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**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2010-0586-AIR-E **TCEQ ID:** RN102450756 **CASE NO.:** 39492  
**RESPONDENT NAME:** ExxonMobil Oil Corporation

<b>ORDER TYPE:</b>		
<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	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> ExxonMobil Beaumont Refinery, 1795 Burt Street, Beaumont, Jefferson County</p> <p><b>TYPE OF OPERATION:</b> Petroleum refinery</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There are two additional pending enforcement actions regarding this facility location, Docket Nos. 2010-1114-AIR-E and 2010-0258-AIR-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on August 30, 2010. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732  <b>TCEQ Enforcement Coordinator:</b> Mr. James Nolan, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-6634; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495  <b>Respondent:</b> Mr. Daniel Risso, Beaumont Refinery Plant Manager, ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704  <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> January 28, 2010</p> <p><b>Date of NOV/NOE Relating to this Case:</b> March 17, 2010 (NOE)</p> <p><b>Background Facts:</b> This was a records review.</p> <p><b>AIR</b></p> <p>Failure to comply with permitted emissions limits. Specifically, during an emissions event (Incident No. 125699) on June 3, 2009, the Respondent failed to prevent the failure of the floating roof of Tank 1251, causing the unauthorized release of 225,512 pounds of volatile organic compounds over a 270 minute period. Since these emissions could have been avoided by better operational practices, the emissions are not subject to an affirmative defense under 30 TEX. ADMIN. CODE § 101.222(b) [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.115(c), and 122.143(4), New Source Review Permit No. 19566 Special Condition No. 1, Federal Operating Permit No. O-02048 General Terms and Conditions and Special Terms and Conditions No. 11, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b).</p>	<p><b>Total Assessed:</b> \$10,000</p> <p><b>Total Deferred:</b> \$0  <input type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$5,000</p> <p><b>Total Paid to General Revenue:</b> \$5,000</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> <p><b>Findings Orders Justification:</b>                      Human health or the environment has been exposed to pollutants which exceed levels that are protective.</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. On February 10, 2010, operational procedures were updated to include visual inspection of pontoons in the quarterly floating roof inspections; and</p> <p>b. On February 25, 2010, all floating roof tanks with similar construction to Tank 1251 were inspected to verify emergency roof drain height.</p> <p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

Additional ID No(s): JE0067I

**Attachment A**  
**Docket Number: 2010-0586-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>ExxonMobil Oil Corporation</b>
<b>Penalty Amount:</b>	<b>Ten Thousand Dollars (\$10,000)</b>
<b>SEP Offset Amount:</b>	<b>Five Thousand Dollars (\$5,000)</b>
<b>Type of SEP:</b>	<b>Pre-Approved</b>
<b>Third-Party Recipient:</b>	<b>Texas Air Quality Research Center at Lamar University – <i>Flare Speciation and Air Quality Modeling</i></b>
<b>Location of SEP:</b>	<b>Jefferson County</b>

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP 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 Air Quality Research Center at Lamar University* for the *Flare Speciation and Air Quality Modeling* project to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used for advanced modeling and simulations to identify the VOC species generated and emitted from industrial flares at chemical process facilities under various operating conditions and environmental conditions as well as determine the Combustion Efficiency (CE) and Destruction and Removal Efficiency (DRE). All monies 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**

A flare operating under its designed conditions and in compliance with 40 C.F.R. § 60.18 is assumed to achieve a 98% DRE for Volatile Organic Compound (VOC) emissions, i.e. 98% of VOC emissions are assumed to be completely destroyed in the flaring process; however, basic combustion chemistry demonstrates the possibility that intermediate VOC species are formed during the combustion process, and these speciated VOC emissions are not accounted for in the DRE. This SEP will provide a discernible environmental benefit by providing better quantification of actual emissions from flaring operations and provide TCEQ with a more accurate emissions inventory, which may be utilized in SIP documentation. This information is expected to assist in identifying and developing strategies to reduce emissions from industrial sources.

**C. Minimum Expenditure**

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

**2. Performance Schedule**

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

Texas Air Research Center  
Lamar University  
Attention: George Talbert, Director  
P.O. Box 10613  
Beaumont, Texas 77710

**3. Records and Reporting**

Concurrent with the payment of the SEP offset amount, the Respondent shall provide the Enforcement Division 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 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.



ExxonMobil Oil Corporation  
Agreed Order – Attachment A

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

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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

The SEP 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

**TCEQ**  
**DATES**

Assigned	22-Mar-2010	Screening	12-Apr-2010	EPA Due	11-Dec-2010
PCW	3-May-2010				

## RESPONDENT/FACILITY INFORMATION

Respondent	ExxonMobil Oil Corporation		
Reg. Ent. Ref. No.	RN102450758		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

## CASE INFORMATION

Enf./Case ID No.	39492	No. of Violations	1
Docket No.	2010-0586-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	James Nolan
		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

**Culpability**   Enhancement Subtotal 4

Notes

**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

**PAYABLE PENALTY**

Screening Date 12-Apr-2010

Docket No. 2010-0586-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 39492

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator James Nolan

**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)	19	95%
	Other written NOVs	16	32%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	13	260%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4	100%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	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)	3	-3%
	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) 480%

>> 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 adjustment due to 19 similar NOVs, 16 non-similar NOVs, 13 1660-style Orders, four Findings Orders, three NOIs, and 2 DOVs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 480%

Screening Date 12-Apr-2010

Docket No. 2010-0586-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 39492

PCW Revision October 30, 2006

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator James Nolan

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.115(c), and 122.143(4), New Source Review Permit No. 19566 Special Condition No. 1, Federal Operating Permit No. O-02048 General Terms and Conditions and Special Terms and Conditions No. 11, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with permitted emissions limits. Specifically, during an emissions event (Incident No. 126699) on June 3, 2009, the Respondent failed to prevent the failure of the floating roof of Tank 1251, causing the unauthorized release of 225,512 pounds of volatile organic compounds over a 270 minute period. Since these emissions could have been avoided by better operational practices, the emissions are not subject to an affirmative defense under 30 Tex. Admin. Code § 101.222(b).

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 has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors 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.

Good Faith Efforts to Comply

25.0% Reduction \$2,500

Before NOV NOV to EDP/PRP/Settlement

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes

On February 10, 2010, procedures were modified to include visual inspection of pontoons in the quarterly roof inspections. On February 25, 2010, all similar tanks were inspected to verify proper construction. On March 17, the Notice of Enforcement was mailed out.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$232

Violation Final Penalty Total \$55,500

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

# Economic Benefit Worksheet

**Respondent** ExxonMobil Oil Corporation  
**Case ID No.** 39492  
**Reg. Ent. Reference No.** RN102450756  
**Media** Air  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$1,500	3-Jun-2009	25-Feb-2010	0.73	\$4	\$73	\$77
Engineering/construction				0.00	\$0	n/a	\$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)	\$4,500	3-Jun-2009	10-Feb-2010	0.69	\$155	n/a	\$155

Notes for DELAYED costs

Estimated cost to modify procedures to include visual inspection of pontoons in the quarterly roof inspections of all tanks and to verify that all floating roof tanks with similar construction to Tank 1251 do not have the same design flaws. The date required is the date of the emissions event and the final date is the date of compliance.

**Avoided Costs**

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$6,000

**TOTAL**

\$232

## Compliance History Report

Customer/Respondent/Owner-Operator:

CN600920748

ExxonMobil Oil Corporation

Classification: AVERAGE

Rating: 3.44

Regulated Entity:

RN102450756

EXXONMOBIL BEAUMONT REFINERY

Classification: AVERAGE

Site Rating: 19.41

ID Number(s):

AIR NEW SOURCE PERMITS	REGISTRATION	92106
AIR NEW SOURCE PERMITS	REGISTRATION	91602
AIR NEW SOURCE PERMITS	PERMIT	7208
AIR NEW SOURCE PERMITS	REGISTRATION	10291
AIR NEW SOURCE PERMITS	REGISTRATION	11306
AIR NEW SOURCE PERMITS	REGISTRATION	12139
AIR NEW SOURCE PERMITS	REGISTRATION	12817
AIR NEW SOURCE PERMITS	REGISTRATION	13120
AIR NEW SOURCE PERMITS	REGISTRATION	15261
AIR NEW SOURCE PERMITS	REGISTRATION	22999
AIR NEW SOURCE PERMITS	REGISTRATION	24159
AIR NEW SOURCE PERMITS	REGISTRATION	26121
AIR NEW SOURCE PERMITS	REGISTRATION	27000
AIR NEW SOURCE PERMITS	REGISTRATION	26860
AIR NEW SOURCE PERMITS	REGISTRATION	27539
AIR NEW SOURCE PERMITS	REGISTRATION	26859
AIR NEW SOURCE PERMITS	REGISTRATION	30543
AIR NEW SOURCE PERMITS	REGISTRATION	31227
AIR NEW SOURCE PERMITS	REGISTRATION	33642
AIR NEW SOURCE PERMITS	REGISTRATION	33907
AIR NEW SOURCE PERMITS	REGISTRATION	34543
AIR NEW SOURCE PERMITS	REGISTRATION	34963
AIR NEW SOURCE PERMITS	REGISTRATION	37234
AIR NEW SOURCE PERMITS	REGISTRATION	40837
AIR NEW SOURCE PERMITS	REGISTRATION	42051
AIR NEW SOURCE PERMITS	REGISTRATION	42730
AIR NEW SOURCE PERMITS	REGISTRATION	42852
AIR NEW SOURCE PERMITS	REGISTRATION	42951
AIR NEW SOURCE PERMITS	REGISTRATION	43132
AIR NEW SOURCE PERMITS	REGISTRATION	43433
AIR NEW SOURCE PERMITS	REGISTRATION	43675
AIR NEW SOURCE PERMITS	REGISTRATION	44038
AIR NEW SOURCE PERMITS	REGISTRATION	47175
AIR NEW SOURCE PERMITS	PERMIT	49138
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE00671
AIR NEW SOURCE PERMITS	AFS NUM	4824500018
AIR NEW SOURCE PERMITS	REGISTRATION	90127
AIR NEW SOURCE PERMITS	EPA ID	PSDTX932
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992
AIR NEW SOURCE PERMITS	REGISTRATION	54487
AIR NEW SOURCE PERMITS	REGISTRATION	72569
AIR NEW SOURCE PERMITS	REGISTRATION	56428
AIR NEW SOURCE PERMITS	REGISTRATION	74552
AIR NEW SOURCE PERMITS	REGISTRATION	75172
AIR NEW SOURCE PERMITS	EPA ID	PSDTX799
AIR NEW SOURCE PERMITS	EPA ID	PSDTX802
AIR NEW SOURCE PERMITS	REGISTRATION	78516
AIR NEW SOURCE PERMITS	REGISTRATION	79641
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992M1
AIR NEW SOURCE PERMITS	REGISTRATION	90470
AIR NEW SOURCE PERMITS	REGISTRATION	90733
AIR NEW SOURCE PERMITS	REGISTRATION	91409
AIR NEW SOURCE PERMITS	REGISTRATION	89878
AIR NEW SOURCE PERMITS	REGISTRATION	90859
AIR NEW SOURCE PERMITS	REGISTRATION	89318
AIR NEW SOURCE PERMITS	REGISTRATION	87985
AIR NEW SOURCE PERMITS	REGISTRATION	85988
AIR NEW SOURCE PERMITS	REGISTRATION	90462
AIR NEW SOURCE PERMITS	REGISTRATION	90917
AIR NEW SOURCE PERMITS	REGISTRATION	91236
AIR NEW SOURCE PERMITS	REGISTRATION	87903
AIR NEW SOURCE PERMITS	REGISTRATION	89728

