23/2007	(575708)
95	05/25/2007	(558836)
96	05/31/2007	(543660)
97	06/20/2007	(543376)
98	06/26/2007	(575709)
99	07/10/2007	(559490)
100	07/20/2007	(543549)
101	07/23/2007	(575710)
102	07/24/2007	(564176)
103	07/31/2007	(558826)
104	08/16/2007	(607602)
105	08/22/2007	(570072)
106	08/27/2007	(462372)
107	08/28/2007	(543551)
108	09/21/2007	(607603)
109	10/22/2007	(619662)
110	10/22/2007	(619665)
111	11/01/2007	(594547)
112	11/01/2007	(594924)
113	11/01/2007	(594928)
114	11/15/2007	(600902)
115	11/26/2007	(567556)
116	11/26/2007	(619663)
117	12/10/2007	(611048)
118	12/10/2007	(611498)
119	12/13/2007	(598540)
120	12/13/2007	(598541)
121	12/13/2007	(598542)
122	12/13/2007	(611431)
123	12/17/2007	(610484)
124	12/17/2007	(610493)
125	12/17/2007	(610498)
126	12/20/2007	(635945)
127	12/21/2007	(598285)
128	12/21/2007	(609133)
129	12/27/2007	(619664)
130	01/01/2008	(611537)
131	01/16/2008	(613924)
132	01/29/2008	(616209)
133	02/05/2008	(616683)
134	02/08/2008	(612719)
135	02/11/2008	(612835)
136	02/11/2008	(616046)
137	02/11/2008	(616048)
138	02/11/2008	(616050)
139	02/11/2008	(616150)
140	02/22/2008	(672183)
141	03/19/2008	(672184)
142	04/03/2008	(609061)
143	04/04/2008	(595001)
144	04/04/2008	(617413)
145	04/17/2008	(595527)
146	04/21/2008	(690096)
147	04/23/2008	(646170)
148	04/28/2008	(636915)
149	04/28/2008	(636916)
150	04/29/2008	(641149)
151	04/29/2008	(641150)
152	04/29/2008	(641153)
153	05/21/2008	(690097)

154 05/29/2008 (636610)
155 06/06/2008 (680392)
156 06/17/2008 (680377)
157 06/23/2008 (690098)
158 07/12/2008 (710883)
159 07/28/2008 (636697)
160 08/04/2008 (687973)
161 08/12/2008 (688169)
162 08/12/2008 (688161)
163 08/12/2008 (688162)
164 08/14/2008 (687863)
165 08/22/2008 (710884)
166 08/26/2008 (701031)
167 08/26/2008 (701041)
168 08/26/2008 (701043)
169 08/27/2008 (636686)
170 08/29/2008 (689245)
171 09/01/2008 (688029)
172 09/30/2008 (710885)
173 10/06/2008 (702718)
174 10/09/2008 (688316)
175 10/22/2008 (727689)
176 11/21/2008 (700294)
177 11/26/2008 (708172)
178 11/26/2008 (708175)
179 11/26/2008 (708177)
180 12/01/2008 (727690)
181 12/22/2008 (727691)
182 01/21/2009 (709039)
183 01/23/2009 (750399)
184 02/19/2009 (725340)
185 02/23/2009 (750398)
186 04/20/2009 (768458)
187 05/07/2009 (737100)
188 05/13/2009 (702646)
189 05/13/2009 (737282)
190 05/18/2009 (743192)
191 05/18/2009 (743195)
192 05/18/2009 (743201)
193 06/01/2009 (737251)
194 06/11/2009 (737249)
195 06/17/2009 (749357)
196 07/13/2009 (738157)
197 07/15/2009 (744826)
198 07/30/2009 (741154)
199 08/11/2009 (763020)
200 08/11/2009 (763039)
201 08/24/2009 (766638)
202 08/27/2009 (747623)
203 08/28/2009 (737259)
204 09/03/2009 (747011)
205 09/22/2009 (767228)
206 11/09/2009 (777109)
207 11/09/2009 (777118)
208 11/09/2009 (778383)
209 11/10/2009 (778078)
210 12/03/2009 (783677)
211 01/07/2010 (786284)
212 01/07/2010 (787198)
213 02/05/2010 (787487)
214 02/05/2010 (789149)
215 02/05/2010 (790665)

