

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2010-0609-AIR-E **TCEQ ID:** RN100211879 **CASE NO.:** 39490
RESPONDENT NAME: Shell Oil Company and Shell Chemical LP

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Shell Oil Deer Park, 5900 Highway 225, Deer Park, Harris County</p> <p>TYPE OF OPERATION: Petroleum refinery and chemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are seven additional pending enforcement actions regarding this facility location, Docket Nos. 2010-1538-AIR-E, 2010-1439-IHW-E, 2010-1351-IHW-E, 2010-1331-AIR-E, 2009-1753-IHW-E, 2009-1571-AIR-E, and 2009-1300-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondents has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on November 22, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Ms. Rebecca Johnson, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3420; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Steven Hansen, Regulatory Affairs Manager, Shell Oil Company and Shell Chemical LP, P.O. Box 100, Deer Park, Texas 77536 Mr. Aamir Farid, General Manager, Shell Oil Company and Shell Chemical LP, P.O. Box 100, Deer Park, Texas 77536 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: February 8, 2010, March 23, 2010, and March 30, 2010</p> <p>Date of NOV/NOE Relating to this Case: March 29, 2010 and May 19, 2010 (NOE)</p> <p>Background Facts: This was a routine investigation and records reviews.</p> <p>AIR</p> <p>1) Failed to prevent unauthorized emissions during Incident No. 133506. Specifically, during the December 18, 2009 emissions event, the following unauthorized emissions were released from the East Property Flare over a period of seven hours and 47 minutes when Column V-1182 overpressured as a result of condensate accumulation on Pressure Transmitter PT-16481: 8,425 pounds ("lbs") of sulfur dioxide, 165 lbs of carbon monoxide, 91.3 lbs of hydrogen sulfide, 44.4 lbs of volatile organic compounds ("VOCs"), 22.9 lbs of nitrogen oxide, and 9.6 lbs of particulate matter. Since this emissions event could have been avoided through better maintenance practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met [Air Flexible Permit No. 21262 and PSD-TX-928, Special Condition No. 1, 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failed to prevent unauthorized emissions during Incident No. 134189. Specifically, during the January 8, 2010 emissions event, the following unauthorized emissions were released from the Coker Flare over a period of</p>	<p>Total Assessed: \$40,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$20,000</p> <p>Total Paid to General Revenue: \$20,000</p> <p>Compliance History Classification: Person/CN - CN601405145 - Average CN601542012 - Average Site/RN - Average</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification: Human health or environmental receptors have been exposed to pollutants which exceed levels that are protective.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondents have implemented the following corrective measures at the Plants:</p> <p>a. In response to Incident No. 133506, the steam tracing for the sensing line of Pressure Transmitter PT16481 was repaired on December 29, 2009; the internal investigation findings were reviewed with personnel on March 12, 2010; a deviation alarm was configured and installed on March 22, 2010; and the transmitter tubing was repaired and modified on April 28, 2010;</p> <p>b. In response to Incident No. 134189, insulation was installed on the steam tracing for the Instrument Protective Function instruments on the Coker Wet Gas Compressor on March 3, 2010; the Ensure Safe Production variable table for the wet gas compressor alarms were updated to include troubleshooting actions on April 6, 2010; an evaluation of the freeze protection barriers of critical instrumentation in the process unit was completed on August 15, 2010; and an evaluation of the location of the three level transmitters associated with the inter-stage drum was completed on August 15, 2010; and</p> <p>c. In response to Incident No. 134301, a review of actions by the maintenance craftsmen to close the valve on the impulse line to the flow meter was completed on March 23, 2010 and an analysis of the seal flush differential pressure swings on PDC-3314 was completed on June 5, 2010.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondents to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

two hours and 31 minutes when the freezing of components on the steam tracing for Level Transmitters LT31545B and LT31545C caused the wet gas compressor to shut down: 32,613.09 lbs of sulfur dioxide, 1,246.85 lbs of VOCs, 714.17 lbs of carbon monoxide, 347.33 lbs of hydrogen sulfide, 98.88 lbs of nitrogen oxide, 20.76 lbs of benzene, and 13.4 lbs of particulate matter. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met [Air Flexible Permit No. 21262 and PSD-TX-928, Special Condition No. 1, 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3) Failed to prevent unauthorized emissions during Incident No. 134301. Specifically, during the January 11, 2010 emissions event, the following unauthorized emissions were released from the OP-2 Elevated Flare, the OP-3 Elevated Flare, and the OP-3 Ground Flare over a period of 37 hours when a technician closed a valve on a flow meter impulse line causing the process gas compressor to shut down: 13,131.5 lbs of volatile organic compounds (including 5,529 lbs of ethylene and 3,267 lbs of propylene), 9,901 lbs of carbon monoxide, and 1,109.2 lbs of nitrogen oxides. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met [Air Permit No. 3219 and PSD-TX-974, Special Condition No. 1, 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Additional ID No(s): HGo659W



Attachment A
Docket Number: 2010-0609-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	Shell Oil Company and Shell Chemical LP
Penalty Amount:	Forty Thousand Dollars (\$40,000)
SEP Offset Amount:	Twenty Thousand Dollars (\$20,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston Regional Monitoring Corporation – <i>HRMC Houston Area Air Monitoring</i>
Location of SEP:	Harris County

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

1. Project Description

A. Project

The Respondents shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Houston Regional Monitoring Corporation** for the *HRMC Houston Area Air Monitoring* to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used to supplement existing operation of a network of ambient air monitoring stations (designated HRM Sites 1, 3, 4, 7, 8, 10, Wallisville, and Lynchburg Ferry) that continuously measure and record concentrations of ambient air pollutants. Specifically, SEP funds will be used to operate, maintain, and potentially expand portions of the existing ambient air quality monitoring network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives. SEP funds may be used to operate a single monitoring site or multiple sites contingent upon the amount of SEP funds provided. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

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

B. Environmental Benefit

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

C. Minimum Expenditure

The Respondents 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 Respondents must contribute the SEP offset amount to the Third-Party Recipient. The Respondents shall mail a copy of the Agreed Order with the contribution to:

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

3. Records and Reporting

Concurrent with the payment of the SEP offset amount, the Respondents 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 Respondents shall mail a copy of the check and transmittal letter to:

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

4. Failure to Fully Perform

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

In the event of incomplete performance, the Respondents shall include on the check the docket number of this Agreed Order and a note that it is for reimbursement of a SEP. The Respondents 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 Respondents 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 Respondents shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondents may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondents 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	24-May-2010	PCW	1-Jun-2010	Screening	1-Jun-2010	EPA Due	N/A
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RESPONDENT/FACILITY INFORMATION	
Respondent	Shell Oil Company
Reg. Ent. Ref. No.	RN100211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	39490	No. of Violations	2
Docket No.	2010-0809-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rebecca Johnson
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$15,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	515.0% Enhancement	Subtotals 2, 3, & 7	\$77,250
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Notes
Penalty enhancement due to 24 NOVs for same or similar violations, 45 NOVs for dissimilar violations, six agreed orders with a denial of liability, eight agreed orders without a denial of liability, and one Court Order with a denial of liability. Penalty reduction due to 23 Notices of Intended Audits submitted, six Disclosures of Violations submitted, and the Respondent's participation in an Environmental Management System.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$500
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$234
Approx. Cost of Compliance	\$9,700

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$91,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$91,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$20,000
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DEFERRAL	0.0%	Reduction Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$20,000
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Screening Date 1-Jun-2010

Docket No. 2010-0609-AIR-E

PCW

Respondent: Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No. 39490

PCW Revision: October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

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)	24	120%
	Other written NOVs	45	90%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	8	200%
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)	1	30%
	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)	23	-23%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	6	-12%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 515%

>> 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

Penalty enhancement due to 24 NOVs for same or similar violations, 45 NOVs for dissimilar violations, six agreed orders with a denial of liability, eight agreed orders without a denial of liability, and one Court Order with a denial of liability. Penalty reduction due to 23 Notices of Intended Audits submitted, six Disclosures of Violations submitted, and the Respondent's participation in an Environmental Management System.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 515%

Screening Date: 1-Jun-2010

Docket No: 2010-0609-AIR-E

PCW

Respondent: Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No: 39490

PCW Revision October 30, 2008

Reg. Ent. Reference No: RN100211879

Media [Statute]: Air

Enf. Coordinator: Rebecca Johnson

Violation Number: 1

Rule Cite(s): Air Flexible Permit No. 21262 and PSD-TX-928, Special Condition No. 1, 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), and Tex. Health & Safety Code § 382.085(b)

Violation Description: Failed to prevent unauthorized emissions during Incident No. 133506. Specifically, during the December 18, 2009 emissions event, the following unauthorized emissions were released from the East Property Flare over a period of seven hours and 47 minutes when Column V-1182 overpressured as a result of condensate accumulation on Pressure Transmitter PT-16481: 8,425 pounds ("lbs") of sulfur dioxide, 165 lbs of carbon monoxide, 91.3 lbs of hydrogen sulfide, 44.4 lbs of volatile organic compounds ("VOCs"), 22.9 lbs of nitrogen oxide, and 9.6 lbs of particulate matter. Since this emissions event could have been avoided through better maintenance practices, the demonstration criteria in 30 Tex. Admin. Code § 101.222 for an affirmative defense were not met.

Base Penalty: \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		x		50%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					0%

Human health or the environment has been exposed to a significant amount of pollutants that did not exceed protective levels as a result of the violation.

Adjustment: \$5,000

\$5,000

Violation Events

Number of Violation Events: 1 Number of violation days: 1

mark only one with an x	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty: \$5,000

One monthly event is recommended.

Good Faith Efforts to Comply

10.0% Reduction

\$500

	Before NOV	NOV to ED/PRP/Settlement
	Extraordinary	
Ordinary		x
N/A		(mark with x)

Notes: The Respondent completed corrective actions on April 28, 2010, which was after the March 29, 2010 Notice of Enforcement.

Violation Subtotal: \$4,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount: \$04

Violation Final Penalty Total: \$30,250

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

Economic Benefit Worksheet

Respondent: Shell Oil Company
Case ID No.: 39490
Reg. Ent. Reference No.: RN100211879
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$200	18-Dec-2009	28-Apr-2010	0.36	\$4	n/a	\$4
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$4,500	18-Dec-2009	28-Apr-2010	0.36	\$81	n/a	\$81

Notes for DELAYED costs

Estimated cost to implement measures (repair and modify tubing on Pressure Transmitter PT-16481, repair the steam tracing, install a deviation alarm, and review internal investigation findings with personnel) designed to prevent the recurrence of emissions events due to condensate accumulation on Pressure Transmitter PT-16481. The date required is the date of the emissions event. The final date is the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$4,700

TOTAL

\$84

Screening Date 1-Jun-2010

Docket No. 2010-0609-AIR-E

PCW

Respondent Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No. 39490

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

Violation Number 2

Rule Cite(s)

Air Flexible Permit No. 21262 and PSD-TX-928, Special Condition No. 1; 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a); and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions during Incident No. 134189. Specifically, during the January 8, 2010 emissions event, the following unauthorized emissions were released from the Coker Flare over a period of two hours and 31 minutes when the freezing of components on the steam tracing for Level Transmitters LT31545B and LT31545C caused the wet gas compressor to shut down: 32,813.09 lbs of sulfur dioxide, 1,246.85 lbs of VOCs, 714.17 lbs of carbon monoxide, 347.33 lbs of hydrogen sulfide, 98.88 lbs of nitrogen oxide, 20.76 lbs of benzene, and 13.4 lbs of particulate matter. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 Tex. Admin. Code § 101.222 for an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment in the Houston-Galveston-Brazoria Ozone Nonattainment Area has been exposed to over 17 tons of pollutants 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

0.0% Reduction

\$0

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

Notes

The Respondent completed corrective actions on August 15, 2010, which was after the initial settlement offer on July 21, 2010.

Violation Subtotal \$10,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$150

Violation Final Penalty Total \$61,500

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

Economic Benefit Worksheet

Respondent: Shell Oil Company
Case ID No.: 39490
Reg. Ent. Reference No.: RN100211879
Media: Air
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	8-Jan-2010	15-Aug-2010	0.60	\$150	n/a	\$150

Notes for DELAYED costs

Estimated cost to implement measures (install insulation, update procedures, and conduct equipment evaluations) designed to prevent the recurrence of emissions events due to the freezing of components on the steam tracing for Level Transmitters LT31545B and LT31545C. The date required is the date of the emissions event. The final date is the date corrective actions were completed.

Avoided Costs

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

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

\$5,000

TOTAL

\$150

Compliance History Report

Customer/Respondent/Owner-Operator:

CN601542012 Shell Oil Company

Classification: AVERAGE

Rating: 6.37

Regulated Entity:

RN100211879 SHELL OIL DEER PARK

Classification: AVERAGE

Site Rating: 13.70

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0659W
AIR OPERATING PERMITS	PERMIT	1669
AIR OPERATING PERMITS	PERMIT	1668
AIR OPERATING PERMITS	PERMIT	1943
AIR OPERATING PERMITS	PERMIT	1945
AIR OPERATING PERMITS	PERMIT	1946
AIR OPERATING PERMITS	PERMIT	1947
AIR OPERATING PERMITS	PERMIT	1948
AIR OPERATING PERMITS	PERMIT	2108
AIR OPERATING PERMITS	PERMIT	1940
AIR OPERATING PERMITS	PERMIT	1942
AIR OPERATING PERMITS	PERMIT	3179
WASTEWATER	PERMIT	WQ0000402000
WASTEWATER	PERMIT	TPDES0004863
WASTEWATER	PERMIT	TX0004863
WASTEWATER	PERMIT	WQ0000403000
WASTEWATER	PERMIT	TPDES0004871
WASTEWATER	PERMIT	TX0004871
WASTEWATER	EPA ID	TX0004871
AIR NEW SOURCE PERMITS	REGISTRATION	92386
AIR NEW SOURCE PERMITS	REGISTRATION	92219
AIR NEW SOURCE PERMITS	PERMIT	21262
AIR NEW SOURCE PERMITS	REGISTRATION	54895
AIR NEW SOURCE PERMITS	REGISTRATION	55312
AIR NEW SOURCE PERMITS	REGISTRATION	76382
AIR NEW SOURCE PERMITS	REGISTRATION	75524
AIR NEW SOURCE PERMITS	REGISTRATION	55730
AIR NEW SOURCE PERMITS	REGISTRATION	55869
AIR NEW SOURCE PERMITS	REGISTRATION	76315
AIR NEW SOURCE PERMITS	PERMIT	7855
AIR NEW SOURCE PERMITS	REGISTRATION	11177
AIR NEW SOURCE PERMITS	REGISTRATION	12152
AIR NEW SOURCE PERMITS	REGISTRATION	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	REGISTRATION	13713
AIR NEW SOURCE PERMITS	REGISTRATION	16429

AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	REGISTRATION	10888
AIR NEW SOURCE PERMITS	REGISTRATION	11096
AIR NEW SOURCE PERMITS	REGISTRATION	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	REGISTRATION	12829
AIR NEW SOURCE PERMITS	REGISTRATION	13678
AIR NEW SOURCE PERMITS	REGISTRATION	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	REGISTRATION	15262
AIR NEW SOURCE PERMITS	REGISTRATION	15365
AIR NEW SOURCE PERMITS	REGISTRATION	15499
AIR NEW SOURCE PERMITS	REGISTRATION	15940
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	REGISTRATION	24096
AIR NEW SOURCE PERMITS	REGISTRATION	27598
AIR NEW SOURCE PERMITS	REGISTRATION	29597
AIR NEW SOURCE PERMITS	REGISTRATION	32282
AIR NEW SOURCE PERMITS	REGISTRATION	33524
AIR NEW SOURCE PERMITS	REGISTRATION	34230
AIR NEW SOURCE PERMITS	REGISTRATION	34358
AIR NEW SOURCE PERMITS	REGISTRATION	35243
AIR NEW SOURCE PERMITS	REGISTRATION	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968

AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	REGISTRATION	41920
AIR NEW SOURCE PERMITS	REGISTRATION	41875
AIR NEW SOURCE PERMITS	REGISTRATION	42221
AIR NEW SOURCE PERMITS	REGISTRATION	42573
AIR NEW SOURCE PERMITS	REGISTRATION	42512
AIR NEW SOURCE PERMITS	REGISTRATION	43605
AIR NEW SOURCE PERMITS	REGISTRATION	42118
AIR NEW SOURCE PERMITS	REGISTRATION	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	REGISTRATION	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	REGISTRATION	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	REGISTRATION	70903
AIR NEW SOURCE PERMITS	REGISTRATION	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	REGISTRATION	54061
AIR NEW SOURCE PERMITS	REGISTRATION	50548
AIR NEW SOURCE PERMITS	REGISTRATION	52565
AIR NEW SOURCE PERMITS	REGISTRATION	52089
AIR NEW SOURCE PERMITS	REGISTRATION	52088
AIR NEW SOURCE PERMITS	REGISTRATION	50388
AIR NEW SOURCE PERMITS	REGISTRATION	50423
AIR NEW SOURCE PERMITS	REGISTRATION	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045

AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	87183
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	87871
AIR NEW SOURCE PERMITS	REGISTRATION	87174
AIR NEW SOURCE PERMITS	REGISTRATION	84538
AIR NEW SOURCE PERMITS	REGISTRATION	87173
AIR NEW SOURCE PERMITS	REGISTRATION	91151
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION #	30007

(SWR)

	INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

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

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 01, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 01, 2005 to June 01, 2010

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

Name: Rebecca Johnson Phone: (361) 825-3420

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: 08/20/2005

ADMINORDER 2004-0867-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.224(11)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(c)

Description: Failure to conduct compliance testing for the PHenol-3 BIF and submit recertification of compliance within three years of the previous certification.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.224(14)

Description: Failure to cease the burning of waste in the Phenol-3 BIF on October 12, 2003.