AIR NEW SOURCE PERMITS	REGISTRATION	90328
AIR NEW SOURCE PERMITS	REGISTRATION	88089
AIR NEW SOURCE PERMITS	REGISTRATION	91148
AIR NEW SOURCE PERMITS	REGISTRATION	87414
AIR NEW SOURCE PERMITS	REGISTRATION	88127
AIR NEW SOURCE PERMITS	REGISTRATION	86452
AIR NEW SOURCE PERMITS	REGISTRATION	85876
AIR NEW SOURCE PERMITS	REGISTRATION	85990
AIR NEW SOURCE PERMITS	REGISTRATION	87029
AIR NEW SOURCE PERMITS	REGISTRATION	88261
AIR NEW SOURCE PERMITS	REGISTRATION	87499
AIR NEW SOURCE PERMITS	REGISTRATION	90845
AIR NEW SOURCE PERMITS	REGISTRATION	87735
AIR NEW SOURCE PERMITS	REGISTRATION	89812
AIR NEW SOURCE PERMITS	REGISTRATION	87500
AIR NEW SOURCE PERMITS	REGISTRATION	91227
AIR NEW SOURCE PERMITS	REGISTRATION	92224
AIR NEW SOURCE PERMITS	REGISTRATION	88020
AIR NEW SOURCE PERMITS	REGISTRATION	91496
AIR NEW SOURCE PERMITS	REGISTRATION	91853
AIR NEW SOURCE PERMITS	REGISTRATION	86449
WASTEWATER	PERMIT	WQ0003426000
WASTEWATER	PERMIT	TPDES0118737
WASTEWATER	PERMIT	TX0118737
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2045
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	SOLID WASTE REGISTRATION # (SWR)	30587
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	12825
STORMWATER	PERMIT	TXR05K942
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION #	30587

		(SWR)	
	INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50139
	INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD990797714
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30587
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	JE00671
Location:	1795 BURT ST, BEAUMONT, TX, 77701		

TCEQ Region: REGION 10 - BEAUMONT  
Date Compliance History Prepared: April 13, 2010  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: April 12, 2005 to April 12, 2010

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

Name: James Nolan Phone: (512) 239-6634

#### 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: 10/10/2005 ADMINORDER 2004-0987-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 101, SubChapter F 101.201(c)

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

Description: Failure to properly submit initial and final emissions event notifications in a timely manner.

Classification: Moderate

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

Rqmt Prov: 46534 PERMIT

Description: Failure to prevent an unauthorized emissions release at the facility.

Classification: Moderate

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

Description: Failure to maintain an emission rate below the allowable emission limit.

Effective Date: 06/15/2006 ADMINORDER 2003-1470-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

40 CFR Part 63, Subpart CC 63.648(a)

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

Description: Failure to perform the final repair within 15 days after detecting leaks for two valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor three valves for two successive leak-free months after detecting a leak.

Classification: Moderate

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

Description: Failure to comply with the 5 and 15 day requirements for leaking valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of the valve with Component ID #27751 in May 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of two pumps.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

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

Rqmt Prov: 19566 PERMIT  
19566/PSD-TX-768M1, GC No. 8, PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Flare Gas Recovery Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)

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

Description: Failure to properly document the initial notification and final record for Incident No. 17640.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control 552 pounds of unauthorized Propylene emissions from entering the atmosphere from the vents of Tank 2203 when hot Propylene wash was sent from the 5E Degasser facility.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly report and maintain emission event records for an emissions event at the North Wet Gas Compressor.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

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

Rqmt Prov: 46534 PERMIT  
Permit 46534/PSD-TX-992, SC 1 and GC 8 PERMIT

Description: Failure to control unauthorized emissions from the North Wet Gas Compressor Unit on March 2, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial and final record notification pursuant to the emissions event record keeping requirements.

Classification: Moderate

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

Rqmt Prov: Permit 49135 GC No. 8 and the MAERT PERMIT

Description: Failure to control emissions from your Flare Gas Recovery Compressor (FGRC) when it shut down due to an oxygen rich feed from the Crude Unit B Vacuum Tower.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document emissions event Initial notification and final records for the January 27, and February 16, 20, and 26, 2003, emissions events.

Classification: Moderate

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

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from the Low Pressure Compressor on February 26, 2003.

Classification: Moderate

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

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Coker Flare.

Classification: Moderate

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

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere from the PIR-4 Booster Compressor.

Classification: Moderate

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

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control unauthorized emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares during an instrumentation malfunction.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

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

Rqmt Prov: 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Low Pressure Flare from the PtR-4 Reformer Heater during a fuel regulator malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

30 TAC Chapter 101, SubChapter F 101.201(b)(9)

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

Description: Failure to properly document the initial notification and final record for the emissions events for September 18, October 4 and 30 (2 events), and November 23, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

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

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares on November 23, 2002, when you allowed 7,961 pounds of unauthorized Sulfur Dioxide, 154 pounds of Nitrogen Oxide, and 144 pounds of Hydrogen Sulfide emissions to enter the atmosphere during an instrumentation malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)

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

Description: Failure to properly document the initial notification and final record for the emissions events at the Flare Gas Recovery Compressor on 11/17/02 and for Tank 1365 on 10/29/02.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

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

Rqmt Prov: Permit No. 49135, GC 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from the Flare Gas Recovery Compressor during an emissions event on 11/17/02 and from the LP, HP, and FCC Flares on 10/30/02.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control unauthorized emissions from a levee during a tank roof malfunction and gasoline spill at Tank 1365.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

30 TAC Chapter 101, SubChapter F 101.201(b)(9)

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

Description: Failure to properly document the initial notification and final record for the emissions event at the HydroCracker facility.

Classification: Moderate

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

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Hydrocracker facility during an emissions event.

Classification: Moderate

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

Rqmt Prov: Permit 49135, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor. Start date was actually 10/30/02 @ 1431.

Classification: Moderate

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

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control emissions at the Flare Gas Recovery Unit.

Classification: Moderate

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

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor.

Classification: Minor

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

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

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Satellite Instrumentation Building.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)

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

Description: Failure to properly notify the regional office of a reportable emissions event.

Classification: Moderate

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

Rqmt Prov: 49135, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event at the refinery.

Effective Date: 07/22/2006

ADMINORDER 2006-0057-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: O-02042, Special Condition 2F OP

Description: Failure to properly report within 24 hours of discovery of an emissions event (Incident Number 61285) at Tank 2221 (FIN 50TEF#2221) and (Incident Number 63113) at the Hydrocracker Unit (FIN 20FUG#001).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

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

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

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

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Effective Date: 10/02/2006

ADMINORDER 2005-0644-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include the compound descriptive type of all individually listed compounds or mixtures of air contaminants in the final record for an emissions event that occurred on March 6, 2004 (Incident No. 35969).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 6, 2004 (Incident Number 35969).

Classification: Minor

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

Description: Failure to submit a copy of the final record of an emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event that occurred on March 16, 2004 (Incident No. 36493).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 16, 2004 (Incident Number 36493).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37398).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004

(Incident Number 37400).

Classification: Moderate

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

Description: Failure to prevent unauthorized emissions from the HDC Unit on June 24, 2004 (Incident Number 41629).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on June 23, 2004 (Incident Number 41733).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Alkylation Unit 2 that occurred on August 6, 2004 (Incident Number 44117).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45107).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45113).

Classification: Moderate

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

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45116).

Effective Date: 05/25/2007

ADMINORDER 2006-1704-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: 47358 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from the Ketone 1 Unit to the authorized limit found in Permit 47358.

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: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2121 to the authorized limit found in Permit 49125.

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: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2177 to the authorized limit found in Permit 49125.

Effective Date: 10/25/2007

ADMINORDER 2007-0210-AIR-E

Classification: Moderate

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

Description: Failed to notify the commission of a reportable emission event no later than 24 hours after the discovery of the event.

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: 1202 PERMIT  
18277 PERMIT

19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

49134 PERMIT

49151 PERMIT

Description: Failed to properly operate emission control equipment during normal operations, which resulted in an emission of sulfur dioxide ("SO2") above the maximum allowable emission rate.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.0518(a)

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

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of hydrogen sulfide ("H2S").

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.0518(a)

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

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of volatile organic carbons ("VOCs").

Effective Date: 11/19/2007

ADMINORDER 2005-1906-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 A 382.085(b)

Description: Failure to comply with an emissions limitation.