216 02/10/2010 (786789)
217 02/12/2010 (787495)
218 02/12/2010 (787514)

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

Date: 04/11/2005 (376215) CN600128284
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(2)
Description: Failure to limit production of hydrogen fluoride to the amount approved in Permit by Rule Registration # 71515, resulting in excess emissions of 0.50 pounds of sulfur dioxide.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262(2)
Description: Failure to limit production of hydrogen fluoride to the amount approved in Permit by Rule Registration # 71515, resulting in excess emissions of 0.01 pounds of hydrogen fluoride.

Date: 04/30/2005 (419878) CN600128284
Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 05/31/2005 (419879) CN600128284
Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 06/06/2005 (376261) CN600128284
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(iv)
Description: Failure to continuously record the temperature of the flare during the time frames given below.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
NSR Permit 2446A, Special Condition 3 B PERMIT

Description: Failure to maintain pilot flame at all times.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
Permit # O-01905 OP
Description: Failed to conduct an annual visible emission observation within the compliance certification period 12/12/2003 and 12/11/2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(II)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
Air Permit # 2446A, SC 3 A PERMIT

Description: Failure to maintain the required amount of net heating value in the Velpar flare during the dates and times stated in the report.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.700
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)
Air Permit # 2446A, SC 9 PERMIT
Description: Failure by DuPont to submit the Notification of Compliance Status Report for the Velpar Unit within the 150 day time frame allowed.

Date	08/23/2005	(377109)	CN600128284
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 106, SubChapter K 106.262(3)		
Description:	Failure to submit a PI-7 Form within 10 days for a Permit by Rule registration under 30 TAC 106.262.		
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 122, SubChapter C 122.222(k)(2)		
Description:	Failure to submit an Off-permit notification to the Agency to notify them of a change at the site that met the requirements of 30 TAC 122.222(k).		
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.700 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)		
Description:	Failure to submit Notification of compliance status for the Lannate Unit within 150 days after the compliance date of 12/23/2003.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.700 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(vi)		
Description:	Failure to keep the incinerator temperature above the established minimum temperature of 1700 F required by for 40 CFR 63, Subpart MMM.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.700 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1362(j)(1)		
Description:	Failure to ensure that the methylene chloride is not released to the atmosphere from the by-pass vent valve.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.700 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(iii)		
Description:	Failure to record the continuous monitoring data required for the condenser temperature and the scrubber re-circulation rate.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.700 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(vii)		
Description:	Failure to ensure that the temperature of the Incinerator is continuously recorded as required by this rule.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.700 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)		
Description:	Failure to daily sample the caustic scrubber and to ensure that the scrubber solution is maintained above the minimum level established in their Notification of Compliance Status.		
Date	10/31/2005	(468720)	CN600128284
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	02/28/2006	(468718)	CN600128284
Self Report?	YES		Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	06/15/2006	(464682)	CN600128284
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)		