Effective Date: 05/12/2006

ADMINORDER 2005-1614-AIR-E

Classification: Moderate

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

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

Description: Failed to report the December 25, 2004 emissions event within 24 hours of discovery.

Classification: Moderate

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

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

Rqmt Prov: Permit No 3214, Gen Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 241 lbs of 1, 3-Butadiene, 322 lbs of Butene, 1,299 lbs of Pentane, 2,182 lbs of Ethylene, 68 lbs of Benzene and 1,018 lbs of Propylene during a 10 hour and 30 minute emissions event that occurred on December 25, 2004 in the OP3 Unit.

Classification: Moderate

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

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

Rqmt Prov: General Condition #8 PERMIT

Description: Failed to prevent unauthorized emissions of 686 lbs of 1, 3-Butadiene, 949 lbs of Butene, 1,299 lbs of Pentane, 4,059 lbs of Ethylene and 2,044 lbs of Propylene during a 23 minute emissions event that occurred on February 17, 2005 in the Olefins No. 3 Unit ("OP3").

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Max. Allow. Em. Rate Ta PERMIT

Description: Failed to prevent unauthorized emissions of 1847.7 lbs of Ethylene, 680.70 lbs of Carbon Monoxide, and 87.3 lbs of Nitrogen Monoxide during a 3-hour emissions event that occurred on February 24, 2005 at the Acetylene Converters in the Olefins #2 Unit.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Gen. Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 404 lbs of volatile organic compounds ("VOC") in one hour on January 13, 2005 in the OP2 Unit Elevated Flare. Specifically, 868 lbs of VOCs were released and the VOC maximum allowable emission rate for the flare is 464 lbs per hour.

Effective Date: 08/29/2006

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of low sulfur diesel fuel and heavy crude oil sludge in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of natural gas in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)

Rqmt Prov: mact rates PERMIT

Description: Exceeded maximum allowable emission rates for hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Discharged approximately 327 pounds of unspciated VOC resulting in air contaminants in such concentration and duration so as to interfere with the normal use and enjoyment of property in teh area.

Effective Date: 08/15/2008

ADMINORDER 2008-0079-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 3179, SC 6 PERMIT

Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342., in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Effective Date: 09/22/2008

ADMINORDER 2007-1789-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

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

Description: Shell failed to prevent an avoidable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to keep a flame present at a flare at all times.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008

ADMINORDER 2007-1472-AIR-E

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

Effective Date: 11/06/2008

ADMINORDER 2007-1218-AIR-E

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

Effective Date: 11/17/2008

ADMINORDER 2008-0283-AIR-E

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

5C THSC Chapter 382 382.085(b)
Rqmt Prov: NSR Permit 3219 and PST-TX-974, MAERT PERMIT
Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: No. 21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 7,275 lbs of sulfur dioxide, 38.50 lbs of CO, 5.33 lbs of NOx, 77.30 lbs of H2S, 304.3 lbs of volatile organic compounds, and 0.70 lbs of particulate matter were released through the East Property Flare in the Catalytic Cracker Feed Hydrotreater Unit during an emissions event (Incident No. 99227) that occurred on October 24, 2007 and lasted one hour and 50 minutes.

Effective Date: 12/04/2008

ADMINORDER 2006-0328-MLM-E

Classification: Moderate

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

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT
TCEQ Flex Air Permit 21262/PSDTX928, SC1 PERMIT

Description: Shell failed to prevent the unauthorized release of air contaminants into the atmosphere.

Classification: Minor

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

Description: Shell failed to comply with emissions event reporting requirements.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter A 382.085(b)

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No. 3219, General Condition 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 3219, General Condition 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 21262, SC #1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to submit an emissions event report within two weeks after the end of the event.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit 3179, General Condition 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 2162/PSDTX 928, S.C. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #21262, Special Condition #1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Major
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(3)(i)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)

Rqmt Prov: Permit 50099, Provision V.1.2.b. PERMIT
Description: Shell failed to comply with BIF operating parameters for the total ash feed rate, by not revising the data in the Distributed Control Systems for the correct level of ash being fed into the unit.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #21262, Special Condition #1 PERMIT
Description: Shell failed to prevent unauthorized emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to identify the preconstruction authorization number in the final report submitted to the agency for the facility involved in the emissions event, which occurred on June 15, 2005, in the CCU.
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT
 Description: Shell failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. No. 1 PERMIT
 Description: Shell failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 3219/ PSD-TX-974, G.C. 8 PERMIT
 Description: Shell failed to comply with the permitted emission limits.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No. 3173, Special Condition 13 PERMIT
 Description: Shell failed to comply with the permitted emission limits.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
 5C THSC Chapter 382 382.085(b)
 Description: Shell failed to submit an initial notification of an emissions event within the 24-hour period for the emissions event that occurred on June 28, 2006 at Tank T-75A.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No.3178, Special Condition No.1 PERMIT
 Description: Shell failed to comply with the permitted emission limits.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT
 Description: Shell failed to prevent an unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: TCEQ Flexible Air Permit No. 21262, SC1 PERMIT
 Description: Shell failed to prevent an avoidable emissions event.

Effective Date: 02/08/2009

ADMINORDER 2007-0837-AIR-E

Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: #21262, Special Condition #1 PERMIT
 Description: Failed to prevent unauthorized emissions during an emissions event that started on December 5, 2005.
 Classification: Minor
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to submit a PI-7 Form within 10 days following modification of the three storage tanks.
 Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: FOP #O-01945, ST&C #1A OP
 FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC #2 PERMIT

Description: Failed to comply with the 20 ppm HAP limit for Spent Air Incinerator H9200.

Classification: Moderate

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

Rqmt Prov: FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC#1 PERMIT

Description: Failed to comply with the 9.0 lbs/hr acetone emissions limit for Spent Air Incinerator H9200.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to comply with the 20 ppm VOC emissions limit for Spent Air Incinerator H9200.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21E PERMIT

Description: Failed to maintain a cap, plug, or blind flange on all open-ended lines.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21H PERMIT

Description: Failed to maintain a leaking component tag on leaking components until the component is repaired.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to make a first attempt to repair a leaking component within five days after discovery.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(E)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, General Terms & Conditions OP

Description: Failed to maintain all required monitoring analysis data.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #14 PERMIT

Description: Failed to perform continuous monitoring of the flare pilot flame.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)

30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: FOP #O-01945 General Terms & Conditions OP
Description: Failed to submit an annual compliance certification and deviation report within 30 days after the reporting period.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No.3219 and PSD-TX-974, MAERT PERMIT
Description: Failed to prevent unauthorized emissions during a December 14, 2006 emissions event.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No.3219, MAERT PERMIT
PSD-TX-974 PERMIT
Description: Failed to prevent unauthorized emissions during a February 1, 2007 emissions event.

Effective Date: 06/15/2009

ADMINORDER 2008-1621-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition #1 PERMIT
Description: Failure to prevent the shutdown of the compressor.
Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP O-01669, General Terms & Conditions OP
Description: Failure to submit the annual Permit Compliance Certification within 30 days of the end of the certification period.

Effective Date: 08/23/2009

ADMINORDER 2008-1092-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 21262 AND PSD-TX-928, SC No. 1 PERMIT
Description: Shell exceeded permit limits during an avoidable emissions event.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Permit PERMIT
Description: Failed to prevent the unauthorized emissions of: 2,540 lbs of VOC, 12 lbs of H2S, 452 lbs of NOx, 3,248 lbs of CO, and 1,216 lbs of SO2 released from the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare during an emissions event that occurred on March 7, 2008 and lasted 4 hours and 0 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition #1 PERMIT
Description: Failed to prevent plugging of level transmitter (LT-257) tap.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)

5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition #1 PERMIT
Description: Failed to prevent an electrical short during installation of additional alarm at SRU Unit.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition #1 PERMIT
Description: Failure to prevent wet gas compressor malfunction.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: MAERT PERMIT
Description: Failed to prevent the shutdown of the SRUs.

Effective Date: 08/31/2009 **ADMINORDER 2008-1925-AIR-E**
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: SC 1 PA
Special Condition #1 PERMIT
Description: Failed to prevent unauthorized emissions from the North Property Flare on June 18, 2008.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Condition 8, NSRP 3219/PSDTX974 PA
Description: Failed to prevent unauthorized emissions from the OP-2 Elevated Flare, OP-3 Elevated Flare, and from the OP-3 Ground Flare on June 29, 2008
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: SC No. 1 PERMIT
Special Condition #1 PERMIT
Description: Failed to prevent unauthorized emissions from the North Property Flare on July 17, 2008.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b)
Description: Failed to timely provide information requested by the TCEQ Houston Regional Office regarding the July 17, 2008 emissions event.

Effective Date: 10/31/2009 **ADMINORDER 2009-0465-AIR-E**
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions. Specifically, an emissions event occurred from November 13 through 15, 2008, due to accumulation of rain resulting from clogged drain lines on a floating tank roof (Emission Point No. TOL905), that lasted for 38 hours and 44 minutes, resulting in the release of 10,169.40 pounds of volatile organic compounds.

Effective Date: 03/20/2010 **ADMINORDER 2009-0806-AIR-E**
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition #1 PERMIT
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,514.6 pounds ("lbs") of volatile organic compounds ("VOC") [including 3.6 lbs of the Highly Reactive VOC ("HRVOC") ethylene and 884.2 lbs of the HRVOC propylene], 152.3 lbs of hydrogen sulfide, 82.7 lbs of

nitrogen dioxide, 597.3 lbs of carbon monoxide, 16.8 lbs of particulate matter and 14,329.3 lbs of sulfur dioxide from the Distilling Hydrotreater ("DHT") Unit and the Catalytic Cracking Unit during an avoidable
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 7,520.79 lbs of VOC, 16.28 lbs of H₂S, 147.84 lbs of benzene, 426.70 lbs of SO₂, 51.50 lbs of nitrogen oxide, 372.10 lbs of CO, 8.60 lbs of PM, 103.89 lbs of ethane, 292.53 lbs of methane, 12.75 lbs of nitrogen and 2.15 lbs of hydrogen from Distillation Unit 2 during an avoidable emissions event (Incident No. 119042) that began January 18, 2009 and lasted eight hours and four minutes.

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	06/20/2005	(575185)
2	06/21/2005	(419641)
3	06/21/2005	(419643)
4	07/13/2005	(374690)
5	07/18/2005	(379933)
6	07/18/2005	(379934)
7	07/18/2005	(575188)
8	07/20/2005	(400891)
9	07/21/2005	(400399)
10	07/28/2005	(379300)
11	08/02/2005	(400361)
12	08/03/2005	(399624)
13	08/05/2005	(341194)
14	08/05/2005	(341195)
15	08/05/2005	(341198)
16	08/05/2005	(341200)
17	08/05/2005	(341201)
18	08/15/2005	(453221)
19	08/16/2005	(404327)
20	08/16/2005	(404329)
21	08/18/2005	(404406)
22	08/22/2005	(400922)
23	08/22/2005	(575191)
24	08/23/2005	(401945)
25	08/23/2005	(404915)
26	08/25/2005	(405926)
27	08/30/2005	(401403)
28	09/23/2005	(440775)
29	09/23/2005	(440776)
30	09/27/2005	(575193)
31	09/28/2005	(431096)
32	10/04/2005	(405964)
33	10/05/2005	(406803)
34	10/05/2005	(407310)
35	10/05/2005	(431095)
36	10/05/2005	(431097)
37	10/10/2005	(406428)
38	10/24/2005	(468331)
39	10/24/2005	(575195)
40	10/26/2005	(433389)
41	10/28/2005	(405406)
42	11/03/2005	(431819)

43	11/04/2005	(431796)
44	11/04/2005	(431865)
45	11/14/2005	(371956)
46	11/23/2005	(575197)
47	11/28/2005	(468332)
48	12/08/2005	(418800)
49	12/16/2005	(451110)
50	12/21/2005	(575199)
51	12/22/2005	(575200)
52	12/27/2005	(468333)
53	01/24/2006	(451885)
54	01/24/2006	(468334)
55	01/24/2006	(575201)
56	02/16/2006	(454090)
57	02/21/2006	(455170)
58	02/21/2006	(575174)
59	02/23/2006	(455872)
60	02/23/2006	(455897)
61	02/24/2006	(438342)
62	02/24/2006	(468329)
63	02/25/2006	(456944)
64	02/25/2006	(457085)
65	02/27/2006	(456661)
66	02/27/2006	(457162)
67	02/28/2006	(457143)
68	02/28/2006	(457152)
69	03/03/2006	(455540)
70	03/09/2006	(457675)
71	03/17/2006	(451544)
72	03/20/2006	(431859)
73	03/20/2006	(571632)
74	03/21/2006	(575176)
75	03/23/2006	(290016)
76	03/23/2006	(468330)
77	03/28/2006	(405965)
78	04/03/2006	(455004)
79	04/21/2006	(575180)
80	04/24/2006	(449499)
81	04/24/2006	(498125)
82	04/26/2006	(455005)
83	04/27/2006	(440023)
84	04/28/2006	(462216)
85	05/10/2006	(266908)
86	05/10/2006	(268067)
87	05/12/2006	(461088)
88	05/17/2006	(461235)
89	05/17/2006	(466235)
90	05/22/2006	(498126)
91	05/22/2006	(575183)
92	05/26/2006	(460095)
93	05/26/2006	(460156)
94	05/26/2006	(460174)
95	05/26/2006	(460637)
96	05/30/2006	(459416)
97	05/30/2006	(460198)
98	05/31/2006	(455293)
99	06/12/2006	(455296)
100	06/13/2006	(457735)
101	06/14/2006	(480612)

102	06/15/2006	(449850)
103	06/16/2006	(575186)
104	06/20/2006	(498127)
105	06/30/2006	(463111)
106	06/30/2006	(466561)
107	07/10/2006	(482757)
108	07/11/2006	(482407)
109	07/11/2006	(482755)
110	07/11/2006	(482760)
111	07/24/2006	(520133)
112	07/24/2006	(575189)
113	07/26/2006	(487301)
114	07/27/2006	(486448)
115	07/31/2006	(482753)
116	08/08/2006	(482747)
117	08/14/2006	(480383)
118	08/18/2006	(457259)
119	08/22/2006	(575192)
120	08/23/2006	(457432)
121	08/25/2006	(510170)
122	08/28/2006	(479997)
123	08/29/2006	(479999)
124	08/29/2006	(509957)
125	08/30/2006	(509636)
126	08/31/2006	(457283)
127	09/22/2006	(575194)
128	09/25/2006	(520134)
129	09/29/2006	(487313)
130	10/04/2006	(510017)
131	10/04/2006	(512388)
132	10/05/2006	(510021)
133	10/05/2006	(512392)
134	10/05/2006	(512393)
135	10/13/2006	(510023)
136	10/23/2006	(575196)
137	10/24/2006	(544406)
138	10/26/2006	(512394)
139	10/27/2006	(515112)
140	10/31/2006	(343595)
141	10/31/2006	(509694)
142	11/06/2006	(515706)
143	11/16/2006	(512687)
144	11/16/2006	(514711)
145	11/21/2006	(517284)
146	11/22/2006	(575198)
147	11/27/2006	(544407)
148	12/07/2006	(487985)
149	12/07/2006	(488004)
150	12/07/2006	(488023)
151	12/07/2006	(488025)
152	12/21/2006	(534053)
153	12/27/2006	(544408)
154	12/27/2006	(544409)
155	01/19/2007	(531892)
156	01/22/2007	(575202)
157	01/31/2007	(537439)
158	01/31/2007	(538238)
159	01/31/2007	(538659)
160	02/17/2007	(532455)