Effective Date: 01/12/2008

ADMINORDER 2007-0729-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 305, SubChapter F 305.125(1)

Rqmt Prov: Self-reporting Requirements PERMIT

Description: Failure to submit monitoring results at the intervals specified in the permit as documented by a TCEQ record review.

Effective Date: 02/18/2008

ADMINORDER 2007-0812-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: SC 1 PERMIT

Description: Failed to comply with permitted emission limits. Specifically, vacuum tower off gas was rerouted to the B-2 and B-3 vacuum heaters for combustion due to the shutdown of a transfer piping line from April 11 through May 16, 2007, resulting in a total emissions release of 219,430 pounds of sulfur dioxide ("SO2") over a period of 839 hours and 43 minutes, or approximately 261 pounds per hour. The permitted hourly limit for SO2 is 2.48 pounds per hour.

Effective Date: 05/22/2008

ADMINORDER 2007-1658-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter M 116.1520(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to submit a completed Best Available Retrofit Technology ("BART") analysis by April 30, 2007.

Effective Date: 06/05/2008

ADMINORDER 2007-1547-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: 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound ("VOC") emissions for the CHD-1 flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the CHD-1 flare exceeded its permitted limit of 17.98 tons per year ("tpy") during January 2006 and February 2006 with rolling averages of

Classification: Moderate

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

Rqmt Prov: NSR Permit 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for VOC emissions for the Low Pressure ("LP") flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the LP flare exceeded the permitted limit of 13.13 tpy in March 2006 with a rolling average of 37.85 tpy.

Classification: Moderate

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

Rqmt Prov: 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for VOC emissions for the High Pressure ("HP") flare. Specifically, the HP flare exceeded the permitted limit of 15.1 tpy in March 2006 with a rolling average of 17.7 tpy.

Effective Date: 06/19/2008

ADMINORDER 2007-1606-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.4  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent a nuisance condition.

Effective Date: 02/08/2009

ADMINORDER 2008-0821-AIR-E

Classification: Moderate

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

Rqmt Prov: 49151 PERMIT  
O-02041 OP

Description: Failure to limit emissions from Crude Unit A to the authorized limit found in Permit 49151.

Effective Date: 03/12/2009

ADMINORDER 2008-1230-AIR-E

Classification: Moderate

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

5C THSC Chapter 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
O-02048 OP

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

Effective Date: 08/23/2009

ADMINORDER 2008-0153-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, SubChapter D 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1/PSD-TX-49 PERMIT  
46534 PERMIT

Description: Failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004) and the Fluid Catalytic Cracking Unit Scrubber (EPN 06STK\_00) during an emissions event that began on January 12, 2007 and lasted 31 hours, releasing 45.55 tons of SO<sub>2</sub>, 3,490 lbs of VOC, 307 lbs of NO<sub>x</sub>, 990 lbs of H<sub>2</sub>S, and 2,219 lbs of CO from the Coker Flare and 26.29 tons of CO from the Fluid Catalytic Cracking Unit Scrubber.

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, SubChapter D 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1/PSD-TX-49 PERMIT

Description: Failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004) during an emissions event that began on May 6, 2007 and lasted 34 hours and 15 minutes, releasing 83.127 tons of SO<sub>2</sub>, 7,873 lbs of VOC, 906 lbs of NO<sub>x</sub>, 1,806 lbs of H<sub>2</sub>S, and 6,544 lbs of CO.

Classification: Moderate

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

Rqmt Prov: 49146 PERMIT

Description: Failed to prevent unauthorized emissions from the Effluent Water Treatment System (EPN 47FUG\_001) and Tank 594 (EPN 49 TIF\_0594) during an emissions event that began on April 27, 2007 and lasted 27 hours and 30 minutes, releasing 48.4 lbs of benzene, a VOC, from the Effluent Water Treatment System and 633.66 lbs of VOC were released from Tank 594.

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, SubChapter D 382.085(b)

Rqmt Prov: 19566 PERMIT  
O-01871 OP

Description: Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004, in the Coker Unit during an emissions event (Incident No. 95371) that occurred on August 2, 2007 and lasted three hours and 50 minutes, releasing 13,796.40 lbs of SO<sub>2</sub>, 419.20 lbs of CO, 149.90 lbs of H<sub>2</sub>S, 57.70 lbs of NO<sub>x</sub>, and 644 lbs of VOC.

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, SubChapter D 382.085(b)

Rqmt Prov: 19566 PERMIT  
O-01871 OP

Description: Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004, in the Coker Unit during an emissions event (Incident No. 95960) that occurred on August 14, 2007 and lasted 12 hours and 41 minutes, releasing 33,632.20 lbs of SO<sub>2</sub>, 1,062.60 lbs of CO, 365.50 lbs of H<sub>2</sub>S, 147.10 lbs of NO<sub>x</sub>, and 1,548.35 lbs of VOC.

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 19566 PERMIT  
O-01871 OP

Description: Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004, during an emissions event that began on September 18, 2007 and lasted for 72 hours and 34 minutes, releasing 79,666 lbs of SO<sub>2</sub>, 3,750 lbs of VOC, 2,436 lbs of CO, and 865 lbs of H<sub>2</sub>S.

Effective Date: 10/04/2009 ADMINORDER 2009-0568-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
O-02039 OP

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

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 49138 PERMIT  
O-01870 OP

Description: Failure to limit emissions from the CHD-1 Flare to the authorized limit found in Permit 49138.

Effective Date: 10/18/2009 ADMINORDER 2009-0153-AIR-E

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)

30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THSC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly report on a September 28, 2003 shut down requiring two reports and seven other reports on emissions events beginning on September 4, 2003 through December 22, 2003.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions during an emissions event in the Gas Plant 5 East (GP5E) Unit Debutanizer Tower that began on October 8, 2003 and lasted 2 hours 51 minutes, releasing 162,511.4 lbs of butane, 165,029.5 lbs of n-isobutane, and 89.62 lbs of NO<sub>x</sub>. Since the emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Classification: Moderate

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

Description: Failed to prevent unauthorized emissions during an emissions event in the Catalyst HydroDesulfurization - 1 Flare that began on September 23, 2003 and lasted 2 hours 23 minutes, releasing 1,113.30 lbs of H<sub>2</sub>S. Since this emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 101, SubChapter F 101.201(c)

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

Description: Failed to properly report within 24 hrs of an emissions event at the FCC Unit discovered on 11/11/2003 at 19:10, but not reported to the TCEQ until 11/14/2003 at 21:01; and an emissions event at the FGR Unit discovered on 02/11/2004 at 09:10, but not reported until 02/12/2004 at 14:24. ExxonMobil also failed to submit a copy of the final report to the TCEQ no later than within two weeks after the end of the emissions event at the FCC Unit which ended on 11/11/2003 at 13:27.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.116(a)(1)

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

Rqmt Prov: 18425 PERMIT

Description: Failed to prevent unauthorized emissions from the FGR Unit that began on February 11, 2004 at 09:10 hours and lasted till 16:40 hours (7 hours 30 minutes) releasing 28.18 lbs of H2S. Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.3(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent unauthorized emissions during an emissions event at the Sulfur Plant 3 that began on March 9, 2004 and lasted 1 hour and 23 minutes, releasing 50.00 lbs of CO, 516.47 lbs of H2S, 6.95 lbs of NOx, 49,374.20 lbs of SO2, and 19.98 lbs of VOC. In addition, results from a TCEQ air dispersion modeling audit showed the maximum predicted SO2 ground level concentration was 0.61 ppmv during the emissions event; therefore the 30-minute average SO2 net ground level concentration standard

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-02044 OP  
Permit 46534/PSD-TX-992 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, ExxonMobil released 171,709.43 lbs of unauthorized carbon monoxide and 1,551.28 lbs of unauthorized ammonia from the Carbon Monoxide Boiler Unit during an avoidable emissions event that began May 10, 2008 and lasted seven hours and 18 minutes. The root cause of the event was the boiler water feed level dropping below a safe level, causing the unit to automatically shut down. Since this emissions event could have been avoided by better oper

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	04/28/2005	(427484)
2	04/28/2005	(427485)
3	05/18/2005	(374451)
4	05/18/2005	(377810)
5	05/18/2005	(377819)
6	05/24/2005	(379947)
7	05/24/2005	(427486)
8	06/07/2005	(393785)
9	08/14/2005	(381060)
10	08/21/2005	(394212)
11	08/21/2005	(427487)
12	08/23/2005	(395768)
13	07/05/2005	(395074)
14	07/05/2005	(395563)
15	07/15/2005	(396321)
16	07/25/2005	(395338)
17	07/28/2005	(447521)
18	08/02/2005	(402062)
19	08/02/2005	(402309)
20	08/23/2005	(401849)
21	08/25/2005	(402894)
22	08/29/2005	(447522)
23	08/31/2005	(344208)
24	10/24/2005	(492450)
25	10/24/2005	(492452)

26	11/15/2005	(406621)
27	11/22/2005	(492453)
28	12/06/2005	(437354)
29	12/09/2005	(435820)
30	12/13/2005	(492454)
31	01/04/2006	(437358)
32	01/13/2006	(439898)
33	01/18/2006	(492455)
34	01/27/2006	(438715)
35	02/03/2006	(438108)
36	02/16/2006	(452454)
37	02/24/2006	(457000)
38	03/07/2006	(492448)
39	03/22/2006	(492449)
40	04/12/2006	(457576)
41	04/12/2006	(457598)
42	04/21/2006	(458117)
43	04/21/2006	(506283)
44	04/24/2006	(456876)
45	05/05/2006	(438988)
46	05/11/2006	(460411)
47	05/16/2006	(506264)
48	06/26/2006	(506265)
49	07/14/2006	(480861)
50	07/21/2006	(528497)
51	07/26/2006	(483331)
52	08/22/2006	(528498)
53	08/24/2006	(528500)
54	08/31/2006	(449600)
55	09/06/2006	(510836)
56	09/08/2006	(490101)
57	09/11/2006	(510537)
58	09/21/2006	(510357)
59	09/27/2006	(528499)
60	10/18/2006	(551856)
61	11/09/2006	(518560)
62	11/29/2006	(551857)
63	12/08/2006	(519497)
64	12/08/2006	(531717)
65	12/11/2006	(518157)
66	12/11/2006	(533072)
67	12/15/2006	(551858)
68	12/28/2006	(292810)
69	12/28/2006	(497673)
70	12/28/2006	(518617)
71	01/18/2007	(532456)
72	01/24/2007	(531178)
73	01/31/2007	(535664)
74	02/01/2007	(517030)
75	02/01/2007	(538035)
76	02/13/2007	(483611)
77	02/14/2007	(534587)
78	02/22/2007	(589095)
79	02/22/2007	(589100)
80	02/26/2007	(538573)
81	02/27/2007	(538681)
82	02/28/2007	(538222)
83	03/01/2007	(538654)
84	03/21/2007	(553990)
85	03/23/2007	(589096)
86	04/16/2007	(589097)