5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition # 1F OP
 FOP #O-01911, Special Condition #1 OP
 Description: Failure to monitor 32 connectors in HON service as required by 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition #1 OP
 FOP #O-01911, Special Condition #1F OP
 Description: Failure to monitor 4 difficult to monitor valves on an annual basis as required by 40 CFR 63.168(j)(3).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition #1 OP
 FOP #O-01911, Special Condition #15 OP
 NSR Permit #4445, Special Condition #7E PA
 Description: Failure to operate the process unit with no open-ended valves or pipelines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(3)
 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-01911, Special Condition #1 OP
 FOP #O-01911, Special Condition #15 OP
 NSR Permit #4445, Special Condition #6 PA
 Description: Failure to maintain specified water flow to Scrubbers as required by NSR Permit #4445, SC #6.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition #1 OP
 FOP #O-01911, Special Condition #15 OP
 NSR Permit #4445, Special Condition #7F PA
 Description: Failure to perform quarterly Method 21 monitoring to 2 accessible valves.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Special Condition #16 OP
 Description: Failure to include new methanol-service components in the annual notification report required by 106.261(a)(7)(B).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition #1 OP
 Description: Failure to operate flare at an exit velocity less than 60 ft./sec.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(2)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition #1 OP
 Description: Failure to submit a written 45 day notification prior to performing testing as required by

115.726(a)(2).

Date	06/28/2006	(462251)		
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)			
Description:	Failure to submit initial notification in a timely manner.			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter D 382.085(b) Permit #4445, SC#1 PA			
Description:	Failure to prevent the unauthorized emission of ethylene from the atmospheric vent valve.			
Date	07/31/2006	(480156)	CN600128284	
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.126(1)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b) FOP #O-01905, Special Condition #1 OP			
Description:	Failure to perform continuous recording of the Velpar Flare.			
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.126(1)(A)(iv) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b) FOP #O-01905, Special Condition #1 OP			
Description:	Failure to continuously record the exhaust gas temperature of the NaOMe Flare.			
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 82, SubChapter C, PT 82, SubPT F 82.156(a) 5C THC Chapter 382, SubChapter A 382.085(b) FOP #O-01905, Special Condition #17A OP			
Description:	Failure to perform verification testing to refrigeration equipment after performing maintenance.			
Date	08/02/2006	(480157)	CN600128284	
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 82, SubChapter C, PT 82, SubPT F 82.156(j)(3) 5C THC Chapter 382, SubChapter A 382.085(b) FOP #O-01990, Special Condition #11A OP			
Description:	Failure to perform verification testing to refrigeration equipment after completion of repairs.			
Date	12/06/2006	(533714)	CN600128284	
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 290, SubChapter F 290.110(e)(4)			
Description:	Failure to submit Disinfectant Level Quarterly Operating Reports.			
Date	12/31/2006	(520411)	CN600128284	
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	01/25/2007	(533714)	CN600128284	
Self Report?	NO		Classification:	Major
Citation:	30 TAC Chapter 290, SubChapter D 290.46(e)			
Description:	Failure to be under the direct supervision of a licensed waterworks operator.			
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(m)			
Description:	Failure to initiate maintenance and housekeeping practices for the curbing on the roof of the ground storage tank.			
Self Report?	NO		Classification:	Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
 Description: Failure to initiate maintenance and housekeeping practices for the concrete sealing block at well #8.
 Date 01/31/2007 (575705) CN600128284
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date 02/28/2007 (575706) CN600128284
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date 03/31/2007 (575707) CN600128284
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date 05/25/2007 (558836) CN600128284
 Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(b)(1)(i)
 Description: Failure to record the water flow rate on February 27, 2006 from 12:30 pm through 1:30 pm for the HF-01 Scrubber.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-01846 STC 4 OP
 Description: Failure to operate HF-01 scrubber at a minimum water flow rate of 87 gpm during February 25, 2006, February 27, 2006, and August 4, 2006.
 Date 06/22/2007 (543376) CN600128284
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 No. O-01845, Special Condition 4 OP
 Description: failure to operate the Sulfuric Acid Plant within the Oleum filling rate of 30 gpm represented in the application submitted for NSR Permit No. 21130.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.263
 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 6C THC Chapter 382, SubChapter D 382.085(b)
 No. O-01845, Special Condition 6 OP
 Description: failure to register a rental air compressor operated under Permit by Rule 106.263 within 180 days of the start-up of the compressor.
 Date 06/30/2007 (575710) CN600128284
 Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date 07/20/2007 (543549) CN600128284
 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 63, SubChapter C, PT 63, SubPT H 63.171(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP No. 01905, Spec. Cond. 11 OP
 NSR Permit No. 2446A, Spec. Cond. 8H PERMIT

Description: Failure to repair fugitive components that were placed on delay of repair (DOR) pending a unit shutdown.