161	02/22/2007	(575167)
162	02/22/2007	(575175)
163	02/23/2007	(532452)
164	02/23/2007	(532463)
165	02/27/2007	(532471)
166	03/01/2007	(509707)
167	03/05/2007	(406521)
168	03/21/2007	(575177)
169	03/23/2007	(575168)
170	04/12/2007	(554202)
171	04/19/2007	(575169)
172	04/23/2007	(575181)
173	04/25/2007	(532459)
174	04/25/2007	(542681)
175	04/30/2007	(542592)
176	04/30/2007	(542683)
177	05/07/2007	(537121)
178	05/08/2007	(542690)
179	05/14/2007	(542697)
180	05/16/2007	(575170)
181	05/18/2007	(542652)
182	05/22/2007	(575184)
183	05/29/2007	(559183)
184	05/30/2007	(560809)
185	06/20/2007	(575171)
186	06/22/2007	(575187)
187	06/25/2007	(563779)
188	06/25/2007	(564308)
189	06/27/2007	(564822)
190	06/27/2007	(564828)
191	07/06/2007	(565610)
192	07/10/2007	(565422)
193	07/20/2007	(575172)
194	07/20/2007	(575173)
195	07/23/2007	(575178)
196	07/23/2007	(575190)
197	08/01/2007	(567841)
198	08/13/2007	(571026)
199	08/14/2007	(567884)
200	08/15/2007	(571883)
201	08/17/2007	(571025)
202	08/22/2007	(607528)
203	09/18/2007	(571877)
204	09/20/2007	(601572)
205	09/24/2007	(607529)
206	10/12/2007	(560777)
207	10/16/2007	(593594)
208	10/18/2007	(601573)
209	10/23/2007	(750225)
210	10/25/2007	(596852)
211	11/06/2007	(565492)
212	11/06/2007	(593367)
213	11/19/2007	(750227)
214	11/20/2007	(619483)
215	11/30/2007	(601276)
216	11/30/2007	(608138)
217	12/20/2007	(610419)
218	12/20/2007	(619484)
219	01/03/2008	(750229)

220	01/17/2008	(600635)
221	01/17/2008	(619485)
222	01/22/2008	(613355)
223	01/22/2008	(750231)
224	02/01/2008	(607448)
225	02/01/2008	(613923)
226	02/01/2008	(615075)
227	02/05/2008	(610680)
228	02/13/2008	(616505)
229	02/14/2008	(616503)
230	02/19/2008	(671990)
231	02/25/2008	(750215)
232	02/28/2008	(637020)
233	03/24/2008	(638443)
234	03/24/2008	(750218)
235	03/28/2008	(600448)
236	03/31/2008	(610634)
237	04/09/2008	(610636)
238	04/11/2008	(610638)
239	04/11/2008	(637073)
240	04/17/2008	(671992)
241	04/21/2008	(639674)
242	04/21/2008	(750219)
243	04/22/2008	(653495)
244	04/24/2008	(671991)
245	05/20/2008	(654015)
246	05/20/2008	(654943)
247	05/20/2008	(689907)
248	05/22/2008	(750220)
249	05/23/2008	(637956)
250	05/23/2008	(638051)
251	06/01/2008	(640777)
252	06/06/2008	(654842)
253	06/10/2008	(671393)
254	06/17/2008	(682693)
255	06/18/2008	(683279)
256	06/20/2008	(689908)
257	06/23/2008	(750221)
258	06/27/2008	(659663)
259	06/30/2008	(600450)
260	07/11/2008	(685564)
261	07/17/2008	(656863)
262	07/17/2008	(686593)
263	07/17/2008	(689909)
264	07/21/2008	(750222)
265	07/23/2008	(683726)
266	07/24/2008	(682501)
267	07/24/2008	(685354)
268	08/14/2008	(686729)
269	08/19/2008	(689497)
270	08/20/2008	(685355)
271	08/20/2008	(710691)
272	08/22/2008	(699629)
273	08/25/2008	(750223)
274	08/31/2008	(637068)
275	08/31/2008	(637076)
276	09/05/2008	(700024)
277	09/10/2008	(702237)
278	09/10/2008	(702256)

279	09/19/2008	(710692)
280	09/22/2008	(750224)
281	10/09/2008	(703510)
282	10/16/2008	(704306)
283	10/16/2008	(710693)
284	10/22/2008	(750226)
285	10/23/2008	(682549)
286	10/27/2008	(706455)
287	10/27/2008	(706540)
288	11/03/2008	(700060)
289	11/03/2008	(701753)
290	11/19/2008	(727450)
291	11/24/2008	(684019)
292	11/24/2008	(750228)
293	12/04/2008	(709362)
294	12/04/2008	(709367)
295	12/12/2008	(721015)
296	12/18/2008	(727451)
297	12/22/2008	(750230)
298	12/29/2008	(722320)
299	12/30/2008	(705857)
300	01/09/2009	(723179)
301	01/15/2009	(707647)
302	01/20/2009	(708950)
303	01/20/2009	(727452)
304	01/23/2009	(750232)
305	02/09/2009	(709972)
306	02/18/2009	(735789)
307	02/19/2009	(750212)
308	02/20/2009	(723069)
309	02/25/2009	(750216)
310	03/10/2009	(722825)
311	03/19/2009	(750213)
312	03/23/2009	(750217)
313	04/02/2009	(722827)
314	04/17/2009	(737361)
315	04/17/2009	(740668)
316	04/20/2009	(750214)
317	04/24/2009	(768318)
318	04/30/2009	(744066)
319	05/11/2009	(741959)
320	05/13/2009	(737311)
321	05/13/2009	(742834)
322	05/14/2009	(742134)
323	05/19/2009	(768315)
324	05/19/2009	(768317)
325	05/20/2009	(768319)
326	05/20/2009	(768321)
327	05/28/2009	(726407)
328	06/01/2009	(742131)
329	06/08/2009	(737950)
330	06/08/2009	(741940)
331	06/15/2009	(768316)
332	06/15/2009	(768320)
333	07/09/2009	(759379)
334	07/10/2009	(737104)
335	07/23/2009	(747258)
336	08/04/2009	(741963)
337	08/04/2009	(742135)

338	08/12/2009	(764686)
339	08/12/2009	(764845)
340	08/12/2009	(765197)
341	08/12/2009	(765199)
342	08/13/2009	(760336)
343	08/18/2009	(737105)
344	08/19/2009	(766023)
345	08/19/2009	(804534)
346	08/19/2009	(804541)
347	08/21/2009	(766514)
348	08/28/2009	(747477)
349	08/31/2009	(687729)
350	08/31/2009	(763433)
351	09/15/2009	(726215)
352	09/15/2009	(747259)
353	09/17/2009	(804535)
354	09/17/2009	(804542)
355	09/17/2009	(804543)
356	09/21/2009	(760334)
357	09/21/2009	(762422)
358	09/23/2009	(766994)
359	09/30/2009	(737217)
360	10/12/2009	(762569)
361	10/19/2009	(804536)
362	10/19/2009	(804537)
363	10/23/2009	(778758)
364	11/19/2009	(804544)
365	11/23/2009	(778496)
366	11/24/2009	(766997)
367	11/30/2009	(780176)
368	12/02/2009	(763495)
369	12/02/2009	(766995)
370	12/02/2009	(766996)
371	12/09/2009	(778830)
372	12/10/2009	(762424)
373	12/17/2009	(747492)
374	12/17/2009	(804538)
375	12/17/2009	(804545)
376	01/13/2010	(787368)
377	01/20/2010	(804539)
378	01/20/2010	(804546)
379	01/27/2010	(787380)
380	01/29/2010	(790337)
381	02/01/2010	(788201)
382	02/03/2010	(749600)
383	02/10/2010	(788491)
384	02/18/2010	(804533)
385	02/18/2010	(804540)
386	02/23/2010	(787148)
387	03/02/2010	(791204)
388	03/15/2010	(789829)
389	03/29/2010	(790604)
390	03/29/2010	(792150)
391	04/02/2010	(794620)
392	04/06/2010	(783318)
393	04/12/2010	(793088)
394	04/12/2010	(795209)
395	04/12/2010	(795244)
396	04/12/2010	(795254)

397 04/12/2010 (795268)
398 04/27/2010 (799949)
399 04/29/2010 (800569)
400 05/07/2010 (797014)
401 05/19/2010 (792168)
402 05/20/2010 (801366)
403 05/25/2010 (824557)
404 05/26/2010 (802424)
405 05/27/2010 (799073)
406 05/28/2010 (797475)

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

Date: 07/31/2005 (419643)
Self Report? YES Classification: Moderate

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

Date: 07/31/2005 (575191)
Self Report? YES Classification: Moderate

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

Date: 08/17/2005 (404327)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
Description: Failure to maintain ammonia emissions below 10ppm on furnace 110.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)

Description: Failure to maintain ammonia emissions below 10ppm on furnace 150.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
Description: Failure to maintain ammonia emissions below 10ppm on furnace 180.

Date: 09/30/2005 (468331)
Self Report? YES Classification: Moderate

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

Date: 10/10/2005 (406428)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to control emissions.

Date: 11/30/2005 (575199)
Self Report? YES Classification: Moderate

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

Date: 12/08/2005 (418800)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to maintain compliance with the effluent permit limits. Effluent violations were reported for ammonia-nitrogen at outfall 104 in 07/05 and for calcium, nickel and fecal coliform at outfall 001 in 03/05.

Date: 02/27/2006 (438342)
Self Report? NO Classification: Moderate

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

Description: Failed to control unauthorized emissions.

Date: 04/04/2006 (455004)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
NSR Permit #3173, Special Condition #1 PA

Description: Failure to control unauthorized emissions for Incident #64365.

Date: 05/17/2006 (461235)

Self Report? NO Classification: Moderate

Citation: 1946, Special Condition 15H OP
1946, Special Condition 1A OP
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA

Self Report? NO Classification: Minor

Citation: 1668, Special Condition 1A OP
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.

Self Report? NO Classification: Moderate

Citation: 1668, Special Condition 1A OP
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Conditions 5 and 6 PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions .

Self Report? NO Classification: Minor

Citation: 1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Condition 6E PERMIT
3218, Special Condition 8E PERMIT
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Nine OELs in HT2; 2 OELs in CIPX

Self Report? NO Classification: Minor

Citation: 18576, Special Condition 7E PERMIT
1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to seal 18 OELs in IRU.

Self Report? NO Classification: Minor

Citation: 1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3217, Special Condition 3E PERMIT
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)

Description: Failure to seal OELs in BD3.

Self Report? NO Classification: Moderate
Citation: 1946, Special Condition 21 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Condition 1 PERMIT
3216, Special Condition 5 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.

Self Report? NO Classification: Moderate
Citation: 1946, Special Condition 21 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Conditions 1 and 4 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
Description: The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.

Date: 05/31/2006 (455293)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
No. 3219 and PSD-TX-974 MAERT PERMIT
Description: Failure to prevent an operator error resulting in unauthorized emissions.

Date: 06/15/2006 (457735)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
9334 MAERT PERMIT
Description: Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.

Date: 06/16/2006 (510170)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Self-reporting Requirements PERMIT
Description: Using unapproved self-generated Discharge Monitoring Report (DMR) forms to report monitoring results.

Date: 06/30/2006 (520133)

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

Date: 07/31/2006 (440775)

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

Date: 07/31/2006 (575192)

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

Date: 08/18/2006 (457259)

Self Report? NO Classification: Minor
Citation: 266, SC 7E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3985A, SC 7E PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

O-01947, Special Condition 13 OP
 O-01947, Special Condition 1A OP
 Description: 3 OELs in SITEFE and 1 OEL in WRACKFE

Date: 08/23/2006 (457432)

Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 1A OP
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 13 OP
 1948, Special Condition 1A OP
 19849, Special Condition 11E PERMIT
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: 10 OELs in MPLANTFE

Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 13 OP
 1948, Special Condition 1A OP
 1968, Special Condition 3E PERMIT
 19849, Special Condition 11E PERMIT
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3173, Special Condition 6E PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFEE; 1 OEL in HPLANTFE

Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 13 OP
 1948, Special Condition 1A OP
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3173, Special Condition 6F PERMIT

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

Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 13 OP
 19849, Special Condition 7D PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to inspect Tank T667B by the due date of March 2005

Self Report? NO Classification: Moderate
 Citation: 1948, Special Condition 13 OP
 30 TAC Chapter 106, SubChapter K 106.261(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3173, Special Condition 1 PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.

Self Report? NO Classification: Moderate
 Citation: 1948, Special Condition 1H(iv) OP
 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to repair Component No. 200706 in IPACRUFEE within seven days

Self Report? NO Classification: Minor
 Citation: 1948, Special Condition 1A OP
 30 TAC Chapter 115, SubChapter D 115.354(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere

Date: 08/28/2006 (479997)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Condition 2I PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1H(v) OP

Description: Failure to repair Component No. 64110.P in OP2FUG within 15 days

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Condition 2E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: Forty-nine incidences of open-ended lines in OP2FUG

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3214, Special Condition 5E PERMIT
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: 26 OELs in OL3FUG and 4 OELs in PYR3FUG

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3214, Special Condition 5E PERMIT
3219, Special Condition 2E PERMIT
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP

O-1668, Special Condition 1A OP

Description: 28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Maximum Allowable Emission Rates PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP

Description: Exceedance of VOC MAER in tpy for the Olefins Flare System

Date: 08/29/2006 (479999)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 15E PERMIT
O-1943, Special Condition 17 OP
O-1943, Special Condition 1A OP

Description: One OEL in ACUFUG and one OEL in FUGOXU

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 7 PERMIT
O-1943, Special Condition 17 OP

Description: Incomplete records of furnace firing rates for the ACU furnace, EPN H902
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-1943, Special Condition 1A OP

Description: Failure to conduct internal inspection of Tank F-361 by the due date of May 2005
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 8 PERMIT
 O-1943, Special Condition 17 OP

Description: Operation of the East Property Flare with visible emissions
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to visually inspect Tank G-359 by the due date of August 16, 2005
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 9334, Special Condition 10D PERMIT
 O-1943, Special Condition 17 OP

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

Description: Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.

Date: 08/31/2006 (457283)

Description: Failure to analyze wastewater for isobutyraldehyde
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 48912, Special Condition 5 PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 15 OP

Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 1A OP

Description: Failure to obtain vapor pressure sample from T-1318
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 1A OP

Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301

Date: 11/14/2006 (512687)

Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01669, Special Condition #1A OP

Description: Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)(ii).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01669, Special Condition #1A OP
FOP #O-01669, Special Condition #1D OP
Description: Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).

Date: 11/30/2006 (544408)

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

Date: 12/31/2006 (544409)

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

Date: 02/23/2007 (532452)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 1M(iv) OP
FOP O-01946, Special Condition 21 OP
NSR #18576, Special Condition 7H PA
NSR #3216, Special Condition 6H PA
NSR #3217, Special Condition 3H PA
Description: Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP # O-01946, Special Condition 1A OP
FOP #O-01946, Special Condition 21 OP
NSR 3216, Special Condition 2 PA
NSR 3218, Special Condition 2 PA
Description: Failure to maintain 94 LDAR components with identification tags as required by 40 CFR 61.242-1(d) as well NSR Permits #3216 and #3218.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 1M(iv) OP
FOP O-01946, Special Condition 21 OP

NSR Permit 3215, Special Condition 2E PA
 NSR Permit 3216, Special Condition 2 PA
 NSR Permit 3216, Special Condition 6E PA
 NSR Permit 3217, Special Condition 3E PA
 NSR Permit 3218, Special Condition 2 PA
 NSR Permit 3218, Special Condition 8E PA

Description: Failure to cap 57 open-ended valves/lines per 30 TAC115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 21 OP
 NSR Permit 3216, Special Condition 1 PA

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

Self Report? NO Classification: Minor

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

Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).

Self Report? NO Classification: Moderate

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

Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 1A OP

Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP O-01946, Special Condition 28 OP

Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).

Date: 02/27/2007 (532471)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit PCC within 30 days as required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit a Deviation report within 30 days as required.

Date: 02/28/2007 (575168)

Self Report? YES Classification: Moderate

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

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

Date: 02/28/2007 (575177)

Self Report? YES Classification: Moderate

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

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

Date: 03/31/2007 (575169)

Self Report? YES Classification: Moderate

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

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

Date: 04/30/2007 (575170)

Self Report? YES Classification: Moderate

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

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

Date: 05/14/2007 (542697)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)

Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.