87	04/21/2007	(401393)
88	04/21/2007	(497645)
89	04/23/2007	(553970)
90	05/11/2007	(559959)
91	05/18/2007	(589098)
92	05/25/2007	(561932)
93	06/01/2007	(562352)
94	06/14/2007	(558039)
95	06/25/2007	(589099)
96	06/26/2007	(561757)
97	07/03/2007	(566239)
98	07/24/2007	(564244)
99	07/25/2007	(562752)
100	07/25/2007	(563491)
101	07/25/2007	(565599)
102	08/14/2007	(565531)
103	08/20/2007	(605719)
104	08/23/2007	(565800)
105	08/26/2007	(557812)
106	08/28/2007	(583149)
107	08/30/2007	(554099)
108	08/31/2007	(483835)
109	08/31/2007	(573644)
110	09/14/2007	(563130)
111	09/21/2007	(605720)
112	10/03/2007	(573096)
113	10/05/2007	(572014)
114	10/08/2007	(571920)
115	10/08/2007	(572040)
116	10/08/2007	(572051)
117	10/11/2007	(572058)
118	10/15/2007	(574177)
119	10/23/2007	(631302)
120	10/23/2007	(631305)
121	11/07/2007	(508947)
122	11/07/2007	(512385)
123	11/19/2007	(631303)
124	11/20/2007	(595467)
125	11/27/2007	(598296)
126	12/13/2007	(631304)
127	12/17/2007	(594318)
128	12/17/2007	(601083)
129	12/17/2007	(601087)
130	12/28/2007	(610948)
131	12/28/2007	(613083)
132	01/14/2008	(610848)
133	01/17/2008	(613632)
134	02/25/2008	(677292)
135	02/25/2008	(677293)
136	02/29/2008	(613307)
137	02/29/2008	(614701)
138	02/29/2008	(617754)
139	03/03/2008	(613306)
140	03/06/2008	(614501)
141	03/10/2008	(617338)
142	03/14/2008	(639150)
143	03/20/2008	(695967)
144	04/21/2008	(695968)
145	04/22/2008	(640288)
146	04/23/2008	(639997)
147	04/25/2008	(653577)

148	04/28/2008	(641898)
149	05/12/2008	(640530)
150	05/20/2008	(695969)
151	06/02/2008	(641290)
152	06/06/2008	(682314)
153	06/11/2008	(654705)
154	06/17/2008	(683447)
155	06/18/2008	(670745)
156	06/18/2008	(670786)
157	06/18/2008	(670813)
158	06/18/2008	(671590)
159	06/19/2008	(671251)
160	06/24/2008	(717575)
161	07/10/2008	(685796)
162	07/11/2008	(682224)
163	08/02/2008	(684254)
164	08/22/2008	(717576)
165	08/25/2008	(685007)
166	08/25/2008	(685012)
167	08/27/2008	(700540)
168	08/31/2008	(732903)
169	09/30/2008	(732905)
170	10/02/2008	(688787)
171	10/07/2008	(689613)
172	10/08/2008	(700569)
173	10/29/2008	(732904)
174	11/18/2008	(701943)
175	11/24/2008	(732906)
176	12/22/2008	(732907)
177	01/15/2009	(708625)
178	01/26/2009	(756128)
179	01/27/2009	(709901)
180	02/05/2009	(721835)
181	02/17/2009	(756127)
182	02/23/2009	(725237)
183	03/03/2009	(736939)
184	03/06/2009	(773109)
185	03/11/2009	(726626)
186	03/27/2009	(739156)
187	03/27/2009	(739409)
188	03/31/2009	(736428)
189	04/06/2009	(741350)
190	04/16/2009	(773110)
191	05/14/2009	(744597)
192	05/14/2009	(744739)
193	05/18/2009	(773112)
194	05/18/2009	(773113)
195	05/22/2009	(773111)
196	07/02/2009	(746339)
197	07/16/2009	(747896)
198	07/17/2009	(743021)
199	07/23/2009	(759123)
200	07/23/2009	(759128)
201	07/30/2009	(746072)
202	08/12/2009	(748426)
203	08/13/2009	(748526)
204	08/17/2009	(761629)
205	08/28/2009	(760750)
206	08/31/2009	(765941)
207	09/03/2009	(766203)
208	09/28/2009	(777659)

209 10/01/2009 (764862)  
 210 10/19/2009 (776515)  
 211 10/23/2009 (780020)  
 212 10/28/2009 (777385)  
 213 10/29/2009 (777718)  
 214 11/03/2009 (780848)  
 215 11/03/2009 (780872)  
 216 11/08/2009 (777673)  
 217 11/11/2009 (778662)  
 218 11/11/2009 (778668)  
 219 12/18/2009 (785626)  
 220 12/23/2009 (782616)  
 221 01/06/2010 (784179)  
 222 01/13/2010 (783323)  
 223 01/26/2010 (789633)  
 224 02/02/2010 (785231)  
 225 02/22/2010 (788850)  
 226 02/23/2010 (789570)  
 227 02/24/2010 (789976)  
 228 03/15/2010 (792080)  
 229 03/17/2010 (790388)  
 230 03/22/2010 (792703)

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

Date: 08/25/2005 (402894) CN600920748  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 655 PERMIT  
 O-01356 OP  
 Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 22FUG#001, 23FUG#001, 33FUG#001, 15FUG#001, and 16FUG#001.  
 Self NO Classification: Moderate  
 Citation: 19566 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 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 QQQ 60.698(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 O-01356 OP  
 Description: Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about DEA-3 sewer repairs and corrective actions taken Unit ID 18SEW#001.  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 655 PERMIT  
 O-01356 OP  
 Description: Failure to repair an accessible valve within 15 days after a leak is found in Unit ID 16FUG#001.  
 Self NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
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 QQQ 60.698(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-01870 OP

Description: Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about Sulfur Recovery Unit (SRU) sewer repairs and corrective actions taken for Unit ID 32SEW#002.

Self NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-01998 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service in Unit ID 05FUG#001.

Self NO Classification: Moderate

Citation: 20862/PSD-TX-799 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
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 60.7(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-01999 OP

Description: Failure to provide two quarterly reports, for Unit ID 55TRB#GTG, within 30 days following the end of each calendar quarter as required in 40 CFR 60.334(j)(5).

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(a)  
O-01999 OP

Description: Failure to operate two sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 67FUG#001 and 67FUG#002.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-01999 OP

Description: Failure to operate five tank access hatches and gauge float wells without gasket and bolted covers for Unit ID's 47TIF#0411, 47TIF#0412, 47TIF#0413, 47TIF#1312, and 47TIF#1313.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-01999 OP

Description: Failure to repair an accessible valve, for Unit ID 67FUG#002, within 15 days after a leak is found.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-01999 OP

Description: Failure to tag a leaking valve, located in Unit ID 67FUG#002, following discovery of the leak.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(F)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-01999 OP

Description: Failure to maintain records, for Unit ID 67FUG#002, of any audio, visual, and olfactory inspections of connectors if a leak is detected.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-01999 OP

Description: Failure to monitor in each calendar quarter, with a hydrocarbon gas analyzer, the screening concentration for components in VOC service for Unit ID's 67FUG#001 and 67FUG#002.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-02037 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
O-02037 OP

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Date 10/31/2005 (492453) CN600920748

Self 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 04/25/2006 (456876)

Self NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01870 OP  
O-01871 OP  
O-02039 OP  
O-02040 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-01870 OP  
**Description:** Failure to maintain the minimum oxygen level at three percent for the thermal oxidizer at Unit ID 32STK#001.

**Self** NO **Classification:** Moderate  
**Citation:** 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-01870 OP

**Description:** Failure to route emissions from the Sulfur Truck Loading System to the Carbon Absorption System at Unit ID 32VNT\_005.

**Self** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.16(c)(3)(ii)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
 49138 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-01871 OP

**Description:** Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

**Self** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-01871 OP

**Description:** Failure to operate smokeless flare.

**Self** NO **Classification:** Moderate  
**Citation:** 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(2)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02039 OP

**Description:** Failure to maintain the tank opening, on Tank 4029, in a closed position during normal operations.

**Self** NO **Classification:** Moderate  
**Citation:** 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02039 OP

**Description:** Failure to maintain a retaining wall around the coke stockpile.

**Self** NO **Classification:** Moderate  
**Citation:** 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 113, SubChapter C 113.340  
 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 60.482-7(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02039 OP  
 O-02040 OP

**Description:** Failure to conduct follow-up monitoring in April, 2005 for two leaks repaired in March, 2005. Failure to conduct follow-up monitoring in April, 2005 for four leaks repaired in March, 2005. Failure to conduct the second month follow-up monitoring in May, 2005 for three leaks repaired in March, 2005.

**Self** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to operate one sample system with a closed-purged, closed-loop, or closed-vent system.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to control emissions to an efficiency of at least 90 % for one hotwell.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to monitor six pressure relief valves (PRVs) in Volatile Organic Compound (VOC) service.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to keep quarterly records of visible emission inspections on heaters.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
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 VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
49134 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to make the first attempt of repair on a leaking valve within five days.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP

Description: Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
49134 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.