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 63, SubChapter C, PT 63, SubPT H 63.171(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. 01905, Spec. Cond. 11 OP
NSR Permit No. 2446A, Spec. Cond. 8H PERMIT

Description: Failure to repair fugitive components that were placed on delay of repair (DOR) pending a unit shutdown. The unit was restarted without completing the repairs.

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 63, SubChapter C, PT 63, SubPT H 63.169(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. 01905 Spec. Cond. 1A OP

Description: Failure to make a first attempt at repairing fugitive components within five (5) days after discovery.

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 63, SubChapter C, PT 63, SubPT H 63.169(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. 01905, Spec. Cond 11 OP
NSR Permit No. 2446A, Spec. Cond 8H PERMIT

Description: Failure to complete final repairs on two (2) fugitive components within fifteen (15) days of initial discovery.

Date 07/31/2007 (567547) CN600128284

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01906 STC 9 OP
NSR Permit No. 1834 SC 10C PERMIT

Description: Failure to change the carbon canister within four hours when the breakthrough had occurred at the first canister on August 31, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to conduct first attempt repair for fugitive leaking component within five days after the leak was discovered.

Self Report? NO Classification: Minor

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

Description: Failure to maintain a minimum temperature of -66 degrees F for the cryogenic compressor (LN05CRY) as represented in the New Source Review (NSR) Permit No. 1834 application during the operation on October 28, 2006 through October 31, 2006 and on December 13, 2006.

Date 07/31/2007 (607602) CN600128284

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date 08/28/2007 (568558) CN600128284

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.767(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)
 FOP No. O-01911, Spec. Cond. 15 OP
 Description: Failure to maintain a minimum of five (5) psig differential pressures between the process side and cooling tower water side on North Cooling Tower.
 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 63, SubChapter C, PT 63, SubPT H 63.171(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01911, Spec. Cond. 1A OP
 FOP Permit No. O-01911, Spec. Cond 15 OP
 NSR Permit No. 4445, Spec. Cond. 7H & 7I PERMIT
 Description: Failure to repair fugitive components that were placed on delay of repair (DOR) pending a unit shutdown.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP No. O-01911, Spec. Cond. 15 OP
 FOP No. O-01911, Spec. Cond. 1A OP
 Description: Failure to monthly monitor fugitive components (pumps) that were not included in LDAR program.
 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 D 382.085(b)
 FOP No. O-01911, Spec. Cond. 15 OP
 FOP No. O-01911, Spec. Cond. 1A OP
 NSR Permit No. 4445, Spec. Cond. 7G PERMIT
 Description: Failure to quarterly monitor fugitive components (pumps) that were not included in LDAR program.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP No. O-01911, Spec. Cond. 1A OP
 FOP Permit No. O-01911, Spec. Cond. 15 OP
 Description: Failure to make a first attempt at repairing fugitive components within five (5) days after discovery.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP Permit No. O-01911, Spec. Cond. 15 OP
 Description: Failure to complete quarterly calibration tests on South Cooling Tower.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP Permit No. O-01911, Spec. Cond. 15 OP
 Description: Failure to complete quarterly calibration tests on the vinyls flare (VS-202).
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.766(a)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP Permit No. O-01911, Spec. Cond. 15 OP
 Description: Failure to record ethylene emissions from South Cooling Tower.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.766(a)(5)
 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)
 FOP Permit No. O-01911, Spec. Cond. 15 OP
Description: Failure to record recirculation flow from South Cooling Tower.
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 THC Chapter 382, SubChapter D 382.085(b)
 FOP No. O-01911, Spec. Cond. 15 OP
Description: Failure to include a recordable emission event in a deviation report.
Date 10/31/2007 (619663) CN600128284
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 11/30/2007 (619664) CN600128284
Self Report? YES **Classification:** Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date 12/12/2007 (598542) CN600128284
Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Permit #1834, Special Condition #1 PERMIT
Description: Failure to prevent higher than normal loading of the incinerator resulting in excess opacity.
Date 12/12/2007 (598541) CN600128284
Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Permit #1834, Special Condition #1 PERMIT
Description: Failure to prevent higher load than normal on the incinerator which resulted in excess opacity.
Date 12/13/2007 (598540) CN600128284
Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Permit #1834, Special Condition #1 PERMIT
Description: Failure to prevent higher load than normal on the incinerator which resulted in excess opacity.
Date 12/20/2007 (635945) CN600128284
Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE
Date 12/21/2007 (598285)
Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261
 30 TAC Chapter 106, SubChapter K 106.262
 5C THSC Chapter 382 382.085(b)
Description: Failure to prevent leak from the North Tank Conservation Vent which resulted in the unauthorized release of contaminants.
Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
Description: Failure to submit initial notification in a timely manner.
Date 12/31/2007 (619665) CN600128284
Self Report? YES **Classification:** Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date 01/31/2008 (672183) CN600128284
 Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date 02/28/2008 (672184) CN600128284
 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 03/31/2008 (690096) CN600128284
 Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date 04/02/2008 (609061) CN600128284
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Permit #1834, Special Condition #1 PERMIT
 Description: Failure to prevent unauthorized emissions from the Dowtherm Recovery Tank.
 Date 04/18/2008 (595527) CN600128284
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01846, Special Condition 3 OP
 Description: Failure to prevent the water flow to the scrubber falling below the minimum flow of 87 gallons per minute (gpm) as represented in the NSR Permit 20800 permit application.
 Self Report? NO Classification: Minor