Date: 05/31/2007 (575171)

Self Report? YES Classification: Moderate

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

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

Date: 05/31/2007 (575187)

Self Report? YES Classification: Moderate

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

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

Date: 06/30/2007 (575172)

Self Report? YES Classification: Moderate

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

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

Date: 07/31/2007 (575173)

Self Report? YES

Classification: Moderate

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

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

Date: 08/29/2007 (543555)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01669, General Terms/Condition OP

Description: failed to submit a permit compliance certification and a deviation report in a timely manner.

Date: 08/31/2007 (601572)

Self Report? YES

Classification: Moderate

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

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

Date: 09/30/2007 (601573)

Self Report? YES

Classification: Moderate

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

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

Date: 02/05/2008 (610680)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7H PERMIT
NSR 3217, Special Condition 3H PERMIT
O-01946 Special Conditions 1M(iv) OP
O-01946 Special Conditions 1A OP

Description: Failure to affix and maintain leaking component tags on Leak Detection and Repair components.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 2 PERMIT
NSR 3218, Special Condition 2 PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 21 OP

Description: Failure to affix permanent identification tags on 76 LDAR components.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7E PERMIT
NSR 3216, Special Condition 6E PERMIT
NSR 3217, Special Condition 3E PERMIT
NSR 3218, Special Condition 8E PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 1M(iv) OP
O-01946 Special Condition 21 OP

Description: Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a

second valve. (CATEGORY C10 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01946 Special Condition 1M(ii) OP

Description: Failure to stay below the maximum operating limit for vents in HRVOC service.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01946 Special Condition 1M(ii) OP

Description: Failure to meet HRVOC monitoring/recordkeeping requirements.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 3216, Special Condition 11C PERMIT
 O-01946 Special Condition 21 OP

Description: Failure to continuously monitor and record the H2S concentration on the fuel gas on analyzer AI104 at the OP-2 fuel blend drum.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01946 Special Condition 21 OP
 Special Condition 11B PERMIT

Description: Failure to continuously monitor the Gross Heating Value (GHV) measurement of the fuel gas.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 3216, Special Condition 5 PERMIT
 O-01946 Special Condition 21 OP

Description: Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007.

Date: 04/01/2008 (610634)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
 5C THSC Chapter 382 382.085(b)
 NSR 3214, SC 5(E) PERMIT
 NSR 3214, SC 6(E) PERMIT
 NSR 3219, SC 2(E) PERMIT
 NSR 3219, SC 8 PERMIT
 O-01668, SC 1(A) OP
 O-01668, SC 1(H)(v) OP
 O-01668, SC 15(A) OP

Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
 5C THSC Chapter 382 382.085(b)
 NSR 3214, SC 5(H) PERMIT
 NSR 3214, SC 6(H) PERMIT
 NSR 3219, SC 2(H) PERMIT
 NSR 3219, SC 8 PERMIT
 O-01668, SC 1(A) OP
 O-01668, SC 1(H)(v) OP
 O-01668, SC 15(A) OP

Description: Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(H)(v) OP
 Description: Failure to repair valve 76372A within 7 days.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 56496, GC 8 PERMIT
 NSR 56496, SC 1 PERMIT
 O-01668, SC 15(A) OP
 Description: Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx) and FOL-710 (22 block hrs for 25 lbs excess NOx).

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 56496, SC 5 PERMIT
 O-01668, SC 15(A) OP
 Description: Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(A) OP
 Description: Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(H)(iv) OP
 Description: Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THSC Chapter 382 382.085(b)
 NSR 3219, SC 16 PERMIT
 NSR 3219, SC 5 PERMIT
 O-01668, SC 1(A) OP
 O-01668, SC 15(A) OP
 Description: Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(H)(ii) OP
 Description: Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(H)(ii) OP
 Description: Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP
Description: Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15(B) OP
Description: Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(A) OP
Description: Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.

Date: 04/09/2008 (639062)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 3 PERMIT
NSR 3173, SC 8(D) PERMIT
NSR 3985A, SC 8(D) PERMIT
NSR19849, SC 7(D) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 13(A) OP

Description: Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 1968, SC 3(E) PERMIT
NSR 19849, SC 11(E) PERMIT
NSR 19849, SC 13 PERMIT
NSR 19849, SC 14 PERMIT
NSR 3173, SC 6(E) PERMIT
O-01948, 13(A) OP
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP

Description: Failure to seal open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 6(I) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

Description: Failure to repair connector 702527 in IPACRUFE (in HRVOC service) within 15 days

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

NSR 3173, SC 6(H) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

Description: Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8 hours for the HIPA flare and the A&S flare.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(iii) OP

Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.

Date: 04/11/2008 (637073)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(iii) OP

Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.

Date: 04/11/2008 (610638)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP
O-02108, SC 15(A) OP
Permit 19849, SC 11(E) PERMIT

Description: Failure to seal three (3) open-ended lines (OEL's) from March 20, 2007 to March 30, 2007 in ENVSOFLR1 (tag nos. 188.P, 185, and 188).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Date: O-02108, SC 1(A) OP
Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP
Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.

Date: 05/31/2008 (689908)
Self Report? YES **Classification:** Moderate

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

Date: 06/30/2008 (689909)
Self Report? YES **Classification:** Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2008 (750223)
Self Report? YES **Classification:** Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 08/20/2008 (685355)
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Provision II.C.1.i. PERMIT
Description: Failure to have an up-to-date Notice of Registration for waste streams and waste management units.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
30 TAC Chapter 335, SubChapter E 335.112(a)
30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)
40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.15
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174
Provision II.D PERMIT
Description: Failure to complete required inspections.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.173(a)(3)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)
Provision V.G.4.g PERMIT

Description: Failure to maintain leachate levels below twelve inches in Site 104 Landfill.
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(12)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.303(c)(1)
Provision V.G.4.h PERMIT

Description: Failure to record the amount of leachate being removed from the landfill.
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(4)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73(b)(9)
Provision II.B.9 PERMIT
Description: Failure to have an Annual Waste Minimization Statement.

Date: 09/02/2008 (637076)
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, General Terms & Conditions OP
Description: Failure to submit the Annual Compliance Certification (ACC) report for the

certification period April 15, 2006 through October 15, 2007 within 30 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007 within 30 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21 OP
NSR 3179, GC 1 PERMIT

Description: Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21(A) OP
NSR 3179, GC 1 PERMIT
NSR 3179, SC 10 PERMIT

Description: Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
NSR 3179, SC 2 PERMIT

Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007 at 1700.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21(A) OP
NSR 3179, SC 13 PERMIT

Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to include in the Federal Operating Permit, vent gas stream collection vessel V8342.

Self Report? NO Classification: Minor

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

Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP

Description: Failure to prevent an exceedance of 100 annual operating hours for P87921 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP
 FOP O-01945, SC 21(A) OP
 NSR 3179, SC 2 PERMIT

Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP
 FOP O-01945, SC 21(A) OP
 NSR 3179, SC 20E PERMIT
 NSR 3179, SC 21E PERMIT
 NSR 3179, SC 3(B) PERMIT

Description: Failure to prevent four open-ended lines: Tag No. 450133.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP
 FOP O-01945, SC 21(A) OP
 NSR 3179, SC 21(H) PERMIT

Description: Failure to tag the following components: Tag No. 322769 in Phenol 3 on February 8, 2007, and tag no. 950522 in Phenol 3 on March 21, 2007, which constitutes the violation of NSR Permit 3179 SC 21H, 30 TAC 115.354(5), and 40 CFR 63.181(b) (10).

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 115, SubChapter H 115.725(l)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(H)(iii) OP

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

Date: 09/30/2008 (710693)

Self Report? YES **Classification:** Moderate

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

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

Date: 12/31/2008 (750232)

Self Report? YES **Classification:** Moderate

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

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

Date: 02/28/2009 (750213)

Self Report? YES **Classification:** Moderate

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

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

Date: 03/31/2009 (768318)

Self Report? YES **Classification:** Moderate

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

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

Date: 04/17/2009 (737361)

Self Report? NO Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Permit Condition, pg. 7. no.2(g) PERMIT

Description: Failure to prevent the unauthorized discharge of untreated or partially treated wastewater. Foam and solids overflowed the North Effluent Treater (NET) aeration basin walls on January 8, 2009. Also, untreated or partially treated wastewater leaked from the temporary transfer line that was transporting wastewater from the Storm Water Impoundment Basin (SWIB) to the South Effluent Treater (SET).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(9)

Description: Failure to submit a non-compliance notification for the unauthorized discharge of untreated or partially treated wastewater and foam from the aeration basins at the North Effluent Treaters.

Date: 04/17/2009 (740668)

Self Report? NO Classification: Major

Citation: 2A TWC Chapter 5, SubChapter A 5.502
30 TAC Chapter 305, SubChapter F 305.125(7)
30 TAC Chapter 305, SubChapter F 305.125(8)

Description: Failure to notify the Texas Commission on Environmental Quality (TCEQ) of the intent and commencement of discharge of wastewater from the Shell Refinery to the Shell Chemical plant.

Date: 04/30/2009 (768319)

Self Report? YES Classification: Moderate

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

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

Date: 07/14/2009 (737104)

Self Report? NO Classification: Minor

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

Description: Failure to tag leaking components.

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

Description: Failure to continuously monitor a pressure relief valve for HRVOC.
Self Report? NO Classification: Moderate

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

Description: Failure to register two Permit by Rules that require registration.
Self Report? NO Classification: Moderate

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

Description: Failure to store VOC in proper storage tanks.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with the sitewide hourly HROVC limit.

Date: 07/24/2009 (747258)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 1E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to plug/cap all open ended lines in VOC and HRVOC services (Category C10, minor violation).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 1H PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to tag leaking components in VOC and HRVOC services.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, GC 8 PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to keep pound per hour carbon monoxide emissions from the furnaces within the limit specified in the MAERT.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with carbon monoxide 24 hour concentration limits in the stacks.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to keep the monitoring parameters within the maximum operating limit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 11 PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to comply with the individual pound NOx/MMBtu limits for furnaces in Olefins 2 Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 12H PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to comply with the rolling 12 month throughput limit for a storage tank.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to collect required sample from a cooling tower.

Date: 08/18/2009 (737105)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Shell Chemicals LP failed to revise Title V Federal Operating Permit O-02108 to incorporate references in NSR permit 48912. (FOP O-02108; NSR 48912)

Self Report? NO Classification: Moderate

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

Description: Shell Chemicals LP failed to report missed recordkeeping of pilot monitoring of A&S from July 31, 2008 through December 31, 2008 in a timely manner. (FOP O-02108)

Date: 08/28/2009 (747477)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(2)
5C THSC Chapter 382 382.085(b)
Special Condition (SC) No. 11G OP

Description: Failure to maintain records on the HIPA flare (A1333) pilot's monitor from October 30, 2007 through November 10, 2007. (Category C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP

Description: Failure to maintain the H9200 incinerator's 3-hour average VOC limit of 20 ppm for 11 hours in November 2007. (Category B19(g)(1))

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP
SC No. 21 OP
SC No. 23 PERMIT

Description: Failure to record the H9200 incinerator's CEMS data on August 7, 2007 for 9.32 hours and on November 8, 2007 for 1.6 hours. (Category C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP

Description: Failure to maintain the H87002 thermal oxidizer's temperature above 1505 degrees Fahrenheit on March 21, 2007, June 12, 2007, September 13, and February 3, 2008 for 23 hours and 59 minutes each day. (Category B19(g)(1))

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 2F OP

Description: Failure to submit an emissions (STEERS No. 106008) report within 24 hours after the event. The RE documented in the deviation report dated May 13, 2008, the report was due April 6, 2008 and not submitted until April 8, 2008. (Category C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 21 OP
SC No. 7 PERMIT

Description: Failure to maintain documentation to demonstrate compliance with the marine loading requirements for acetone with regards to pump capacity limitation from April 16, 2008 through June 30, 2008 and August 10, 2008 through October 14, 2008. (Category B3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter G 117.8100(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 14B PERMIT
SC No. 1A OP
SC No. 21 OP

Description: Failure to conduct the Phenol #3 BIF Boiler (H-87920) CEMS nitrogen oxide cylinder gas audit (CGA) for the third quarter of 2008 (7/1/08 through 9/30/08). (Category B1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
SC No 1A OP
SC No. 21 OP
SC No. 21H PERMIT

Description: Failure to tag P0113, 348837, 322724, 322769, 322811, 322819, 325567, and 328623.1 from June 23 to June 24, 2008; and on 0301, 0713.1, 0822.2, and 1249 from June 18 to June 19, 2008. (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
SC No. 14 PERMIT
SC No. 1A OP
SC No. 21 OP

Description: Failure to maintain the East Property flare (EPN: EPFLARE) net heating value above 300 BTU/scf and/or the required exit velocity from January 1, 2008 through December 31, 2008 for 152 hours. (Category B19(g)(1))

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 116, SubChapter B 116.117(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 22 OP

Description: Failure to register PBRs 30 TAC 106.261 and 106.262 from January 1, 2008 through December 31, 2008. (Category C3)

Date: 08/31/2009 (687729)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669 SC 1(A) OP
FOP O-01669 SC 24(A) OP
NSR 21262 SC 2 PERMIT
NSR 21262 SC 25 PERMIT

Description: Failure to monitor the fuel gas for H2S content during Pressure Swing Absorber (PSA) flaring to the North Property Flare (FLNFLARE) on May 20, 2008 from 1800 to 1811 due to unknown problems.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP

Description: Failure to prevent the exceedance of the ammonia (NH3) limit on June 29, 2008 from 1700 to 1800 from the Fluid Catalytic Cracking Unit (FCCU) H600.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 2(F) OP

Description: Failure to provide a 24-hour notification of a reportable event.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitors for CWT-7 and CWT-17.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitor for CWT-16.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to sample upon the loss of the HRVOC monitor for various HRVOC flares.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 10(E) PERMIT
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(E) PERMIT

Description: Failure to seal 43 open-ended lines (OEL's) from January 1, 2008 through December 31, 2008 (GRPREFUG).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to maintain a 95% up-time for the following HRVOC analyzers: Girbitol Flare (86.3% annual up-time) and East Property Flare (94.2% annual up-time).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to maintain a 95% up-time for the HRVOC analyzers for CWT-6 (92.5% annual up-time).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(H) PERMIT

Description: Failure to tag one leaking component (No. 402) in GRPREFUG, discovered during a 3rd-aprty HRVOC audit from July 1, 2008 to December 31, 2008.

Date: 09/15/2009 (747259)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1H(i) OP

Description: Failed to conduct sampling when HRVOC analyzer for A&S flare was offline.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1H(i) OP

Description: Failed to meet 95% uptime requirement for the A&S Flare HRVOC monitoring system.

Self Report? NO Classification: Minor

Citation: 266, SC 2 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
O-01947, SC 13 OP

Description: Failed to maintain a complete record of the flare pilot monitor for the A&S flare.

Date: 09/15/2009 (726215)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: NOR was not timely updated.

Date: 09/30/2009 (804536)

Self Report? YES Classification: Moderate

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

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

Date: 09/30/2009 (737217)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
FOP, General Terms and Condition 1A OP
FOP, Special Condition 21 OP
NSR, Special Condition 7E PERMIT

Description: Failure to seal open ended lines. (Category C10 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
FOP, General Condition 1A OP
FOP, Special Condition 21 OP
NSR 3218 SC 9H, and NSR 3216 SC 6H PERMIT

Description: Failed to tag leaking fugitive components.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Condition 21 PERMIT
FOP, Special Condition 23 PERMIT

Description: Failed to register Permit by Rule (PBR) 106.261 and 106.262.

Date: 10/31/2009 (804537)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

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

Date: 12/17/2009 (747492)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 13 OP
Special Condition 1H(lv) OP
Special Condition 3E PA
Special Condition 6E PA
Special Condition 8E PA

Description: Failure to cap/plug open-ended lines in volatile organic compound (VOC) and hazardous air pollutant (HAP) service, ID#IPAFINFE/CRUFE. CATEGORY C10.

Self Report? NO Classification: Minor

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)
Special Condition IA OP

Description: Failure to monitor a pressure relief valve in volatile organic compound (VOC) service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to sample HRVOC analyzers.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to continuously operate the monitoring system on the highly reactive volatile organic compound (HRVOC) Flare ID#A&S (A1301) and pressure relief valve (PRV-361)).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 13 OP
Special Condition 1A OP
Special Condition 8D PA

Description: Failure to conduct annual visual inspection on tank T-92 on time.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA

Description: Special Condition 13 OP
Failure to limit the hourly VOC emissions. Shell exceeded the 0.52 lb/hr VOC emission limit for V118 Stack.