Self NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
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 QQQ 60.692-2(a)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
O-01356 OP  
O-01870 OP  
O-02042 OP  
O-02043 OP

Description: Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly

inspections for active drains.

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Failure to report deviations in the annual compliance certification reports for OP O-01870, O-01871, O-02039, and O-02040.  
Date 05/05/2006 (438988) CN600920748

Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter R 335.513  
Description: Failure to complete waste classifications on non-hazardous, Industrial wastes.  
Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter C 335.62  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11  
Description: Failure to complete a hazardous waste determination for each solid waste generated.

Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C)  
30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)  
HW-50139-000 PERMIT  
Description: Failure to provide notification of associated waste management units, wastes managed in units, and an industrial, class 2 waste stream.

Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)  
Description: Failure to keep records of all hazardous waste and Industrial solid waste activities in a format which is retrievable and easy to copy.

Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)  
Description: Failure to maintain a record of the location of each satellite accumulation area (SAA).

Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(c)  
50139 PP V.B.3. PERMIT  
Description: Failure to manage hazardous wastes as authorized by permit.

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(b)(1)  
II.C.1.f. PERMIT  
Description: Failure to maintain the hazardous waste storage area so that the base is free from cracks and gaps.

Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(1)  
PP.II.C.1.f. PERMIT  
PP.II.C.2.a. PERMIT  
Description: Failure to develop and follow an adequate written inspection plan to prevent, detect or respond to environmental or human health hazards.

Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(3)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)  
PP.II.C.1.f. PERMIT  
PP.II.C.2.c. PERMIT  
Description: Failure to maintain a list of persons qualified to act as emergency coordinator.

Self NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.163(4)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)  
PP.VI.D.1.c. IHWPERMTCP  
Description: Failure to follow the Sampling and Analysis Plan as required by permit.  
Date 07/18/2006 (480861) CN600920748

Self NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: O-02042 OP  
Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self NO Classification: Minor

Citation: 19566/PSD-TX-768M1 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
49135 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP  
O-02043 OP  
O-02044 OP  
O-02047 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self NO Classification: Moderate

Citation: 18277/PSD-TX-802 PERMIT  
19566/PSD-TX-768M1 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
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 VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP  
O-02043 OP

Description: Failure to make the first attempt of repair within five days for the following operating permits and Unit ID's: O-02042 - one component in 27FUG#001 and four components in 28FUG#001; O-02043 - two components in 19FUG#001.

Self NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
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 60.482-7(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP  
O-02044 OP  
O-02047 OP

Description: Failure to conduct follow-up monitoring in April, 2005 for leaks repaired in March, 2005.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
46534/PSD-TX-922 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02044 OP

Description: Failure to reduce monitoring data to hourly concentrations for the Wet Gas Scrubber CEMS at least daily for thirty-four days. The Wet Gas Scrubber CEMS is located in Unit ID 06STK\_002.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02047 OP

Description: Failure to submit the annual Stratospheric Ozone Report within 45 days after the annual applicable reporting period of January 1, 2006.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit the annual compliance certifications for OP O-02036, O-02043, and O-02047 within 30 days of the certification period.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP

Description: Failure to maintain the Platinum Reformer (PIR) 3 Regenerator pH above the regulatory limit.

Date 08/31/2006 (528499) CN600920748

Self 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 10/31/2006 (551857) CN600920748

Self YES Classification: Moderate

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

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

Date 12/12/2006 (518157) CN600920748

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02048 OP  
O-02048, General Terms and Conditions OP  
O-02049 OP  
O-02049, General Terms and Conditions OP

Description: Failure to submit the annual compliance certifications for OP O-02048 and O-02049 within 30 days of the certification period.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01998 OP  
O-02037 OP  
O-02041 OP  
O-02048 OP  
O-02049 OP

Description: Failure to submit the second 2005 semiannual 40 CFR Part 60, Subpart VV fugitive report within 60 days after the end of the applicable reporting period of December 31, 2005.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01998 OP  
O-02037 OP  
O-02048 OP

Description: Failure to monitor nine components in Volatile Organic Compound (VOC) service located in Unit ID 05FUG#001, two components in VOC service located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001, and sixteen components in VOC service located in Unit ID 49FUG#001.

Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b) O-02037 OP O-02041 OP		
Description:	Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's: O-02037 - 79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and 54FUG#001; O-02041 - 1 valve in Unit ID 36FUG#001.		
Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b) O-02037 OP O-02048 OP		
Description:	Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02037 - three sample systems in 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one sample system in 49FUG#001.		
Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b) O-02041 OP		
Description:	Failure to conduct follow-up monitoring in April, 2005 for a leak repaired in March, 2005 for a component located in Unit ID O-02041.		
Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 49146 PERMIT 5C THC Chapter 382, SubChapter D 382.085(b) O-02048 OP		
Description:	Failure to maintain an aggregate tank vapor pressure to less than 0.5 psia at the maximum expected operating temperature between December 12, 2005 and June 11, 2006 for Tank 49TFX#0334.		
Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(I) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(I) 5C THC Chapter 382, SubChapter D 382.085(b) O-02048 OP O-02049 OP		
Description:	Failure to conduct the five year primary seal inspections for several tanks.		
Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(1)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b) O-02048 OP O-02049 OP		
Description:	Failure to repair twenty-seven components located in Unit ID 49FUG#001 and seventy-eight components located in Unit ID 50FUG#001, within 15 days after a leak is found.		
Self	NO	Classification:	Moderate

**Citation:** 30 TAC Chapter 101, SubChapter A 101.10(e)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02048 OP  
 O-02049 OP

**Description:** Failure to submit the company's Emissions Inventory within the required time-frame for Unit ID's 48FUG#001 and 50FUG#001.

**Self** NO **Classification:** Minor  
**Citation:** 30 TAC Chapter 106, SubChapter K 106.262(3)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02048 OP

**Description:** Failure to submit a notification within ten days following modification of a facility located in fugitive area 48FUG#001.

**Self** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(I)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02049 OP

**Description:** Failure to conduct the annual visual primary seal inspection for tanks 49TIF#0782, 50TIF#2133 and 50TIF#2203.

**Self** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
 30 TAC Chapter 115, SubChapter B 115.114(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(II)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02049 OP

**Description:** Failure to conduct the semiannual visual secondary seal inspection for tank 50TEF#2211 and the annual gap measurement on the secondary seal for tanks 50TEF#2235 and 50TEF#2239.

**Self** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02049 OP

**Description:** Failure to maintain the vapor pressure for tank 49TIF#0782 below 11 pounds per square in atmosphere (psia).

**Self** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 49125 PERMIT  
 56617 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02037 OP  
 O-02049 OP

**Description:** Failure to switch the initial saturation canister with the second canister (polishing), and place a fresh canister as the new polishing canister within four hours of detection of breakthrough.

**Self** NO **Classification:** Moderate  
**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 56617 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02037 OP

**Description:** Failure to maintain the loading rate for diesel below 3,743 bbls/hr and Naptha below 4,000 bbls/hr.

**Self** NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Failure to report deviations in the annual compliance certification reports for OP O-02037 and O-02049.

Date 02/28/2007 (589096) CN600920748  
Self 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 03/01/2007 (538222) CN600920748

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01356 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
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 VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to make the first attempt of repair within five days for one valve located in Unit ID 47FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system located in Unit ID 47FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to monitor nineteen valves in Volatile Organic Compound (VOC) service located in Unit ID 67FUG#002 and fifteen valves in VOC service located in Unit ID 67FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.

Self NO Classification: Moderate

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)

O-01999 OP  
Description: Failure to report deviations in the appropriate deviation report and in a timely manner.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(I)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.

Date 08/29/2007 (557812) CN600920748

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
49125 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare.

Date 08/30/2007 (554089) CN600920748

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01870 OP  
O-02036 OP

Description: Failure to monitor a pressure relief valve (PRV) in Volatile Organic Compound (VOC) service located in Unit ID 32FUG#001 and four hundred components in VOC service located in Unit ID 61FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(II)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(II)  
49135 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP  
O-02039 OP  
O-02040 OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
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 QQQ 60.692-2(a)(3)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02036 OP

Description: Failure to conduct nine weekly inspections for inactive drains located in Unit ID 61SEW#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02036 OP  
O-02040 OP

Description: Failure to operate one sample system, located in Unit ID 61FUG#001, and four sample systems, located in 39FUG#001, with a closed-purged, closed-loop, or closed-vent system.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart QQQ 60.698(b)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02036 OP

Description: Failure to certify the New Source Performance Standards (NSPS), Subpart QQQ Inspection in the semiannual report.

Self NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to replace seven rupture disks located in Unit ID 42FUG#001 within five days following a release.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(f)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to provide notification of the addition of Group 1 emission points in the Notification of Compliance Status Report within 60 days following the end of the 6-month period.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to control emissions to an efficiency of at least 90 % for two hotwells located in Unit ID 41FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to repair nine components, located in Unit ID's 37FUG#001 and 42FUG#001, within 15 days after discovery of a leak.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02036 OP  
 O-02040 OP

Description: Failure to submit the deviation reports for OP O-02036 and O-02040 within 30 days after the end of the reporting period.

Self NO Classification: Moderate

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)  
 O-01871 OP

Description: Failure to report three violations as deviations that were documented during an on-site compliance investigation (Investigation No. 456876) conducted on February 2 through 15, 2006.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
 49138 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-01871 OP

Description: Failure to operate the plant flares with a flame present at all times.

Self NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on October 11, 2006.

Date 08/30/2007 (563149) CN600920748

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02042 OP  
 O-02047 OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service. C10 cannot be picked.

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02042 OP  
 O-02043 OP  
 O-02046 OP  
 O-02047 OP

Description: Failure to repair the following components within 15 days after a leak is found. C10 cannot be picked.