Citation: 20800, Special Condition 6 PERMIT
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01846, Special Condition 3 OP
 Description: Failure to record the cause of the visible emissions and the corrective action.
 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 382 382.085(b)
 O-01846, General Terms and Conditions OP
 Description: Failure to include the incidences for not recording the cause of the visible emissions and the corrective action on the Title V deviation reports, during the certification period.
 Date 04/28/2008 (636916) CN600128284
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 O-01906, GENERAL TERMS AND CONDITIONS OP
 Description: DuPont failure to submit permit compliance certification no latter than 30 days after the end of the reporting period
 Self Report? NO Classification: Moderate

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)
 O-01906, GENERAL TERMS AND CONDITIONS OP
Description: DuPont failure to submit the deviation reports no later than 30 days after the end of the reporting period.
Date 04/28/2008 (636915) CN600128284
Self Report? NO **Classification:** Moderate
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)
 O-01905, General Terms and Conditions OP
Description: Failure to submit a deviation report no later than 30 days after the end of the reporting period.
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 O-01905, General Terms and Conditions OP
Description: Failure to submit permit compliance certification no later than 30 days after the end of the reporting period.
Date 05/30/2008 (636510) CN600128284
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
 5C THSC Chapter 382 382.085(b)
 FOP O-01907 STC #6 OP
Description: Failure to repair leaking component within 15 calendar days.
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(vii)
 5C THSC Chapter 382 382.085(b)
 FOP O-01907 STC #6 OP
Description: Failure to continuously record outlet temperature of direct flame Incinerator.
Date 05/31/2008 (690098) CN600128284
Self Report? YES **Classification:** Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date 06/30/2008 (710883) CN600128284
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 07/31/2008 (710884) CN600128284
Self Report? YES **Classification:** Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date 10/31/2008 (727590) CN600128284
Self Report? YES **Classification:** Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date 01/31/2009 (750398) CN600128284
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 05/08/2009 (737100) CN600128284
Self Report? NO Classification: Minor