Date: 01/28/2010 (787380)

Self Report? NO Classification: Moderate

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

Description: Failure to prevent unauthorized emissions.

Date: 05/28/2010 (797475)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.11(a)

Description: Failure to collect Oil and Grease (O&G) samples as required. At the time of the inspection, the O&G sample was not being collected directly into a wide mouth glass jar with a Teflon lined lid. O&G samples must be collected directly into a

wide mouth glass jar with a Teflon lined lid without overfilling or submerging the container.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit No. 00403000, EL&MR No. 1 PERMIT
Description: Failure to maintain compliance with the permitted effluent limits for Total Sulfide and Phenolics. During the review period of May 1, 2008 through March 29, 2010, two violations were reported.

Date: 06/01/2010 (799073)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
SC 6 PERMIT
ST&C 15 OP
ST&C 1A OP
Description: Failure to maintain flare resulting in visible emissions from flare. (CATEGORY C4 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 12 PERMIT
ST&C 15 OP
Description: Failure to maintain the furnaces resulting in exceedance of lb-NOx/MMBtu hourly limit of 0.08 lb-NOx/MMBtu. (CATEGORY B18 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to collect samples or samples collected late on the HRVOC flares. (CATEGORY C1 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 9 PERMIT
ST&C 15 OP
ST&C 1A OP
Description: Failure to collect samples on the HRVOC Cooling Tower. (CATEGORY C1 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to stay within the CO rolling 24 hour average concentration in ppm. (CATEGORY B18 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.340(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 11 PERMIT
ST&C 15 OP
ST&C 1A OP
Description: Failure to maintain CEMS resulting in greater than 5% downtime. (CATEGORY C4 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 2E PERMIT
SC 6E PERMIT
ST&C 15 OP

Description: ST&C 1A OP
 Failure to maintain caps or plugs resulting in open ended lines. (CATEGORY C10 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to stay within the monitoring parameter for maximum operating limit for HRVOC vents (EPN FP3-1130). (CATEGORY C4 violation)

Self Report? 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)
 GT&C OP

Description: Failure to submit a complete and accurate deviation report. (CATEGORY B3 violation)

F. Environmental audits.

Notice of Intent Date: 01/04/2005 (349867) *Outside of Compliance History Date Range

Disclosure Date: 06/17/2005

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.320
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(d)(5)

Description: documentation was not readily available to fully demonstrate that a formal refinery maximum achievable control technology applicability determination (ie >5% HAPS) had been made for equipment in light crude service

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: one New Source Performance Standard (NSPS) notification for Start of Construction and Start of Operation for the CGHT unit could not be located

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(a)(3)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(b)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)

Description: documentation was not readily available to fully demonstrate that the process to determine if a project triggered NSPS "Modification" was being completed for NSPS Subpart GGG compliance

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)
 30 TAC Chapter 101, SubChapter A 101.10(c)
 30 TAC Chapter 101, SubChapter A 101.10(d)
 30 TAC Chapter 101, SubChapter A 101.10(e)
 40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30(a)

Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.100
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)

Description: documentation was not readily available to demonstrate the development of a formal startup, shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual report was submitted

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.320
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(l)(3)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(f)(1)(ii)

Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability determination for miscellaneous process vents

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)(i)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(6)

Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no leaks were detected, it is unclear whether there was complete compliance with HON requirements

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)

Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not been performed as required by benzene waste NESHAP regulations

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(b)

Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access hatches and other openings are properly closed and gasketed had not been performed as required by the benzene waste NESHAP regulations

Notice of Intent Date: 08/22/2005 (434090)

No DOV Associated

Notice of Intent Date: 08/22/2005 (434095)

No DOV Associated

Notice of Intent Date: 11/04/2005 (438422)

No DOV Associated

Notice of Intent Date: 12/02/2005 (451075)

No DOV Associated

Notice of Intent Date: 01/05/2006 (452942)

No DOV Associated

Notice of Intent Date: 01/05/2006 (452952)

No DOV Associated

Notice of Intent Date: 05/22/2006 (454159)

No DOV Associated

Notice of Intent Date: 04/18/2007 (562595)

No DOV Associated

Notice of Intent Date: 08/03/2007 (593493)

Disclosure Date: 12/19/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

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

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(1)

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

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

Viol. Classification: Minor

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

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

Viol. Classification: Minor

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

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

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

No DOV Associated

Notice of Intent Date: 09/24/2007 (596731)

Disclosure Date: 03/25/2008

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT 00402

Description: Failure to maintain the storm water sewer line integrity.

Notice of Intent Date: 10/16/2007 (599701)

No DOV Associated

Notice of Intent Date: 10/16/2007 (599713)

No DOV Associated

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

No DOV Associated

Notice of Intent Date: 01/11/2008 (616239)

Disclosure Date: 07/16/2008

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT 00402

Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 04/08/2008 (654698)

No DOV Associated

Notice of Intent Date: 04/18/2008 (654683)

No DOV Associated

Notice of Intent Date: 06/17/2008 (686667)

Disclosure Date: 11/25/2008

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT TPDES 00402

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

Notice of Intent Date: 08/18/2008 (701440)

Disclosure Date: 02/19/2009

Viol. Classification: Moderate

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

Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 09/08/2008 (704658)

No DOV Associated

Notice of Intent Date: 10/27/2009 (785669)

No DOV Associated

Notice of Intent Date: 11/12/2009 (785386)

No DOV Associated

Notice of Intent Date: 01/12/2010 (789407)

No DOV Associated

G. Type of environmental management systems (EMSs).

01/11/2008 ENVIRONMENTAL MANAGEMENT SYSTEMNON 30 TAC CH 90 CERTIFIED

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	24-May-2010	Screening	1-Jun-2010	EPA Due	N/A
	PCW	1-Jun-2010				

RESPONDENT/FACILITY INFORMATION	
Respondent	Shell Chemical LP
Reg. Ent. Ref. No.	RN400211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	39490	No. of Violations	1
Docket No.	2010-0609-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Rebecca Johnson
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$20,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	516.0% Enhancement	Subtotals 2, 3, & 7	\$103,200
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Notes
 Penalty enhancement due to 30 NOVs for same or similar violations, 12 NOVs for dissimilar violations, seven agreed orders with a denial of liability, and 10 agreed orders without a denial of liability. Penalty reduction due to 22 Notices of Intended Audits submitted, eight Disclosures of Violations submitted, and the Respondent's participation in an Environmental Management System.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$2,000
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$12	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$800	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$121,200
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$121,200
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$20,000
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes
 No deferral is recommended for Findings/Orders.

PAYABLE PENALTY	\$20,000
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Screening Date 1-Jun-2010

Docket No. 2010-0609-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 39490

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

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)	30	150%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	7	140%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	10	250%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	22	-22%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	8	-16%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 518%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty enhancement due to 30 NOVs for same or similar violations, 12 NOVs for dissimilar violations, seven agreed orders with a denial of liability, and 10 agreed orders without a denial of liability. Penalty reduction due to 22 Notices of Intended Audits submitted, eight Disclosures of Violations submitted, and the Respondent's participation in an Environmental Management System.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 516%

Screening Date 1-Jun-2010

Docket No: 2010-0609-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 39490

PCW Revision October 30, 2009

Reg. Ent. Reference No. RM100211879

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

Violation Number

1

Rule Cite(s)

Air Permit No. 3219 and PSD-TX-974, Special Condition No. 1, 30 Tex. Admin. Code §§ 101.20(3) and 116.115(c), and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions during Incident No. 134361. Specifically, during the January 11, 2010 emissions event, the following unauthorized emissions were released from the OP-2 Elevated Flare, the OP-3 Elevated Flare, and the OP-3 Ground Flare over a period of 37 hours when a technician closed a valve on a flow meter impulse line causing the process gas compressor to shut down: 13,131.5 pounds ("lbs") of volatile organic compounds (including 6,529 lbs of ethylene and 3,267 lbs of propylene), 9,901 lbs of carbon monoxide, and 1,109.2 lbs of nitrogen oxides. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 Tex. Admin. Code § 101.222 for an affirmative defense were not met.

Base Penalty

\$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	X		
Potential			

Percent

100%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent

0%

Matrix Notes

Human health or the environment in the Houston-Galveston-Brazoria Ozone Nonattainment Area has been exposed to over 12 tons of pollutants, including over 4 tons of highly reactive volatile organic compounds, as a result of the violation.

Adjustment

\$0

\$10,000

Violation Events

Number of Violation Events

2

2

Number of violation days

mark only one with an x

daily	X
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty

\$20,000

Two daily events are recommended.

Good Faith Efforts to Comply

10.0% Reduction

\$2,000

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

Notes

The Respondent completed corrective actions on June 6, 2010, which was after the May 19, 2010 NOE and before the July 21, 2010 settlement offer.

Violation Subtotal

\$18,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$12

Violation Final Penalty Total

\$121,000

This violation Final Assessed Penalty (adjusted for limits)

\$20,000

Economic Benefit Worksheet

Respondent: Shell Chemical LP
Case ID No.: 39490
Reg. Ent. Reference No.: RN100211879
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	11-Jan-2010	5-Jun-2010	0.40	\$2	n/a	\$2
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	11-Jan-2010	5-Jun-2010	0.40	\$10	n/a	\$10

Notes for DELAYED costs

Estimated cost to implement measures (employee training and equipment analysis) designed to prevent the recurrence of emissions events due to a valve on a flow meter impulse line being closed causing the process gas compressor to shut down. The date required is the date of the emissions event. The final date is the date corrective actions were completed.

Avoided Costs

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

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

\$600

TOTAL

\$12

Compliance History Report

Customer/Respondent/Owner-Operator:	CN601405145 Shell Chemical LP	Classification: AVERAGE	Rating: 7.78
Regulated Entity:	RN100211879 SHELL OIL DEER PARK	Classification: AVERAGE	Site Rating: 13.37
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0659W
	AIR OPERATING PERMITS	PERMIT	1669
	AIR OPERATING PERMITS	PERMIT	1668
	AIR OPERATING PERMITS	PERMIT	1943
	AIR OPERATING PERMITS	PERMIT	1945
	AIR OPERATING PERMITS	PERMIT	1946
	AIR OPERATING PERMITS	PERMIT	1947
	AIR OPERATING PERMITS	PERMIT	1948
	AIR OPERATING PERMITS	PERMIT	2108
	AIR OPERATING PERMITS	PERMIT	1940
	AIR OPERATING PERMITS	PERMIT	1942
	AIR OPERATING PERMITS	PERMIT	3179
	WASTEWATER	PERMIT	WQ0000402000
	WASTEWATER	PERMIT	TPDES0004863
	WASTEWATER	PERMIT	TX0004863
	WASTEWATER	PERMIT	WQ0000403000
	WASTEWATER	PERMIT	TPDES0004871
	WASTEWATER	PERMIT	TX0004871
	WASTEWATER	EPA ID	TX0004871
	AIR NEW SOURCE PERMITS	REGISTRATION	92386
	AIR NEW SOURCE PERMITS	REGISTRATION	92219
	AIR NEW SOURCE PERMITS	PERMIT	21262
	AIR NEW SOURCE PERMITS	REGISTRATION	54895
	AIR NEW SOURCE PERMITS	REGISTRATION	55312
	AIR NEW SOURCE PERMITS	REGISTRATION	76382
	AIR NEW SOURCE PERMITS	REGISTRATION	75524
	AIR NEW SOURCE PERMITS	REGISTRATION	55730
	AIR NEW SOURCE PERMITS	REGISTRATION	55869
	AIR NEW SOURCE PERMITS	REGISTRATION	76315
	AIR NEW SOURCE PERMITS	PERMIT	7855
	AIR NEW SOURCE PERMITS	REGISTRATION	11177
	AIR NEW SOURCE PERMITS	REGISTRATION	12152
	AIR NEW SOURCE PERMITS	REGISTRATION	12537
	AIR NEW SOURCE PERMITS	PERMIT	13373
	AIR NEW SOURCE PERMITS	REGISTRATION	13713
	AIR NEW SOURCE PERMITS	REGISTRATION	16429

AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	REGISTRATION	10888
AIR NEW SOURCE PERMITS	REGISTRATION	11096
AIR NEW SOURCE PERMITS	REGISTRATION	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	REGISTRATION	12829
AIR NEW SOURCE PERMITS	REGISTRATION	13678
AIR NEW SOURCE PERMITS	REGISTRATION	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	REGISTRATION	15262
AIR NEW SOURCE PERMITS	REGISTRATION	15365
AIR NEW SOURCE PERMITS	REGISTRATION	15499
AIR NEW SOURCE PERMITS	REGISTRATION	15940
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	REGISTRATION	24096
AIR NEW SOURCE PERMITS	REGISTRATION	27598
AIR NEW SOURCE PERMITS	REGISTRATION	29597
AIR NEW SOURCE PERMITS	REGISTRATION	32282
AIR NEW SOURCE PERMITS	REGISTRATION	33524
AIR NEW SOURCE PERMITS	REGISTRATION	34230
AIR NEW SOURCE PERMITS	REGISTRATION	34358
AIR NEW SOURCE PERMITS	REGISTRATION	35243
AIR NEW SOURCE PERMITS	REGISTRATION	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	266
AIR NEW SOURCE PERMITS	PERMIT	1920

AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	REGISTRATION	41920
AIR NEW SOURCE PERMITS	REGISTRATION	41875
AIR NEW SOURCE PERMITS	REGISTRATION	42221
AIR NEW SOURCE PERMITS	REGISTRATION	42573
AIR NEW SOURCE PERMITS	REGISTRATION	42512
AIR NEW SOURCE PERMITS	REGISTRATION	43605
AIR NEW SOURCE PERMITS	REGISTRATION	42118
AIR NEW SOURCE PERMITS	REGISTRATION	45654
AIR NEW SOURCE PERMITS	PERMIT	45653
AIR NEW SOURCE PERMITS	PERMIT	45652
AIR NEW SOURCE PERMITS	REGISTRATION	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	REGISTRATION	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	REGISTRATION	70903
AIR NEW SOURCE PERMITS	REGISTRATION	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	REGISTRATION	54061
AIR NEW SOURCE PERMITS	REGISTRATION	50548
AIR NEW SOURCE PERMITS	REGISTRATION	52565
AIR NEW SOURCE PERMITS	REGISTRATION	52089
AIR NEW SOURCE PERMITS	REGISTRATION	52088
AIR NEW SOURCE PERMITS	REGISTRATION	50388
AIR NEW SOURCE PERMITS	REGISTRATION	50423
AIR NEW SOURCE PERMITS	REGISTRATION	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572

AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	87183
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	87871
AIR NEW SOURCE PERMITS	REGISTRATION	87174
AIR NEW SOURCE PERMITS	REGISTRATION	84538
AIR NEW SOURCE PERMITS	REGISTRATION	87173
AIR NEW SOURCE PERMITS	REGISTRATION	91151
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50099
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443

PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50099
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

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

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 01, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 01, 2005 to June 01, 2010

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

Name: Rebecca Johnson Phone: (361) 825-3420

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: 02/20/2006

ADMINORDER 2005-0765-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.721(a)

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to obtain control emissions from an emissions event that occurred on December 21, 2000 at the Coker Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete final report for a reportable emissions event which occurred at the Coker Unit on December 21, 2000.

Effective Date: 02/20/2006

ADMINORDER 2005-0734-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent a power outage at Switchback 6B13 which resulted in unauthorized emissions from the HIPA Flare, HIPA Vent, Benji Vent (PC5500A), and Relief Valves RV0624, RV3033B,

and RV0298 on May 9, 2004. Category A.11.i(6).

Classification: Major

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

Rqmt Prov: Also No. 3219, GC #8 PERMIT

Description: Failed to maintain the ratio of hydrogen to acetylene in the converter resulting in the flaring of off-specification product resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on June 17, 2004.

Classification: Major

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

Rqmt Prov: SC #1 PERMIT

Description: Failed to prevent the lifting of Relief Valve RV3033B on the fat acid storage tank (T-75B) on June 27, 2004 which resulted in unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Also No. 3219, GC #8 PERMIT

Description: Failed to maintain steam pressure on the Olefins 2 Unit and operated the Propylene Refrigerator Compressor with a faulty suction/pressure indicating controller resulting in the flaring of off-specification products at the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on September 13, 2004.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR Permit #3173, Special Condition #1 PA

Description: Failed to comply with the maximum allowable emission rates for carbon monoxide, volatile organic compounds ("VOC"), and nitrogen oxides and varied from permit representations for VOC emissions from the IPA Purge Line on September 6, 2004

Classification: Major

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

Rqmt Prov: Also Permit No. 3219, Gen. Condition 8 PERMIT

Description: Failed to control the ammonia concentration in the sour hydrogen feed resulting in excess emissions from the OP2 Elevated Flare, OP3 Elevated Flare, and OP3 Ground Flare on May 22, 2004. Category A.11.i(6).