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02042 OP  
 O-02043 OP  
 O-02044 OP

Description: Failure to monitor components in VOC service. C10 cannot be picked.  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02042 OP

Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.  
 Self NO Classification: Moderate  
 Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 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 QQQ 60.692-2(a)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02043 OP

Description: Failure to document a weekly inspection for inactive drains and two monthly inspections for active drains located in the following Unit ID 20SEW#001.  
 Self NO Classification: Moderate  
 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)  
 O-02043 OP  
 O-02044 OP

Description: Failure to include deviations for missing NSPS QQQ inspections for January and February, 2006 within the semiannual deviation report (SDR) submitted in April, 2006 and failure to include a deviation for the January 26, 2006 Fluidized Catalytic Cracker Wet Gas Scrubber (FCCWGS) Carbon Monoxide (CO) exceedance within the SDR submitted in March, 2006.  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02042 OP

Description: Failure to submit the deviation report for OP O-02042 within 30 days after the end of the reporting period.  
 Date 09/30/2007 (631302) CN600920748  
 Self 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 12/18/2007 (594318) CN600920748  
 Self NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02037 OP  
 O-02041 OP  
 O-02048 OP

Description: Failure to repair the following components within 15 days after a leak is found for the following operating permits and Unit Identifications (IDs): O-02037 - five components located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02041 - five components located in Unit ID 36FUG#001; and O-02048 - twenty components located in Unit ID 49FUG#001.  
 Self NO Classification: Minor

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02037 OP  
 O-02048 OP  
 O-02049 OP

**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit IDs: O-02042 - seventy-nine sample systems located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one open ended line located in Unit ID 49FUG#001; and O-02049 - two missing bull plugs located in Unit ID 50FUG#001.

**Self Citation:** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02037 OP

**Description:** Failure to operate three sample systems, located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001, with a closed-purged, closed-loop, or closed-vent system.

**Self Citation:** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 58617 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02037 OP

**Description:** Failure to operate the Wharf Loading Operations, Unit ID 53LBS#001, below the permitted loading limit of 4054 barrels per hour for gasoline components on twenty-three days between January 3, 2006 and December 7, 2006.

**Self Citation:** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02041 OP

**Description:** Failure to monitor two hundred, eleven components in VOC service that are located in Unit ID 36FUG#001.

**Self Citation:** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02048 OP  
 O-02049 OP

**Description:** Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 718 (Unit ID 49TEF#0718), Tank 1352 (Unit ID 49TEF#1352), Tank 1366 (Unit ID 49TEF#1366), and Tank 782 (Unit ID 49TEF#0782).

**Self Citation:** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02048 OP

**Description:** Failure to submit a PI-7 prior to construction of Tank 5015 (Unit ID 49TEF#5015).

**Self Citation:** NO **Classification:** Minor

**Citation:** 30 TAC Chapter 113, SubChapter C 113.340  
 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 VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02049 OP

Description: Failure to make the first attempt of repair within five days for three components located in Unit ID 60FUG#001.

Date 02/29/2008 (613307) CN600920748

Self NO Classification: Moderate

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-01356 OP  
O-01999 OP

Description: Failure to include deviations within the Federal Operating Permit.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-01999 OP

Description: Failure to repair one component within 15 days after a leak is found for FOP O-01999 and located in Unit ID 67FUG#001.

Date 06/02/2008 (641290) CN600920748

Self NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on the following dates; January 12, 2007, July 17, 2007, and August 7, 2007.

Self NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01870 OP

Description: Failure to limit the in-stack concentration of SO2 from the thermal oxidizer (Unit ID 32STK#001) to less than 250 ppmv on the following dates; April 28, 2007 and May 7, 2007.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to operate the plant flares with a flame present at all times.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
 5C THSC Chapter 382 382.085(b)  
 O-01871 OP  
**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for one component located in Unit ID 04BLW#004 and one component located in Unit ID 60BLW#003.

**Self Citation:** NO **Classification:** Moderate

30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(B)  
 5C THSC Chapter 382 382.085(b)  
 O-01871 OP  
**Description:** Failure to include two deviations within the Federal Operating Permit (FOP) O-01871 semiannual deviation report (SDR) submitted in May 31, 2007.

**Self Citation:** NO **Classification:** Moderate

19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-02036 OP  
**Description:** Failure to conduct the second and third quarter, 2007, cylinder gas audit for CEMS located in Cogeneration Turbine 1, Unit 41 (Unit ID: 61STK\_001) and the second quarter, 2007, cylinder gas audit for CEMS located in Cogeneration Turbine 3, Unit 43 (Unit ID: 61STK\_003).

**Self Citation:** NO **Classification:** Moderate

19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-02036 OP  
**Description:** Failure to maintain the concentration limit of NOx and NH3 for Cogeneration Turbine 3, Unit 43 (Unit ID 61STK\_003) on October 12, 2007.

**Self Citation:** NO **Classification:** Moderate

30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.682-2(a)(3)  
 5C THSC Chapter 382 382.085(b)  
 O-02039 OP  
**Description:** Failure to conduct one weekly inspection from December 10 through 17, 2006, for inactive drains located in Unit ID 04SEW#001.

**Self Citation:** NO **Classification:** Moderate

30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(c)  
 5C THSC Chapter 382 382.085(b)  
 O-02039 OP  
**Description:** Failure to conduct the first quarter, 2007 tank inspection for Tanks 4026, 4028, and 4029.

**Self Citation:** NO **Classification:** Minor

19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-02039 OP  
**Description:** Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

**Self Citation:** NO **Classification:** Minor

30 TAC Chapter 113, SubChapter C 113.340  
 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 VV 60.482-3(g)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
 5C THSC Chapter 382 382.085(b)

Description: O-02039 OP  
Failure to make the first attempt of repair within five days for a compressor located in Unit ID 04FUG#001.

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
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 AA 63.648(a)  
40 CFR Part 60, Subpart VV 60.482-3(g)(1)  
5C THSC Chapter 382 382.085(b)  
O-02039 OP

Description: Failure to repair the following components within 15 days after a leak is found for a compressor located in Unit ID 04FUG#001.

Date 06/30/2008 (677293) CN600920748

Self 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 07/14/2008 (682224) CN600920748

Self NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02042 OP

Description: Failure to report Nitrogen Oxides (NOx) pounds per Million British thermal unit (lb/MMBtu) 30 day average exceedances from the PIR3 Heater in the NOx Reasonably Available Control Technology (RACT) Semiannual Report.

Self NO Classification: Moderate

Citation: 18277 PERMIT  
19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
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 THSC Chapter 382 382.085(b)  
O-02042 OP  
O-02043 OP

Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North Fuel Gas Drum to 150 ppm.

Self NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02043 OP

Description: Failure to monitor a flange, located in Unit ID 20FUG#001, after final repair within 15 days of discovery of a leak.

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-02043 OP  
O-02046 OP  
O-02047 OP

Description: Failure to operate sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02043 - sample system located in 20FUG#001, O-02046 - sample systems located in 02FUG#001, 08FUG#001, and 09FUG#001, and O-02047 - sample systems located in several operating units in 25FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQ 60.698(c)  
5C THSC Chapter 382 382.085(b)  
O-02043 OP

Description: Failure to report wastewater system inspection findings in the semiannual report as required by 40 CFR Part 60, Subpart QQQ.

Self NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02043 OP  
O-02046 OP  
O-02047 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's: O-02043 - one bullplug found missing in Unit ID 19FUG#001, O-02046 - two bullplugs found missing in Unit ID 02FUG#001, and O-02047 - one bullplug found missing in Unit ID 25FUG#001.

Self NO Classification: Moderate  
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)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
46534 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-02044 OP

Description: Failure to monitor Carbon Monoxide (CO), Nitrogen Oxides (NOx), and Sulfur Dioxide (SO2) pound per hour emissions at Unit ID 06STK\_003.

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart VV 60.482-4(b)(1)  
5C THSC Chapter 382 382.085(b)  
O-02044 OP

Description: Failure to monitor a relief valve, located in Unit ID 06FUG#001 and discovered venting to the atmosphere.

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(m)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02046 OP

Description: Failure to control vent gas streams located in the following Unit ID's: 02BLW#007, 03BLW#007, 08BLW#007, 09BLW#007, 10BLW#007, 11BLW#007, 12BLW#007, 08VNT\_001, 10VNT\_001, 11TVV\_001, and 12TVV\_001.

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
49146 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-02047 OP

Description: Failure to conduct a stack test on the pre-treater charge heater, Unit ID 25HTR#001, within 180 days of installation of low NOx burners.

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(B)  
5C THSC Chapter 382 382.085(b)  
O-02047 OP

Description: Failure to include a deviation within the Federal Operating Permit (FOP) O-02047 semiannual deviation report (SDR) submitted on October 1, 2007. The deviation was documented in the second six month SDR submitted on March 31, 2008. The original deviation, documented in violation track number 337432, was for not conducting a stack test on the pre-treater charge heater within 180 days of installation of low NOx burners.

Date 07/31/2008 (717576) CN600920748  
Self 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 08/31/2008 (732904) CN600920748  
 Self 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 (732906) CN600920748  
 Self 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 11/18/2008 (701943) CN600920748  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 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 QQQ 60.692-2(a)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
 5C THSC Chapter 382 382.085(b)  
 O-02042 OP  
 O-02043 OP  
 Permit 19568/PSD-TX-768M1 PERMIT

Description: Failure to conduct seven weekly inspections and seven monthly inspections as documented in the 40 CFR Part 60, Subpart QQQ semiannual report and certification for the period of January 1, 2008 through June 30, 2008,  
 Date 11/30/2008 (732907) CN600920748  
 Self 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 12/31/2008 (756128) CN600920748  
 Self 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 01/27/2009 (709901) CN600920748  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 56617 PERMIT  
 5C THSC Chapter 382 382.085(b)  
 O-02037 OP

Description: Failure to operate the Loading and Unloading Operations, Unit ID 52LBA#001, below the permitted loading limit of 1700 barrels per hour for caustic on August 1, 2007.  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)  
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01999 OP  
 O-02037 OP  
 O-02048 OP

Description: Failure to submit a PI-7 for the Marine Vapor Flare, Unit ID 60FLR#009, multiple sources in the North Tanks operating area, and fugitive component additions found in Unit ID 57FUG#001.  
 Self NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 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 VV 60.482-2(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
 5C THSC Chapter 382 382.085(b)  
 O-02041 OP

Description: Failure to make the first attempt of repair within five days for one pump located in Unit ID 36FUG#001.