Citation: 20800, SC 18 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01846, SC 5 OP

Description: Failure to maintain water flow rate to HF Scrubber at 87 gallons per minute or above, and failure to record data for HF Scrubber water flow rate (Category C1 and C4 violation).
Date 05/14/2009 (702546)
Self Report? NO Classification: Moderate

Citation: SC 3 (B) PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085

Description: DuPont La Porte plant failed to operate their sulfuric acid (SA) manufacturing plant in a manner that the permit lb sulfuric acid emitted per ton of acid produced limit was less than 0.142 lb SA per ton acid produced.
Date 05/29/2009 (737251) CN600128284
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1439(e)(6)(i)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failed to submit the periodic report under 40 CFR 63 Subpart PPP on time
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.222(k)(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failed to submit the Off-Notify Form required in 122.222(k)(2) on time
Date 06/12/2009 (737249) CN600128284
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(7)
40 CFR Part 60, Subpart A 60.18(c)(4)(i)
General Terms and Conditions OP
Special Condition 4A PERMIT
Special Terms and Conditions No. 11 OP

Description: Failed to operate flare at an exit velocity less than 60 ft/sec
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 4B PERMIT
Special Terms and Conditions No. 11 OP

Description: Failed to maintain pilot flame at all times
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special and Conditions No. 11 OP
Special Condition No. 3 PERMIT

Description: Failed to maintain the production rate of sodium methylate and hexazinone
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)

Description: General Terms and Conditions OP
 Failed to report two deviations within 30 days after the end of the certification period from December 12, 2007 to June 11, 2008

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter C 122.222(k)(2)
 5C THSC Chapter 382 382.085(b)

Description: General Terms and Conditions OP
 Failed to submit the Off-Notify Form required on time after replacing the VO-01P-1 Extractor

Date 06/16/2009 (749357) CN600128284
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 ELMR, No. 1 PERMIT

Description: Failure to maintain compliance with the permitted effluent limits.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)

Description: Failure to correctly calculate the Discharge Monitoring Reports (DMRs).

Self Report? NO Classification: Minor

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

Description: Failure to submit the noncompliance notification for an effluent violation which deviated from the permitted limit by more than 40%.

Date 07/15/2009 (744826) CN600128284
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(8)
 5C THSC Chapter 382 382.085(b)

Description: Special Terms and Conditions 1D OP
 Failure to maintain established monitoring parameters as set by the facility.
 (CATEGORY B18 violation)

Date 08/27/2009 (747523) CN600128284
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(iv)
 30 TAC Chapter 115, SubChapter C 115.216(1)(B)
 30 TAC Chapter 115, SubChapter H 115.722(d)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)

Description: FOP #O-01911, ST & C#11 OP
 NSR Permit No. 4445, SC#5A PA
 Failure to to maintain the A Plant Flare (EPN: VS-202) net heating value at 300 Btu/scf on November 22, 2007; December 3, 2007 through December 4, 2007; and March 9, 2008. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(6)
 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)

Description: FOP #O-01911, ST & C#11 OP
 NSR Permit No. 4445, SC#5G PA
 Failure to record hourly tip velocity monitoring data due to a transmitter malfunction.
 (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Description: FOP #O-01911, ST & C#11 OP
 NSR Permit #4445, SC#6 PA
 Failure to record Tank Farm Super Scrubber (EPN: VS-204), Million Gallon Acetic Acid Scrubber (EPN: VS-207), "A" Acetic Acid Tank Scrubber (EPN: VS-208), "B" Acetic

Acid Tank Scrubber (EPN: VS-209), Tar Receiver Scrubber (EPN: VS-212), and Dry Product Scrubber (EPN: VS-376) water flow data. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST & C#11 OP
NSR Permit No. 4445, SC #6 PA

Description: Failure to maintain the Dry Product Scrubber (EPN: VS-376) water flow at 15 gallons per minute (gpm) on April 23, 2008. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.216(4)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST & C #1A OP