Classification: Minor

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

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

Effective Date: 05/12/2006

ADMINORDER 2005-1614-AIR-E

Classification: Moderate

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

Description: Failed to report the December 25, 2004 emissions event within 24 hours of discovery.

Classification: Moderate

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

Rqmt Prov: Permit No 3214, Gen Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 241 lbs of 1, 3-Butadiene, 322 lbs of Butene, 1,299 lbs of Pentane, 2,182 lbs of Ethylene, 68 lbs of Benzene and 1,018 lbs of Propylene during a 10 hour and 30 minute emissions event that occurred on December 25, 2004 in the OP3 Unit.

Classification: Moderate

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

Rqmt Prov: General Condition #8 PERMIT

Description: Failed to prevent unauthorized emissions of 686 lbs of 1, 3-Butadiene, 949 lbs of Butene, 1,299 lbs of Pentane, 4,059 lbs of Ethylene and 2,044 lbs of Propylene during a 23 minute emissions event that occurred on February 17, 2005 in the Olefins No. 3 Unit ("OP3").

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Max. Allow. Em. Rate Ta PERMIT

Description: Failed to prevent unauthorized emissions of 1847.7 lbs of Ethylene, 680.70 lbs of Carbon Monoxide, and 87.3 lbs of Nitrogen Monoxide during a 3-hour emissions event that occurred on February 24, 2005 at the Acetylene Converters in the Olefins #2 Unit.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Gen. Cond. No. 8 OP

Description: Failed to prevent unauthorized emissions of 404 lbs of volatile organic compounds ("VOC") in one hour on January 13, 2005 in the OP2 Unit Elevated Flare. Specifically, 868 lbs of VOCs were released and the VOC maximum allowable emission rate for the flare is 464 lbs per hour.

Effective Date: 08/15/2008

ADMINORDER 2007-2001-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

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

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/15/2008

ADMINORDER 2008-0079-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 3179, SC 6 PERMIT

Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342., in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Effective Date: 09/22/2008

ADMINORDER 2007-1789-AIR-E

Classification: Moderate

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

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

Description: Shell failed to prevent an avoidable emissions event.

Classification: Moderate

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

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

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

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

Classification: Moderate

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

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

Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008

ADMINORDER 2007-1472-AIR-E

Classification: Moderate

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

Rqmt Prov: No.1968, Special Condition #1, MAERT PERMIT

Description: Shell failed to prevent an avoidable emissions event that resulted in the release of a large quantity of VOCs.

Classification: Moderate

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

Rqmt Prov: Permit No.3214, Special Condition #1 PERMIT

Description: failed to comply with permitted emissions limits.

Classification: Minor

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

Description: Failure to list the compound descriptive type for the emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, Gen Condition 8 PERMIT

Description: failed to comply with permitted emissions limits

Effective Date: 11/06/2008

ADMINORDER 2007-1218-AIR-E

Classification: Moderate

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

Rqmt Prov: Permit No.3173, Special Condition #1 PERMIT

Description: Failure to install the metallurgically correct cap to a pump causing a leak to develop on a pump.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 9334, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Failed to notify the TCEQ Region Office of an emission event within 24 hours.

Effective Date: 11/17/2008

ADMINORDER 2008-0283-AIR-E

Classification: Moderate

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

Rqmt Prov: NSR Permit 3219 and PST-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 7,275 lbs of sulfur dioxide, 38.50 lbs of CO, 5.33 lbs of NOx, 77.30 lbs of H2S, 304.3 lbs of volatile organic compounds, and 0.70 lbs of particulate matter were released through the East Property Flare in the Catalytic Cracker Feed Hydrotreater Unit during an emissions event (Incident No. 99227) that occurred on October 24, 2007 and lasted one hour and 50 minutes.

Effective Date: 12/04/2008

ADMINORDER 2008-0635-AIR-E

Classification: Moderate

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

Rqmt Prov: NSR 3173, SC 1 PERMIT
O-01948, SC 13(A) OP

Description: Failed to maintain the VOC MAER of 0.52 lbs per hour at Vent V118 for six hours from April 2, 2007 to August 30, 2007.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions from the East Property Flare on December 16, 2007.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THSC Chapter 382 382.085(b)

Description: Failed to provide information within 14 days of the Additional Information Request dated February 11, 2008.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

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

Description: Failed to prevent unauthorized emissions from the Coker Flare on February 4, 2008.

Effective Date: 12/04/2008

ADMINORDER 2006-0328-MLM-E

Classification: Moderate

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

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT
TCEQ Flex Air Permit 21262/PSDTX928, SC1 PERMIT

Description: Shell failed to prevent the unauthorized release of air contaminants into the atmosphere.

Classification: Minor

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

Description: Shell failed to comply with emissions event reporting requirements.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter A 382.085(b)

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

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

Classification: Moderate

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

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

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: No. 21262, SC #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Shell failed to submit an emissions event report within two weeks after the end of the event.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit 3179, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 2162/PSDTX 928, S.C. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(3)(i)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)

Rqmt Prov: Permit 50099, Provision V.1.2.b. PERMIT

Description: Shell failed to comply with BIF operating parameters for the total ash feed rate, by not revising the data in the Distributed Control Systems for the correct level of ash being fed into the unit.

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Shell failed to identify the preconstruction authorization number in the final report submitted to the agency for the facility involved in the emissions event, which occurred on June 15, 2005, in the CCU.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. No. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to comply with the permitted emission limits.

Classification: Moderate

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

Rqmt Prov: Permit No. 3173, Special Condition 13 PERMIT

Description: Shell failed to comply with the permitted emission limits.

Classification: Minor

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

Description: Shell failed to submit an initial notification of an emissions event within the 24-hour period for the emissions event that occurred on June 28, 2006 at Tank T-75A.

Classification: Moderate

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

Rqmt Prov: Permit No.3178, Special Condition No.1 PERMIT

Description: Shell failed to comply with the permitted emission limits.

Classification: Moderate

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

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

Description: Shell failed to prevent an unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit No. 21262, SC1 PERMIT

Description: Shell failed to prevent an avoidable emissions event.

Effective Date: 02/08/2009

ADMINORDER 2007-0837-AIR-E

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that started on December 5, 2005.

Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a PI-7 Form within 10 days following modification of the three storage tanks.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #2 PERMIT

Description: Failed to comply with the 20 ppm HAP limit for Spent Air Incinerator H9200.

Classification: Moderate

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

Rqmt Prov: FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC#1 PERMIT

Description: Failed to comply with the 9.0 lbs/hr acetone emissions limit for Spent Air Incinerator H9200.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to comply with the 20 ppm VOC emissions limit for Spent Air Incinerator H9200.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21E PERMIT

Description: Failed to maintain a cap, plug, or blind flange on all open-ended lines.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21H PERMIT

Description: Failed to maintain a leaking component tag on leaking components until the component is repaired.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to make a first attempt to repair a leaking component within five days after discovery.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(E)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, General Terms & Conditions OP

Description: Failed to maintain all required monitoring analysis data.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #14 PERMIT

Description: Failed to perform continuous monitoring of the flare pilot flame.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945 General Terms & Conditions OP

Description: Failed to submit an annual compliance certification and deviation report within 30 days after the reporting period.

Classification: Moderate

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

Rqmt Prov: No.3219 and PSD-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions during a December 14, 2006 emissions event.

Classification: Moderate

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

Rqmt Prov: No.3219, MAERT PERMIT
PSD-TX-974 PERMIT

Description: Failed to prevent unauthorized emissions during a February 1, 2007 emissions event.

Effective Date: 06/15/2009

ADMINORDER 2008-1621-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent the shutdown of the compressor.

Classification: Moderate

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

Rqmt Prov: FOP O-01669, General Terms & Conditions OP

Description: Failure to submit the annual Permit Compliance Certification within 30 days of the end of the certification period.

Effective Date: 08/23/2009

ADMINORDER 2008-1092-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 21262 AND PSD-TX-928, SC No. 1 PERMIT

Description: Shell exceeded permit limits during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: Permit PERMIT

Description: Failed to prevent the unauthorized emissions of: 2,540 lbs of VOC, 12 lbs of H2S, 452 lbs of NOx, 3,248 lbs of CO, and 1,216 lbs of SO2 released from the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare during an emissions event that occurred on March 7, 2008 and lasted 4 hours and 0 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent plugging of level transmitter (L.T-257) tap.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent an electrical short during installation of additional alarm at SRU Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent wet gas compressor malfunction.

Classification: Moderate

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

Rqmt Prov: MAERT PERMIT

Description: Failed to prevent the shutdown of the SRUs.

Effective Date: 08/31/2009

ADMINORDER 2008-1925-AIR-E

Classification: Moderate

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

Rqmt Prov: SC 1 PA

Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the North Property Flare on June 18, 2008.

Classification: Moderate

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

Rqmt Prov: General Condition 8, NSRP 3219/PSDTX974 PA

Description: Failed to prevent unauthorized emissions from the OP-2 Elevated Flare, OP-3 Elevated Flare, and from the OP-3 Ground Flare on June 29, 2008

Classification: Moderate

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

Rqmt Prov: SC No. 1 PERMIT

Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the North Property Flare on July 17, 2008.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)

5C THSC Chapter 382 382.085(b)

Description: Failed to timely provide information requested by the TCEQ Houston Regional Office regarding the July 17, 2008 emissions event.

Effective Date: 10/31/2009

ADMINORDER 2009-0465-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, an emissions event occurred from November 13 through 15, 2008, due to accumulation of rain resulting from clogged drain lines on a floating tank roof (Emission Point No. TOL905), that lasted for 38 hours and 44 minutes, resulting in the release of 10,169.40 pounds of volatile organic compounds.

Effective Date: 03/20/2010

ADMINORDER 2009-0806-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,514.6 pounds ("lbs") of volatile organic compounds ("VOC") [including 3.6 lbs of the Highly Reactive VOC ("HRVOC") ethylene and 884.2 lbs of the HRVOC propylene], 152.3 lbs of hydrogen sulfide, 82.7 lbs of nitrogen dioxide, 597.3 lbs of carbon monoxide, 16.8 lbs of particulate matter and 14,329.3 lbs of sulfur dioxide from the Distilling Hydrotreater ("DHT") Unit and the Catalytic Cracking Unit during an avoidable

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 7,520.79 lbs of VOC, 16.28 lbs of H₂S, 147.84 lbs of benzene, 426.70 lbs of SO₂, 51.50 lbs of nitrogen oxide, 372.10 lbs of CO, 8.60 lbs of PM, 103.89 lbs of ethane, 292.53 lbs of methane, 12.75 lbs of nitrogen and 2.15 lbs of hydrogen from Distillation Unit 2 during an avoidable emissions event (Incident No. 119042) that began January 18, 2009 and lasted eight hours and four minutes.

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	06/17/2005	(392662)
2	06/28/2005	(394944)
3	07/06/2005	(398907)
4	07/13/2005	(374690)
5	07/18/2005	(379933)
6	07/18/2005	(379934)
7	07/20/2005	(400891)
8	07/21/2005	(400399)
9	07/28/2005	(379300)
10	08/02/2005	(400361)
11	08/03/2005	(399624)
12	08/05/2005	(341194)
13	08/05/2005	(341195)
14	08/05/2005	(341198)
15	08/05/2005	(341200)
16	08/05/2005	(341201)
17	08/10/2005	(403710)
18	08/15/2005	(453221)
19	08/16/2005	(404327)

20	08/16/2005	(404329)
21	08/18/2005	(404406)
22	08/22/2005	(400922)
23	08/23/2005	(401945)
24	08/23/2005	(404915)
25	08/25/2005	(405926)
26	08/30/2005	(401403)
27	09/28/2005	(431096)
28	10/04/2005	(405964)
29	10/05/2005	(406803)
30	10/05/2005	(407310)
31	10/05/2005	(431095)
32	10/05/2005	(431097)
33	10/10/2005	(406428)
34	10/26/2005	(433389)
35	10/28/2005	(405406)
36	11/03/2005	(431819)
37	11/04/2005	(431796)
38	11/04/2005	(431865)
39	11/14/2005	(371956)
40	11/23/2005	(433921)
41	11/28/2005	(437043)
42	11/30/2005	(437117)
43	12/16/2005	(451110)
44	01/24/2006	(451885)
45	02/16/2006	(454090)
46	02/21/2006	(454835)
47	02/21/2006	(455170)
48	02/23/2006	(439108)
49	02/23/2006	(455872)
50	02/23/2006	(455897)
51	02/24/2006	(438342)
52	02/25/2006	(456944)
53	02/25/2006	(457085)
54	02/27/2006	(456661)
55	02/27/2006	(457162)
56	02/28/2006	(457143)
57	02/28/2006	(457152)
58	03/03/2006	(455540)
59	03/09/2006	(457675)
60	03/15/2006	(458469)
61	03/17/2006	(451544)
62	03/20/2006	(431859)
63	03/20/2006	(571632)
64	03/23/2006	(290016)
65	03/28/2006	(405965)
66	04/03/2006	(455004)
67	04/24/2006	(449499)
68	04/25/2006	(449838)
69	04/26/2006	(455005)
70	04/27/2006	(440023)
71	04/28/2006	(462216)
72	05/10/2006	(266908)
73	05/10/2006	(268067)
74	05/12/2006	(461088)
75	05/17/2006	(461235)
76	05/17/2006	(466235)
77	05/26/2006	(460095)
78	05/26/2006	(460156)

79	05/26/2006	(460174)
80	05/26/2006	(460637)
81	05/30/2006	(459416)
82	05/30/2006	(460198)
83	05/31/2006	(455293)
84	05/31/2006	(480622)
85	06/12/2006	(455296)
86	06/13/2006	(457735)
87	06/14/2006	(480612)
88	06/15/2006	(449850)
89	06/21/2006	(467546)
90	06/23/2006	(467329)
91	06/23/2006	(467537)
92	06/28/2006	(467525)
93	06/30/2006	(463111)
94	06/30/2006	(466561)
95	07/10/2006	(482757)
96	07/11/2006	(482407)
97	07/11/2006	(482755)
98	07/11/2006	(482760)
99	07/14/2006	(467608)
100	07/26/2006	(487301)
101	07/27/2006	(486448)
102	07/31/2006	(482753)
103	08/08/2006	(482747)
104	08/14/2006	(480383)
105	08/16/2006	(392732)
106	08/18/2006	(457259)
107	08/18/2006	(457480)
108	08/23/2006	(457432)
109	08/28/2006	(479997)
110	08/29/2006	(479999)
111	08/30/2006	(509636)
112	08/31/2006	(457283)
113	09/07/2006	(510326)
114	09/29/2006	(487313)
115	10/04/2006	(510017)
116	10/04/2006	(512388)
117	10/05/2006	(510021)
118	10/05/2006	(512392)
119	10/05/2006	(512393)
120	10/13/2006	(510023)
121	10/26/2006	(512394)
122	10/27/2006	(515112)
123	10/31/2006	(343595)
124	10/31/2006	(509694)
125	10/31/2006	(513138)
126	11/03/2006	(513228)
127	11/03/2006	(513328)
128	11/06/2006	(515706)
129	11/16/2006	(512687)
130	11/21/2006	(517284)
131	11/30/2006	(379581)
132	12/07/2006	(487985)
133	12/07/2006	(488004)
134	12/07/2006	(488023)
135	12/07/2006	(488025)
136	12/15/2006	(508968)
137	12/21/2006	(534053)

138	12/29/2006	(343599)
139	01/19/2007	(531892)
140	01/31/2007	(537439)
141	01/31/2007	(538659)
142	02/17/2007	(532455)
143	02/20/2007	(457345)
144	02/23/2007	(532452)
145	02/23/2007	(532463)
146	02/27/2007	(532471)
147	03/01/2007	(509707)
148	03/05/2007	(408521)
149	04/12/2007	(554202)
150	04/25/2007	(532459)
151	04/25/2007	(542681)
152	04/26/2007	(541475)
153	04/30/2007	(542592)
154	04/30/2007	(542683)
155	05/07/2007	(537121)
156	05/08/2007	(542690)
157	05/09/2007	(467500)
158	05/14/2007	(542697)
159	05/18/2007	(542652)
160	05/29/2007	(559183)
161	05/30/2007	(560809)
162	06/25/2007	(563779)
163	06/25/2007	(564308)
164	06/27/2007	(564822)
165	06/27/2007	(564828)
166	07/06/2007	(565610)
167	07/10/2007	(565422)
168	08/01/2007	(567841)
169	08/03/2007	(568522)
170	08/13/2007	(571026)
171	08/14/2007	(567884)
172	08/15/2007	(571883)
173	08/17/2007	(571025)
174	09/18/2007	(571877)
175	09/19/2007	(572770)
176	10/12/2007	(560777)
177	10/16/2007	(593594)
178	10/25/2007	(596852)
179	11/06/2007	(565492)
180	11/06/2007	(593367)
181	11/15/2007	(597891)
182	11/15/2007	(597968)
183	11/19/2007	(572257)
184	11/19/2007	(599691)
185	11/27/2007	(597446)
186	11/30/2007	(601276)
187	11/30/2007	(608138)
188	12/04/2007	(600886)
189	12/20/2007	(610419)
190	01/07/2008	(598077)
191	01/17/2008	(599615)
192	01/17/2008	(599668)
193	01/17/2008	(599822)
194	01/17/2008	(600635)
195	01/22/2008	(613355)
196	01/25/2008	(597769)