Self	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4) 5C THSC Chapter 382 382.085(b) O-02041 OP		
Description:	Failure to monitor Hydrogen Sulfide concentrations for Crude Unit A B2 and B3 Heaters, Unit ID's 36HTR#006 and 36HTR#007.		
Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter B 115.112(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1) 5C THSC Chapter 382 382.085(b) O-02048 OP		
Description:	Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 1365 (Unit ID 49TEF#1365) and Tank 1366 (Unit ID 49TEF#1366) from July 8 through July 12, 2007.		
Self	NO	Classification:	Moderate
Citation:	19566, PSD-TX-768M1, PSD-TX-932 PERMIT 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 Kb 60.113b(b)(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(b)(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8) 5C THSC Chapter 382 382.085(b) O-02048 OP		
Description:	Failure to comply with reporting and maintenance procedures for Tank 1378, Unit ID 49TEF#1378.		
Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THSC Chapter 382 382.085(b) O-02048 OP		
Description:	Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service. Two bull plugs were discovered missing in Unit ID 9FUG#001.		
Self	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(2) 5C THSC Chapter 382 382.085(b) O-02049 OP		
Description:	Failure to maintain the side gauge hatch on Tank 2224, Unit ID 50TEF#2224, in a closed position during normal operations.		
Self	NO	Classification:	Moderate
Citation:	19566/PSD-TX-768M1 and PSD-TX-932 PERMIT 30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 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 THSC Chapter 382 382.085(b) O-01998 OP		
Description:	Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North Fuel Gas Drum to 150 ppm.		
Date	01/31/2009 (756127)	CN600920748	
Self	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 03/12/2009 (726626) CN600920748

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
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 VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-01356 OP

Description: Failure to make the first attempt of repair within five days for a valve located in Unit ID 15FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-01356 OP

Description: Failure to repair a valve placed on delay of repair, located in Unit ID 15FUG#001, before the end of the next process turnaround.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service. Three bull plugs were discovered missing in Unit ID 15FUG#001 and one bull plug was discovered missing in Unit ID 60FUG#002.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter U 106.478(7)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01999 OP

Description: Failure to submit a PI-7 prior to construction of Tank 4164, Unit ID 47TFX#4164.

Self NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter D 115.354(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
40 CFR Part 60, Subpart VV 60.482-4(b)(1)  
5C THSC Chapter 382 382.085(b)  
O-01999 OP

Description: Failure to monitor a relief valve within 24 hours of lifting, failed to make a first repair attempt within five days, and failed to make a final repair or place on delay of repair (DOR) within fifteen days of lifting. The relief valve is located in Unit ID 57FUG#001.

Self NO Classification: Moderate

Citation: 19566/PSD-TX-788M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer, Unit ID 32STK#001, at greater than 3% O2 in the SRU Stack and limit the in-stack concentration of SO2 from the thermal oxidizer to less than 250 ppmv on May 28, 2008.

Self NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to operate the Number 7 plant flare, Unit ID 60FLR#007, with a flame present at all times for the following dates; 11/22/2007, 11/26/2007, 12/07/2007, 12/11/2007, 01/07/2008, 01/18/2008, and 01/29/2008.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the CHD-2 flare, Unit ID 60FLR#002, for the following dates; 06/09/2008 and 07/07/2008.

Date 07/30/2009 (746072) CN600920748

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
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 THSC Chapter 382 382.085(b)  
O-02036 OP  
O-02042 OP  
Permit 18277 PERMIT  
Permit 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT

Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North and South Fuel Gas Drums to 150 ppm.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02036 OP

Description: Failure to conduct an orifice plate visual inspection on flowmeters associated with Cogeneration Units 41, 42, and 43 (Unit ID's 61TRB#'s 001, 002, and 003) and failure to conduct a transducer accuracy assessment for flowmeters associated with Cogen Unit 41 (Unit ID 61TRB#001).

Self NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02044 OP

Description: Failure to submit a PI-7 within the required time-frame for fugitive component additions found in Unit ID 06FUG#001.

Self NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.140(d)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)  
5C THSC Chapter 382 382.085(b)  
O-02042 OP

Description: Failure to comply with the company written procedure which requires ExxonMobil to use certified protocol gases for daily calibration drift assessments. During the on-site investigation on June 11, 2009, this investigator documented a Carbon Monoxide (CO) certified protocol calibration gas that had expired on May 15, 2009.

Date 08/17/2009 (761629) CN600920748

Self NO Classification: Moderate

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 THSC Chapter 382 382.085(b)  
Special Condition 12 OP  
Special Condition 13 OP  
Special Condition 14 OP  
Special Condition 2 PERMIT  
Special Condition 5 PERMIT  
Special Condition 7 PERMIT  
Special Condition 8 PERMIT  
Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North and South Fuel Gas Drum to 150 ppm.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
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 VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP

Description: Failure to make the first attempt of repair within five days for a connector located in Unit ID 04FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP

Description: Failure to repair a connector, located in Unit ID 04FUG#001, and a valve, located in Unit ID 42FUG#001, within 15 days after a leak is found.

Self NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP

Description: Failure to monitor one valve in VOC service, located in Unit ID 04FUG#001, and two valves in VOC service, located in Unit ID's 39FUG#001 and 42FUG#001.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(2)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP

Description: Failure to maintain the side gauge hatch on Tank 1332, Unit ID 19TEF#1332, in a closed position during normal operations.

Date 10/20/2009 (776515) CN600920748

Self NO Classification: Moderate

Citation: PC No. 2(g), Pg. 7 PERMIT

Description: Failure to contain domestic sewage resulting in an unauthorized discharge.

Self NO Classification: Moderate

Citation: EL&MR, No. 1, Pg. 2 PERMIT

Description: Failure to discharge effluent in compliance with permitted effluent limitations for pH, phenolic compounds and oil & grease.

Self NO Classification: Minor

Citation: EL&MR No. 3, Pg. 2 PERMIT

Description: Failure to discharge effluent in compliance with permitted effluent limitations (Sheen).

Date 01/06/2010 (784179) CN600920748

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)  
FOP O-02036, General Terms and Condition OP  
FOP O-02036, Special Condition 11 OP  
NSR Permit 19566, Special Condition 1 PERMIT  
Description: Failure to maintain emission rates below the allowable emission limits. EIC B,13  
MOD 2,D

Date 01/13/2010 (783323) CN600920748

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01998, General Terms and Condition OP  
FOP O-01998, Special Condition 14 OP  
NSR Permit 19566, Special Condition 7A PERMIT

Description: Failure to maintain the H2S content of the fuel gas to 150 parts per million averaged  
over a one hour period for the North Fuel Gas Drum. EIC B,19 MOD 2,D

Self NO Classification: Moderate

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)  
FOP O-01998, General Terms and Condition OP  
FOP O-02037, General Terms and Condition OP

Description: Failure to report a deviation on a semi-annual deviation reports. EIC B,3 MOD  
2,G

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(1)  
30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
5C THSC Chapter 382 382.085(b)  
FOP O-01998, General Terms and Condition OP  
FOP O-02037, General Terms and Condition OP

Description: Failure to accurately certify an Annual Compliance Certification. EIC B,3 MOD  
2,G

Self NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.300  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 63, Subpart Y 63.567(l)  
5C THSC Chapter 382 382.085(b)  
FOP O-02037, General Terms and Condition OP  
FOP O-02037, Special Condition 12 OP  
FOP O-02037, Special Condition 1D OP  
FOP O-02037, Special Condition 9G OP  
NSR Permit 56617, Special Condition 3 PERMIT  
NSR Permit 56617, Special Condition 5B2 PERMIT

Description: Failure to maintain records of the vapor tightness certification for marine vessels  
loaded at the ExxonMobil Beaumont Refinery. EIC B,3 MOD 2,G

Self NO Classification: Moderate

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 THSC Chapter 382 382.085(b)  
FOP O-02041, General Terms and Condition OP  
FOP O-02041, Special Condition 13 OP  
NSR Permit 49151, Special Condition 11 PERMIT

Description: Failure to maintain the H2S content of the fuel gas to 159 ppm for a three hour rolling  
average for the South Fuel Gas Drum. EIC B,19b1 MOD 2,D

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
NSR Permit 49146, Special Condition 1 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits. EIC B,19g1 MOD 2,D

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 11 OP  
NSR Permit 49125, Special Condition 7E PERMIT

Description: Failure to equip an open-ended valve with a cap, blind plug, or a second valve. EIC C,10 MOD 2,D

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 1A OP

Description: Failure to monitor a Pressure Relief Valve (PRV) within 24 hours of release. EIC B19g1 MOD 2,D

Self NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
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 VV 60.482-7(d)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 1A OP  
FOP O-02049, Special Condition 1F OP  
NSR Permit 49125, Special Condition 7I PERMIT

Description: Failure to repair a leaking valve within 15 days after the discovery of the leak. EIC C,10 MOD 2,D

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 12 OP  
NSR Permit 49125, Special Condition 4 PERMIT

Description: Failure to prevent Tank 2233 from venting to the atmosphere. EIC B,14 MOD 2,D

Date 02/03/2010 (785231)

Self NO Classification: Moderate

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 A 60.15(d)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 12 OP  
NSR Permit 19566, Special Condition 9A PERMIT  
NSR Permit 7760, Special Condition 2 PERMIT

Description: Failure to provide notice 60 days prior to the construction of a replacement. EIC B,3 MOD 2,B

Self NO Classification: Moderate

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 A 60.7(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
FOP O-02049, General Terms and Condition OP

FOP O-02049, Special Condition 12 OP  
NSR Permit 19566, Special Condition 9A PERMIT  
NSR Permit 7760, Special Condition 2 PERMIT  
Description: Failure to provide written notification 30 days after the commencement of construction. EIC B,3 MOD 2,B