Description: failed to maintain a daily marine loading operation record for July 6, 2008. (Category C4 Violation)

Date 08/28/2009 (737259) CN600128204

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition No. 4 PERMIT
Special Terms and Conditions No. 6 OP

Description: failure to prevent exceeding the H2S permitted concentration limit of 30 ppmv. (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 No.4 PERMIT
Special Terms and Conditions No. 6 OP

Description: failure to prevent exceeding the H2S permitted concentration limit of 1500 ppmv for the Sulfur Unloading Pit SA-04. (Category B14 violation)

F. Environmental audits.

Notice of Intent Date: 02/02/2005 (371581)

Disclosure Date: 08/08/2005

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter D 115.355
30 TAC Chapter 115, SubChapter D 115.356
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168

Description: Fugitive monitoring data includes data with questionable validity due to response time of the instrument.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.353
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter D 115.355
30 TAC Chapter 115, SubChapter D 115.356
30 TAC Chapter 115, SubChapter D 115.357
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.161
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.175
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.176
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.177
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.178
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180

Description: DuPont identified 6250 components that should have been included in the site Leak Detection and Repair Program, but have not previously been.

Notice of Intent Date: 02/07/2005 (371582)

Disclosure Date: 08/05/2005

Viol. Classification: Minor

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

Description: Failure to comply with NPDES Wastewater Permit.

Notice of Intent Date: 08/21/2007 (594321)

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
E. I. DU PONT DE NEMOURS AND
COMPANY
RN100225085**

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§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2010-0313-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding E. I. du Pont de Nemours and 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 appear before the Commission and together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant at 12501 Strang Road in La Porte, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about February 15, 2010.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Three Hundred Thirty-Six Dollars (\$10,336) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand Two Hundred Sixty-Nine Dollars

(\$8,269) of the administrative penalty and Two Thousand Sixty-Seven Dollars (\$2,067) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On October 26, 2009, training was provided to personnel regarding potential environmental impact from unauthorized releases; importance of operation shut down in the event of process release; and proper reporting of emissions events to prevent the recurrence of emissions events due to the same cause as Incident No. 130915; and
 - b. Developed documentation for the Lannate/API Unit on expected emissions from each relief valve in the event of a release and communicated the information to unit personnel on February 26, 2010.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

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

1. Failed to prevent unauthorized emissions during Incident No. 130915, in violation of New Source Review Air Permit No. 1834, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on October 28, 2009. Specifically, 355 pounds ("lbs") of carbon dioxide and 3,700 lbs of methylene chloride, a hazardous air pollutant, were released from a relief valve (Emissions Point No. LN-21F) in the Lannate/API Unit during an emissions event that began on October 14, 2009 and lasted 7 hours and 6 minutes. The unauthorized release was the result of a failed pressure transmitter which caused the vent system to overpressurize, blowing the rupture disk and raising

the relief valve. Since this emissions event was not properly reported, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

2. Failed to timely report Incident No. 130915 within 24 hours after discovery, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on October 28, 2009. Specifically, the event was discovered on October 14, 2009, at 11:00 p.m. However, the initial notification was not submitted until October 19, 2009, at 4:31 p.m.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: E. I. du Pont de Nemours and Company, Docket No. 2010-0313-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 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.
3. 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.
4. 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.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

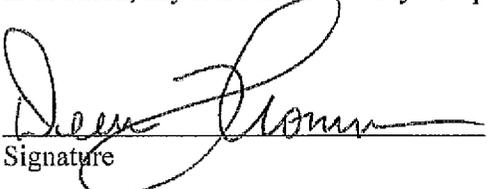
7/15/2010
Date

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

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

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

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



Signature

6/01/10
Date

Dean Thompson
Name (Printed or typed)
Authorized Representative of
E. I. du Pont de Nemours and Company

Plant Manager
Title

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