197	01/25/2008	(615280)
198	01/25/2008	(615969)
199	01/25/2008	(615999)
200	01/28/2008	(616080)
201	01/28/2008	(616082)
202	02/01/2008	(607448)
203	02/01/2008	(613923)
204	02/01/2008	(614301)
205	02/01/2008	(614303)
206	02/01/2008	(615075)
207	02/04/2008	(614031)
208	02/05/2008	(610680)
209	02/13/2008	(616505)
210	03/07/2008	(612807)
211	03/10/2008	(617388)
212	03/12/2008	(637217)
213	03/24/2008	(616741)
214	03/24/2008	(638443)
215	03/28/2008	(600448)
216	03/31/2008	(610634)
217	04/09/2008	(610636)
218	04/11/2008	(610638)
219	04/11/2008	(637073)
220	04/21/2008	(639674)
221	04/22/2008	(653495)
222	05/02/2008	(650560)
223	05/20/2008	(654015)
224	05/20/2008	(654943)
225	05/23/2008	(637956)
226	05/23/2008	(638051)
227	05/23/2008	(654353)
228	06/06/2008	(654842)
229	06/10/2008	(671393)
230	06/18/2008	(683279)
231	06/30/2008	(600450)
232	07/11/2008	(685564)
233	07/17/2008	(656863)
234	07/17/2008	(686593)
235	07/23/2008	(683726)
236	07/24/2008	(682501)
237	08/14/2008	(686729)
238	08/19/2008	(689497)
239	08/22/2008	(699629)
240	08/31/2008	(637068)
241	08/31/2008	(637076)
242	09/05/2008	(700024)
243	10/09/2008	(703510)
244	10/16/2008	(704306)
245	10/23/2008	(682549)
246	10/27/2008	(706455)
247	10/27/2008	(706540)
248	11/03/2008	(700060)
249	11/03/2008	(701753)
250	11/24/2008	(641389)
251	11/24/2008	(684019)
252	12/04/2008	(565248)
253	12/04/2008	(709362)
254	12/04/2008	(709367)
255	12/12/2008	(721015)

256	12/30/2008	(705857)
257	01/09/2009	(723179)
258	01/15/2009	(707647)
259	01/20/2009	(708950)
260	01/28/2009	(720984)
261	02/09/2009	(709972)
262	02/18/2009	(735789)
263	02/20/2009	(723069)
264	03/10/2009	(722825)
265	04/02/2009	(722827)
266	04/30/2009	(744066)
267	05/11/2009	(741959)
268	05/13/2009	(737311)
269	05/13/2009	(742834)
270	05/14/2009	(742134)
271	05/28/2009	(726407)
272	06/01/2009	(742131)
273	06/08/2009	(737950)
274	06/08/2009	(741940)
275	07/10/2009	(737104)
276	07/22/2009	(763029)
277	07/23/2009	(747258)
278	08/04/2009	(741963)
279	08/04/2009	(742135)
280	08/12/2009	(764686)
281	08/12/2009	(764845)
282	08/12/2009	(765197)
283	08/12/2009	(765199)
284	08/13/2009	(760336)
285	08/13/2009	(760346)
286	08/18/2009	(737105)
287	08/19/2009	(766023)
288	08/21/2009	(766514)
289	08/28/2009	(747477)
290	08/31/2009	(687729)
291	08/31/2009	(763433)
292	09/15/2009	(726215)
293	09/15/2009	(747259)
294	09/21/2009	(760334)
295	09/21/2009	(762422)
296	09/23/2009	(766994)
297	09/28/2009	(777627)
298	09/30/2009	(737217)
299	10/12/2009	(762569)
300	10/14/2009	(779040)
301	10/23/2009	(778758)
302	10/30/2009	(765451)
303	11/10/2009	(760343)
304	11/23/2009	(778496)
305	11/24/2009	(766997)
306	11/30/2009	(780176)
307	12/02/2009	(763495)
308	12/02/2009	(766995)
309	12/02/2009	(766996)
310	12/09/2009	(778830)
311	12/09/2009	(784940)
312	12/10/2009	(762424)
313	12/17/2009	(747492)
314	01/13/2010	(787368)

315 01/27/2010 (787380)
 316 01/29/2010 (790337)
 317 02/01/2010 (788201)
 318 02/03/2010 (749600)
 319 02/10/2010 (788491)
 320 02/17/2010 (787388)
 321 02/23/2010 (787148)
 322 02/23/2010 (792309)
 323 03/02/2010 (791204)
 324 03/15/2010 (789829)
 325 03/25/2010 (794199)
 326 03/29/2010 (790604)
 327 03/29/2010 (792150)
 328 04/02/2010 (794620)
 329 04/05/2010 (797068)
 330 04/06/2010 (783318)
 331 04/12/2010 (795209)
 332 04/12/2010 (795244)
 333 04/12/2010 (795254)
 334 04/12/2010 (795268)
 335 04/21/2010 (798275)
 336 04/27/2010 (799949)
 337 04/29/2010 (800569)
 338 05/07/2010 (797014)
 339 05/10/2010 (797038)
 340 05/10/2010 (797040)
 341 05/19/2010 (792168)
 342 05/19/2010 (793841)
 343 05/19/2010 (801115)
 344 05/20/2010 (801366)
 345 05/25/2010 (824557)
 346 05/27/2010 (799073)

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

Date: 06/20/2005 (395120)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)
 No. 9334, Gen. Condition #8 PERMIT
 Description: Failure to prevent spill during tank heel transfer.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 Description: Failure to submit an emissions event in a timely manner.

Date: 08/17/2005 (404327)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 110.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 150.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)
 Description: Failure to maintain ammonia emissions below 10ppm on furnace 180.

Date: 10/10/2005 (406428)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control emissions.

Date: 02/23/2006 (439108)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
3219 AND PSD-TX-974 PA
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Exceeded permit limits during an avoidable emissions event.

Date: 02/27/2006 (438342)

Self Report? NO Classification: Moderate

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

Description: Failed to control unauthorized emissions.

Date: 04/04/2006 (455004)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
NSR Permit #3173, Special Condition #1 PA

Description: Failure to control unauthorized emissions for Incident #64365.

Date: 05/17/2006 (461235)

Self Report? NO Classification: Moderate

Citation: 1946, Special Condition 15H OP
1946, Special Condition 1A OP
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to record whether the pilot flame was continuously present during each hour for Flares OP2ELFLA and OP3ELFLA

Self Report? NO Classification: Minor

Citation: 1668, Special Condition 1A OP
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to record daily flare observations for Flares OP2ELFLA, OP3ELFLA and OP3GRFLA.

Self Report? NO Classification: Moderate

Citation: 1668, Special Condition 1A OP
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Conditions 5 and 6 PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Operation of Flares OP2ELFLA, OP3ELFLA and OP3GRFLA with visible emissions .

Self Report? NO Classification: Minor

Citation: 1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Condition 6E PERMIT
3218, Special Condition 8E PERMIT
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Nine OELs in HT2; 2 OELs in CIPX

Self Report? NO Classification: Minor

Citation: 18576, Special Condition 7E PERMIT

1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to seal 18 OELs in IRU.
Self Report? NO Classification: Minor

Citation: 1946, Special Condition 1A OP
1946, Special Condition 21 OP
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3217, Special Condition 3E PERMIT
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)

Description: Failure to seal OELs in BD3.
Self Report? NO Classification: Moderate

Citation: 1946, Special Condition 21 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Condition 1 PERMIT
3216, Special Condition 5 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Furnaces FOL-601 and FOL-602 exceeded the permitted maximum hourly firing rates.

Self Report? NO Classification: Moderate

Citation: 1946, Special Condition 21 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3216, Special Conditions 1 and 4 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The fuel gas used by Furnaces FOL601, FOL602, FOL603 and FOL604 exceeded the permitted maximum H2S concentration.

Date: 05/31/2006 (455293)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
No. 3219 and PSD-TX-974 MAERT PERMIT

Description: Failure to prevent an operator error resulting in unauthorized emissions.

Date: 06/15/2006 (457735)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
9334 MAERT PERMIT

Description: Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.

Date: 06/28/2006 (467525)

Self Report? NO Classification: Moderate

Citation: #21262, Special Condition #1 PERMIT
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent overpressure of Secondary Debutanizer Column, V-613.

Date: 07/14/2006 (467608)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
No 3219 MAERT PERMIT

Description: Failure to prevent unauthorized emissions during decoking of furnace FOL170.

Date: 08/18/2006 (457259)

Self Report? NO Classification: Minor
Citation: 266, SC 7E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3985A, SC 7E PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-01947, Special Condition 13 OP
O-01947, Special Condition 1A OP
Description: 3 OELs in SITEFE and 1 OEL in WRACKFE

Date: 08/23/2006 (457432)

Self Report? NO Classification: Minor
Citation: 1948, Special Condition 1A OP
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor
Citation: 1948, Special Condition 13 OP

1948, Special Condition 1A OP
19849, Special Condition 11E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: 10 OELs in MPLANTFE

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
1968, Special Condition 3E PERMIT
19849, Special Condition 11E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 6E PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFE; 1 OEL in HPLANTFE

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 6F PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 13 OP
19849, Special Condition 7D PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to inspect Tank T667B by the due date of March 2005

Self Report? NO Classification: Moderate

Citation: 1948, Special Condition 13 OP

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

Self Report? NO Classification: Moderate

Citation: 1948, Special Condition 1H(iv) OP
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to repair Component No. 200706 in IPACRUFEE within seven days

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 1A OP
30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere

Date: 08/28/2006 (479997)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Condition 2I PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

O-1668, Special Condition 15 OP
O-1668, Special Condition 1H(v) OP

Description: Failure to repair Component No. 64110.P in OP2FUG within 15 days

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Special Condition 2E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: Forty-nine incidences of open-ended lines in OP2FUG

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3214, Special Condition 5E PERMIT
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: 26 OELs in OL3FUG and 4 OELs in PYR3FUG

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3214, Special Condition 5E PERMIT
3219, Special Condition 2E PERMIT
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: 28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Maximum Allowable Emission Rates PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
Description: Exceedance of VOC MAER in tpy for the Olefins Flare System

Date: 08/29/2006 (479999)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 15E PERMIT
O-1943, Special Condition 17 OP
O-1943, Special Condition 1A OP
Description: One OEL in ACUFUG and one OEL in FUGOXU
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 7 PERMIT
O-1943, Special Condition 17 OP

Description: Incomplete records of furnace firing rates for the ACU furnace, EPN H902

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1943, Special Condition 1A OP

Description: Failure to conduct internal inspection of Tank F-361 by the due date of May 2005

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 8 PERMIT
O-1943, Special Condition 17 OP

Description: Operation of the East Property Flare with visible emissions

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to visually inspect Tank G-359 by the due date of August 16, 2005

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 10D PERMIT
O-1943, Special Condition 17 OP

Description: Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 10D PERMIT
O-1943, Special Condition 17 OP
O-1943, Special Condition 1A OP

Description: Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.

Date: 08/31/2006 (457283)

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

30 TAC Chapter 122, SubChapter B 122.143(4)
 48912, Special Condition 5 PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 15 OP
 Description: Failure to analyze wastewater for isobutyraldehyde
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 1A OP

Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 1A OP

Description: Failure to obtain vapor pressure sample from T-1318
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-2108, Special Condition 1A OP

Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301

Date: 11/03/2006 (513328)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Shell failed to submit a CAP in a timely manner.

Date: 11/14/2006 (512687)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01669, Special Condition #1A OP
 Description: Failure to record the daily visual observations of flare per 30 TAC 111.111(a)(4)(A)(ii).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01669, Special Condition #1A OP
 FOP #O-01669, Special Condition #1D OP
 Description: Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).

Date: 02/23/2007 (532452)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)

5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 1M(iv) OP
FOP O-01946, Special Condition 21 OP
NSR #18576, Special Condition 7H PA
NSR #3216, Special Condition 6H PA
NSR #3217, Special Condition 3H PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP # O-01946, Special Condition 1A OP
FOP #O-01946, Special Condition 21 OP
NSR 3216, Special Condition 2 PA
NSR 3218, Special Condition 2 PA

Description: Failure to maintain 94 LDAR components with identification tags as required by 40 CFR 61.242-1(d) as well NSR Permits #3216 and #3218.

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

FOP O-01946, Special Condition 21 OP
NSR Permit 3216, Special Condition 1 PA

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

Self Report? NO **Classification:** Minor

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

Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).

Self Report? NO **Classification:** Moderate

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

Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP

Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 28 OP

Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).

Date: 02/27/2007 (532471)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit PCC within 30 days as required.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit a Deviation report within 30 days as required.

Date: 05/14/2007 (542697)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)

Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.

Date: 08/29/2007 (543555)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
30 TAC Chapter 122, SubChapter B 122.146(2)

5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01669, General Terms/Condition OP

Description: failed to submit a permit compliance certification and a deviation report in a timely manner.

Date: 02/05/2008 (610680)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7H PERMIT
NSR 3217, Special Condition 3H PERMIT
O-01946 Special Conditions 1M(iv) OP
O-01946 Special Conditions 1A OP

Description: Failure to affix and maintain leaking component tags on Leak Detection and Repair components.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 2 PERMIT
NSR 3218, Special Condition 2 PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 21 OP

Description: Failure to affix permanent identification tags on 76 LDAR components.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7E PERMIT
NSR 3216, Special Condition 6E PERMIT
NSR 3217, Special Condition 3E PERMIT
NSR 3218, Special Condition 8E PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 1M(iv) OP
O-01946 Special Condition 21 OP

Description: Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a second valve. (CATEGORY C10 violation)

Self Report? NO Classification: Moderate

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

Description: Failure to stay below the maximum operating limit for vents in HRVOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

Description: Failure to meet HRVOC monitoring/recordkeeping requirements.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 11C PERMIT
O-01946 Special Condition 21 OP

Description: Failure to continuously monitor and record the H2S concentration on the fuel gas

on analyzer AI104 at the OP-2 fuel blend drum.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 21 OP
Special Condition 11B PERMIT

Description: Failure to continuously monitor the Gross Heating Value (GHV) measurement of the fuel gas.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 5 PERMIT
O-01946 Special Condition 21 OP

Description: Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007.

Date: 03/10/2008 (617388)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
Description: Shell failed to submit a Corrective Action Plan (CAP) in a timely manner.

Date: 04/01/2008 (610634)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(E) PERMIT
NSR 3214, SC 6(E) PERMIT
NSR 3219, SC 2(E) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP

Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(H) PERMIT
NSR 3214, SC 6(H) PERMIT
NSR 3219, SC 2(H) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP

Description: Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(v) OP

Description: Failure to repair valve 76372A within 7 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 56496, GC 8 PERMIT
 NSR 56496, SC 1 PERMIT
 O-01668, SC 15(A) OP

Description: Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx) and FOL-710 (22 block hrs for 25 lbs excess NOx).

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 56496, SC 5 PERMIT
 O-01668, SC 15(A) OP

Description: Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(A) OP

Description: Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(H)(iv) OP

Description: Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THSC Chapter 382 382.085(b)
 NSR 3219, SC 16 PERMIT
 NSR 3219, SC 5 PERMIT
 O-01668, SC 1(A) OP
 O-01668, SC 15(A) OP

Description: Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(H)(ii) OP

Description: Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter C 122.210(a)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15(B) OP

Description: Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 1(A) OP

Description: Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.

Date: 04/09/2008 (639062)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
 5C THSC Chapter 382 382.085(b)
 NSR 3173, SC 3 PERMIT
 NSR 3173, SC 8(D) PERMIT
 NSR 3985A, SC 8(D) PERMIT
 NSR19849, SC 7(D) PERMIT
 O-01948, SC 1(A) OP
 O-01948, SC 13(A) OP

Description: Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THSC Chapter 382 382.085(b)
 NSR 1968, SC 3(E) PERMIT
 NSR 19849, SC 11(E) PERMIT
 NSR 19849, SC 13 PERMIT
 NSR 19849, SC 14 PERMIT
 NSR 3173, SC 6(E) PERMIT
 O-01948, 13(A) OP
 O-01948, SC 1(A) OP
 O-01948, SC 1(H)(iv) OP

Description: Failure to seal open-ended lines.