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.100  
30 TAC Chapter 113, SubChapter C 113.340  
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 63.9(b)(5)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
FOP O-02048, Special Condition 8 OP  
FOP O-02048, Special Condition 9B OP  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 10B OP  
FOP O-02049, Special Condition 12 OP  
FOP O-02049, Special Condition 9 OP  
NSR Permit 19566, Special Condition 11 PERMIT  
NSR Permit 7760, Special Condition 3 PERMIT  
Description: Failure to provide written notification within 15 days of the intent of construction or reconstruction. EIC B,3 MOD 2,B

Self NO Classification: Moderate  
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 Kb 60.113b(a)(5)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
NSR Permit 19566, Special Condition 9A PERMIT  
Description: Failure to provide written notification 30 days prior to the refill of Tank 1165. EIC B,3 MOD 2,B

Date 02/24/2010 (789570)

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01870, General Terms and Condition OP  
FOP O-01870, Special Condition 13 OP  
NSR Permit 19566, Special Condition 23 PERMIT  
Description: Failure to route emissions from the sulfur pit to the stack burner or the Sulfur Recovery Unit (SRU) Reaction Furnace. EIC B,18 MOD 2,G

Self NO Classification: Moderate  
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)(2)(i)  
5C THSC Chapter 382 382.085(b)  
FOP O-01870, General Terms and Condition OP  
FOP O-01870, Special Condition 13 OP  
NSR Permit 19566, Special Condition 22 PERMIT  
NSR Permit 19566, Special Condition 9A PERMIT  
Description: Failure to maintain the in-stack concentration of SO2 from the thermal oxidizer below 250 ppm. EIC B,18 MOD 2,G

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.780  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT UUU 63.1569(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1572(c)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-01870, General Terms and Condition OP  
FOP O-01870, Special Condition 1D OP  
Description: Failure to monitor the bypass vents of the SRU. EIC B,18 MOD 2,G

Self NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01870, General Terms and Condition OP  
 FOP O-01870, Special Condition 13 OP  
 NSR Permit 19566, Special Condition 30 PERMIT  
 NSR Permit 19566, Special Condition 32 PERMIT  
 Description: Failure to maintain the minimum O2 concentration and firebox temperature for the thermal oxidizer. EIC B,18 MOD 2,G  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01870, General Terms and Condition OP  
 NSR Permit 1870, Special Condition 13 OP  
 NSR Permit 19566, Special Condition 23 PERMIT  
 Description: Failure to maintain CAS sampling and monitoring records during sulfur truck loading. EIC B,3 MOD 2,B  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01870, General Terms and Condition OP  
 FOP O-01870, Special Condition 13 OP  
 NSR Permit 19566, Special Condition 23A PERMIT  
 Description: Failure to perform CAS sampling during sulfur truck loading. EIC B,1 MOD 2,A  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.100  
 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)  
 FOP O-01871, General Terms and Condition OP  
 FOP O-01871, Special Condition 1A OP  
 FOP O-01871, Special Condition 7 OP  
 NSR Permit 49138, Special Condition 15A PERMIT  
 Description: Failure to operate the CHD-1 Flare, CHD-2 Flare, the FCC Flare, and the High-Pressure Flare with a net heating value greater than 300 British Thermal Units per standard cubic foot (BTU/scf). EIC B,18 EIC 2,G  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01871, General Terms and Condition OP  
 FOP O-01871, Special Condition 1A OP  
 Description: Failure to obtain samples from the CHD-1 Flare using a closed vent system. EIC B,18 MOD 2,G  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01871, General Terms and Condition OP  
 FOP O-01871, Special Condition 1A OP  
 FOP O-01871, Special Condition 7 OP  
 NSR Permit 49138, Special Condition 15B PERMIT  
 Description: Failure to operate flare CHD-1 with a flame present at all times. EIC B,18 MOD 2,G  
 Self NO Classification: Moderate  
 Citation: 30 TAC Chapter 106, SubChapter U 106.478(7)

30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01999, General Terms and Condition OP  
FOP O-01999, Special Condition 14 OP  
Description: Failure to submit a PI-7 form prior to the construction of Tank 4184. EIC B,9 MOD 2,C

Self NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01999, General Terms and Condition OP  
FOP O-01999, Special Condition 15 OP  
NSR Permit 56259, Special Condition 5 PERMIT

Description: Failure to maintain the H2S content of the fuel gas for the North and South Fuel Gas Drum below 150 parts per million (ppm). EIC B,18 MOD 2,G

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.244(1)  
30 TAC Chapter 115, SubChapter C 115.246(6)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02000, General Terms and Condition OP  
FOP O-02000, Special Condition, 8C(vi) OP

Description: Failure to inspect the motor vehicle fueling station Stage II emissions control system daily and to maintain records. EIC B,1 MOD 2,C

Self NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.242(3)(K)  
30 TAC Chapter 115, SubChapter C 115.242(5)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02000, General Terms and Condition OP  
FOP O-02000, Special Condition 8(C)(II) OP

Description: Failure to maintain the Stage II vapor recovery system in proper operating condition. EIC B,18 MOD 2,G

Self NO Classification: Moderate

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)  
FOP O-02000, General Terms and Condition OP

Description: Failure to report a deviation on a semi-annual deviation report. EIC B,3 MOD 2,G

Self NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(1)  
30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
5C THSC Chapter 382 382.085(b)  
FOP O-02000, General Terms and Condition OP

Description: Failure to accurately certify an Annual Compliance Certification. EIC B,3 MOD 2,G

#### F. Environmental audits.

Notice of Intent Date: 08/22/2005 (455176)

Disclosure Date: 11/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7

Description: Failure to properly identify valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7

Description: Failure to monitor components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

Description: Failure to complete repair attempt within allotted time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6

Description: Failure to close open-ended lines.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5

Description: Failure to properly handle purged process fluids.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9

Description: Failure to meet the requirements for difficult to monitor components.

Notice of Intent Date: 06/10/2008 (766059)

Disclosure Date: 06/15/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)

Description: Failure to include some Management of Changes in the appropriate annual registration for the years 2002-2006.

Notice of Intent Date: 07/06/2009 (762209)

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  
EXXONMOBIL OIL CORPORATION  
RN102450756

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§  
§  
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§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER  
DOCKET NO. 2010-0586-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 ExxonMobil Oil Corporation ("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 1795 Burt Street in Beaumont, Jefferson 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 records review on January 28, 2010, TCEQ staff documented that the Respondent failed to comply with permitted emissions limits. Specifically, during an emissions event (Incident No. 125699) on June 3, 2009, the Respondent failed to prevent the failure of the floating roof of Tank 1251, causing the unauthorized release of 225,512 pounds of volatile organic compounds over a 270 minute period. Since these emissions could have been avoided by better operational practices, the emissions are not subject to an affirmative defense under 30 TEX. ADMIN. CODE § 101.222(b).
4. The Respondent received notice of the violations on March 22, 2010.
5. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
  - a. On February 10, 2010, operational procedures were updated to include visual inspection of pontoons in the quarterly floating roof inspections; and
  - b. On February 25, 2010, all floating roof tanks with similar construction to Tank 1251 were inspected to verify emergency roof drain height.

## 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 comply with permitted emissions limits, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.115(c), and 122.143(4), New Source Review Permit No. 19566 Special Condition No. 1, Federal Operating Permit No. O-02048 General Terms and Conditions and Special Terms and Conditions No. 11, and TEX. HEALTH & SAFETY CODE § 382.085(b).
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 and 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: ExxonMobil Oil Corporation, Docket No. 2010-0586-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 implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. 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.
7. 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.
8. 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.
9. 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.
10. 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

John Szollier  
For the Executive Director

8/20/2010  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of ExxonMobil Oil Corporation. I am authorized to agree to the attached Agreed Order on behalf of ExxonMobil Oil Corporation, 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, ExxonMobil Oil Corporation 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]  
Signature

6/23/10  
Date

Daniel Bisso  
Name (Printed or typed)  
Authorized Representative of  
ExxonMobil Oil Corporation

Beaumont Refinery Plant  
Title Manager

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



Attachment A  
Docket Number: 2010-0586-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

<b>Respondent:</b>	ExxonMobil Oil Corporation
<b>Penalty Amount:</b>	Ten Thousand Dollars (\$10,000)
<b>SEP Offset Amount:</b>	Five Thousand Dollars (\$5,000)
<b>Type of SEP:</b>	Pre-Approved
<b>Third-Party Recipient:</b>	Texas Air Quality Research Center at Lamar University – <i>Flare Speciation and Air Quality Modeling</i>
<b>Location of SEP:</b>	Jefferson County

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

**1. Project Description**

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to *Texas Air Quality Research Center at Lamar University* for the *Flare Speciation and Air Quality Modeling* project to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used for advanced modeling and simulations to identify the VOC species generated and emitted from industrial flares at chemical process facilities under various operating conditions and environmental conditions as well as determine the Combustion Efficiency (CE) and Destruction and Removal Efficiency (DRE). All monies 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**

A flare operating under its designed conditions and in compliance with 40 C.F.R. § 60.18 is assumed to achieve a 98% DRE for Volatile Organic Compound (VOC) emissions, i.e. 98% of VOC emissions are assumed to be completely destroyed in the flaring process; however, basic combustion chemistry demonstrates the possibility that intermediate VOC species are formed during the combustion process, and these speciated VOC emissions are not accounted for in the DRE. This SEP will provide a discernible environmental benefit by providing better quantification of actual emissions from flaring operations and provide TCEQ with a more accurate emissions inventory, which may be utilized in SIP documentation. This information is expected to assist in identifying and developing strategies to reduce emissions from industrial sources.

**C. Minimum Expenditure**

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

**2. Performance Schedule**

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

Texas Air Research Center  
Lamar University  
Attention: George Talbert, Director  
P.O. Box 10613  
Beaumont, Texas 77710

**3. Records and Reporting**

Concurrent with the payment of the SEP offset amount, the Respondent shall provide the Enforcement Division 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 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.

ExxonMobil Oil Corporation  
Agreed Order – Attachment A

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

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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

The SEP 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.