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 NSR 3173, SC 6(I) PERMIT
 O-01948, SC 1(A) OP
 O-01948, SC 1(H)(iv) OP
 O-01948, SC 13(A) OP

Description: Failure to repair connector 702527 in IPACRUF6 (in HRVOC service) within 15 days

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 6(H) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

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

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

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

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8 hours for the HIPA flare and the A&S flare.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(iii) OP

Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.

Date: 04/11/2008 (637073)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(iii) OP

Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.

Date: 04/11/2008 (610638)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP
O-02108, SC 15(A) OP
Permit 19849, SC 11(E) PERMIT

Description: Failure to seal three (3) open-ended lines (OEL's) from March 20, 2007 to March 30, 2007 in ENVSOFLR1 (tag nos. 188.P, 185, and 188).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP

Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP

Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.

Date: 09/02/2008 (637076)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the Annual Compliance Certification (ACC) report for the certification period April 15, 2006 through October 15, 2007 within 30 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007 within 30 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21 OP
NSR 3179, GC 1 PERMIT

Description: Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21(A) OP
NSR 3179, GC 1 PERMIT
NSR 3179, SC 10 PERMIT

Description: Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
NSR 3179, SC 2 PERMIT

Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007 at 1700.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21(A) OP
NSR 3179, SC 13 PERMIT

Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to include in the Federal Operating Permit, vent gas stream collection vessel V8342.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(H)(ii) OP

Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP

Description: Failure to prevent an exceedance of 100 annual operating hours for P87921 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 2 PERMIT

Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 20E PERMIT
NSR 3179, SC 21E PERMIT
NSR 3179, SC 3(B) PERMIT

Description: Failure to prevent four open-ended lines: Tag No. 450133.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)
5C THSC Chapter 382 382.085(b)

FOP O-01945, SC 1(A) OP
 FOP O-01945, SC 21(A) OP
 NSR 3179, SC 21(H) PERMIT

Description: Failure to tag the following components: Tag No. 322769 in Phenol 3 on February 8, 2007, and tag no. 950522 in Phenol 3 on March 21, 2007, which constitutes the violation of NSR Permit 3179 SC 21H, 30 TAC 115.354(5), and 40 CFR 63.181(b)(10).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 115, SubChapter H 115.725(l)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(H)(iii) OP

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

Date: 07/14/2009 (737104)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
 5C THSC Chapter 382 382.085(b)
 9334, SC 11H PERMIT
 O-01943, SC 17 OP

Description: Failure to tag leaking components.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01943, SC 1A OP

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

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Part 60, Subpart A 60.18(c)(4)(i)
 5C THSC Chapter 382 382.085(b)
 9334, SC 5 PERMIT
 O-01943, SC 17 OP

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

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 9334, SC 11E PERMIT
 O-01943, SC 17 OP

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

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01943, SC 1A OP

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

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 30 TAC Chapter 116, SubChapter B 116.117(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01943, SC 17 OP

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

Self Report? NO Classification: Moderate

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

Description: Failure to store VOC in proper storage tanks.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with the sitewide hourly HROVC limit.

Date: 07/24/2009 (747258)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 1E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to plug/cap all open ended lines in VOC and HRVOC services (Category C10, minor violation).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 1H PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to tag leaking components in VOC and HRVOC services.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, GC 8 PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to keep pound per hour carbon monoxide emissions from the furnaces within the limit specified in the MAERT.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with carbon monoxide 24 hour concentration limits in the stacks.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to keep the monitoring parameters within the maximum operating limit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 11 PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to comply with the individual pound NOx/MMBtu limits for furnaces in Olefins 2 Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 12H PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to comply with the rolling 12 month throughput limit for a storage tank.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to collect required sample from a cooling tower.

Date: 08/18/2009 (737105)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)
Description: Shell Chemicals LP failed to revise Title V Federal Operating Permit O-02108 to incorporate references in NSR permit 48912. (FOP O-02108; NSR 48912)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
Description: Shell Chemicals LP failed to report missed recordkeeping of pilot monitoring of A&S from July 31, 2008 through December 31, 2008 in a timely manner. (FOP O-02108)

Date: 08/28/2009 (747477)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(2)
5C THSC Chapter 382 382.085(b)
Special Condition (SC) No. 11G OP
Description: Failure to maintain records on the HIPA flare (A1333) pilot's monitor from October 30, 2007 through November 10, 2007. (Category C3)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP
Description: Failure to maintain the H9200 incinerator's 3-hour average VOC limit of 20 ppm for 11 hours in November 2007. (Category B19(g)(1))
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP
SC No. 21 OP
SC No. 23 PERMIT
Description: Failure to record the H9200 incinerator's CEMS data on August 7, 2007 for 9.32 hours and on November 8, 2007 for 1.6 hours. (Category C3)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP
Description: Failure to maintain the H87002 thermal oxidizer's temperature above 1505 degrees Fahrenheit on March 21, 2007, June 12, 2007, September 13, and February 3, 2008 for 23 hours and 59 minutes each day. (Category B19(g)(1))
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 2F OP
Description: Failure to submit an emissions (STEERS No. 106008) report within 24 hours after the event. The RE documented in the deviation report dated May 13, 2008, the report was due April 6, 2008 and not submitted until April 8, 2008. (Category C3)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 21 OP
SC No. 7 PERMIT

Description: Failure to maintain documentation to demonstrate compliance with the marine loading requirements for acetone with regards to pump capacity limitation from April 16, 2008 through June 30, 2008 and August 10, 2008 through October 14, 2008. (Category B3)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter G 117.8100(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 14B PERMIT
SC No. 1A OP
SC No. 21 OP

Description: Failure to conduct the Phenol #3 BIF Boiler (H-87920) CEMS nitrogen oxide cylinder gas audit (CGA) for the third quarter of 2008 (7/1/08 through 9/30/08). (Category B1)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
SC No 1A OP
SC No. 21 OP
SC No. 21H PERMIT

Description: Failure to tag P0113, 348837, 322724, 322769, 322811, 322819, 325567, and 328623.1 from June 23 to June 24, 2008; and on 0301, 0713.1, 0822.2, and 1249 from June 18 to June 19, 2008. (Category C4)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
SC No. 14 PERMIT
SC No. 1A OP
SC No. 21 OP

Description: Failure to maintain the East Property flare (EPN: EPFLARE) net heating value above 300 BTU/scf and/or the required exit velocity from January 1, 2008 through December 31, 2008 for 152 hours. (Category B19(g)(1))

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 116, SubChapter B 116.117(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 22 OP

Description: Failure to register PBRs 30 TAC 106.261 and 106.262 from January 1, 2008 through December 31, 2008. (Category C3)

Date: 08/31/2009 (687729)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669 SC 1(A) OP
FOP O-01669 SC 24(A) OP
NSR 21262 SC 2 PERMIT
NSR 21262 SC 25 PERMIT

Description: Failure to monitor the fuel gas for H2S content during Pressure Swing Absorber (PSA) flaring to the North Property Flare (FLNFLARE) on May 20, 2008 from 1800 to 1811 due to unknown problems.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

FOP O-01669, SC 1(A) OP

Description: Failure to prevent the exceedance of the ammonia (NH₃) limit on June 29, 2008 from 1700 to 1800 from the Fluid Catalytic Cracking Unit (FCCU) H600.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 2(F) OP

Description: Failure to provide a 24-hour notification of a reportable event.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitors for CWT-7 and CWT-17.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitor for CWT-16.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to sample upon the loss of the HRVOC monitor for various HRVOC flares.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 10(E) PERMIT
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(E) PERMIT

Description: Failure to seal 43 open-ended lines (OEL's) from January 1, 2008 through December 31, 2008 (GRPREFUG).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to maintain a 95% up-time for the following HRVOC analyzers: Girbitol Flare (86.3% annual up-time) and East Property Flare (94.2% annual up-time).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to maintain a 95% up-time for the HRVOC analyzers for CWT-6 (92.5% annual up-time).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(H) PERMIT

Description: Failure to tag one leaking component (No. 402) in GRPREFUG, discovered during a 3rd-aptry HRVOC audit from July 1, 2008 to December 31, 2008.

Date: 09/15/2009 (747259)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1H(I) OP

Description: Failed to conduct sampling when HRVOC analyzer for A&S flare was offline.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1H(I) OP

Description: Failed to meet 95% uptime requirement for the A&S Flare HRVOC monitoring system.

Self Report? NO Classification: Minor

Citation: 266, SC 2 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
O-01947, SC 13 OP

Description: Failed to maintain a complete record of the flare pilot monitor for the A&S flare.

Date: 09/15/2009 (726215)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: NOR was not timely updated.

Date: 09/30/2009 (737217)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
FOP, General Terms and Condition 1A OP
FOP, Special Condition 21 OP
NSR, Special Condition 7E PERMIT

Description: Failure to seal open ended lines. (Category C10 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
FOP, General Condition 1A OP
FOP, Special Condition 21 OP
NSR 3218 SC 9H, and NSR 3216 SC 6H PERMIT

Description: Failed to tag leaking fugitive components.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Condition 21 PERMIT
FOP, Special Condition 23 PERMIT
Description: Failed to register Permit by Rule (PBR) 106.261 and 106.262.

Date: 12/17/2009 (747492)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 13 OP
Special Condition 1H(iv) OP
Special Condition 3E PA
Special Condition 6E PA
Special Condition 8E PA
Description: Failure to cap/plug open-ended lines in volatile organic compound (VOC) and hazardous air pollutant (HAP) service, ID#IPAFINFE/CRUFE. CATEGORY C10.

Self Report? NO Classification: Minor
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)
Special Condition IA OP
Description: Failure to monitor a pressure relief valve in volatile organic compound (VOC) service.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to sample HRVOC analyzers.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Description: Failure to continuously operate the monitoring system on the highly reactive volatile organic compound (HRVOC) Flare ID#A&S (A1301) and pressure relief valve (PRV-361)).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 13 OP
Special Condition 1A OP
Special Condition 8D PA

Description: Failure to conduct annual visual inspection on tank T-92 on time.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Condition 13 OP

Description: Failure to limit the hourly VOC emissions. Shell exceeded the 0.52 lb/hr VOC emission limit for V118 Stack.

Date: 01/28/2010 (787380)

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

5C THSC Chapter 382 382.085(b)
Special Condition #3 PERMIT

Description: Failure to prevent unauthorized emissions.

Date: 02/17/2010 (787388)

Self Report? NO Classification: Moderate

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

Description: Failure to prevent a leak from the EOL611 air cooler which resulted in unauthorized emissions. Specifically, 283.10 pounds (lbs) volatile organic compounds(VOCs) including 79.6 lbs of benzene were released during the emissions event.

Date: 05/10/2010 (797038)

Self Report? NO Classification: Moderate

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

Description: Failure to prevent the release of unauthorized emissions particularly during the Product Hydrogen methanator malfunction.

Date: 06/01/2010 (799073)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
SC 6 PERMIT
ST&C 15 OP
ST&C 1A OP

Description: Failure to maintain flare resulting in visible emissions from flare. (CATEGORY C4 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 12 PERMIT
ST&C 15 OP

Description: Failure to maintain the furnaces resulting in exceedance of lb-NOx/MMBtu hourly limit of 0.08 lb-NOx/MMBtu. (CATEGORY B18 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to collect samples or samples collected late on the HRVOC flares. (CATEGORY C1 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 9 PERMIT
ST&C 15 OP
ST&C 1A OP

Description: Failure to collect samples on the HRVOC Cooling Tower. (CATEGORY C1 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to stay within the CO rolling 24 hour average concentration in ppm.

(CATEGORY B18 violation)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.340(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 11 PERMIT
 ST&C 15 OP
 ST&C 1A OP

Description: Failure to maintain CEMS resulting in greater than 5% downtime. (CATEGORY C4 violation)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 2E PERMIT
 SC 6E PERMIT
 ST&C 15 OP
 ST&C 1A OP

Description: Failure to maintain caps or plugs resulting in open ended lines. (CATEGORY C10 violation)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to stay within the monitoring parameter for maximum operating limit for HRVOC vents (EPN FP3-1130). (CATEGORY C4 violation)

Self Report? 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)
 GT&C OP

Description: Failure to submit a complete and accurate deviation report. (CATEGORY B3 violation)

F. Environmental audits.

Notice of Intent Date: 01/04/2005 (349867) *Outside of Compliance History Date Range

Disclosure Date: 06/17/2005

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.320
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(d)(5)

Description: documentation was not readily available to fully demonstrate that a formal refinery maximum achievable control technology applicability determination (ie >5% HAPS) had been made for equipment in light crude service

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: one New Source Performance Standard (NSPS) notification for Start of Construction and Start of Operation for the CGHT unit could not be located

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(a)(3)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.590(b)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(4)

Description: documentation was not readily available to fully demonstrate that the process to determine if a project triggered NSPS "Modification" was being completed for NSPS Subpart GGG compliance

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)
 30 TAC Chapter 101, SubChapter A 101.10(c)
 30 TAC Chapter 101, SubChapter A 101.10(d)
 30 TAC Chapter 101, SubChapter A 101.10(e)
 40 CFR Chapter 372, SubChapter J, PT 372, SubPT B 372.30(a)

Description: emissions from fueling of vehicles in the Deer Park Refinery were not included in emissions inventories as required

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.100
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(i)

Description: documentation was not readily available to demonstrate the development of a formal startup, shutdown, and malfunction plan (SSMP), and to document that when appropriate, a semi-annual report was submitted

Viol. Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.320
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(i)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.654(f)(1)(ii)

Description: documentation was not readily available to fully demonstrate the group 1 or group 2 applicability determination for miscellaneous process vents

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(6)

Description: although monthly monitoring of cooling water return to the HON SWT was conducted and no leaks were detected, it is unclear whether there was complete compliance with HON requirements

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)

Description: annual LDAR instrument monitoring of CPI and IGF benzene wastewater equipment had not been performed as required by benzene waste NESHAP regulations

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)(i)(A)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(b)

Description: periodic visual inspection of the CPI and IGF benzene wastewater equipment to ensure access hatches and other openings are properly closed and gasketed had not been performed as required by the benzene waste NESHAP regulations

Notice of Intent Date: 01/27/2005 (350723)

Disclosure Date: 07/06/2005

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34
30 TAC Chapter 335, SubChapter C 335.69

Description: Equipment associated with a decommissioned cumene unit in the Phenol Acetone Production Areas was not properly decontaminated when shut down in 2001. Process vessels, pumps, exchangers, and piping contain material that meets the definition of a characteristically hazardous waste (D002, D018).

Notice of Intent Date: 03/02/2005 (375031)

Disclosure Date: 07/14/2005

Viol. Classification: Minor

Rqmt Prov: PERMIT Air New Source Permit No. 9334 SC 10.D

Description: no notification 30 days in advance of 11/04 seal gap measurement for Aromatics EFR tank G-359

Viol. Classification: Minor

Rqmt Prov: PERMIT Air New Source Permits

Description: no notification 30 days in advance of refilling of Solvents IFR tank T140B, Phenol Acetone IFR tank D391, Solvents IFR tank F337

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(3)(iii)

Rqmt Prov: PERMIT Permit 9334 Special Condition 10D

Description: no 10 yr internal seal inspection of Aromatics IFR tank F-361

Notice of Intent Date: 08/22/2005 (434090)

No DOV Associated

Notice of Intent Date: 08/22/2005 (434095)

No DOV Associated

Notice of Intent Date: 11/04/2005 (438422)

No DOV Associated

Notice of Intent Date: 12/02/2005 (451076)

No DOV Associated

Notice of Intent Date: 01/05/2006 (452942)

No DOV Associated

Notice of Intent Date: 01/05/2006 (462952)

No DOV Associated

Notice of Intent Date: 05/22/2006 (454159)

No DOV Associated

Notice of Intent Date: 04/18/2007 (562595)

No DOV Associated

Notice of Intent Date: 08/03/2007 (593493)

Disclosure Date: 12/19/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

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

Viol. Classification: Moderate

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

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

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

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

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

30 TAC Chapter 115, SubChapter B 115.112

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

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

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

Viol. Classification: Minor

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

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

Viol. Classification: Minor

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

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

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

No DOV Associated

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

No DOV Associated

Notice of Intent Date: 02/19/2008 (639389)

Disclosure Date: 08/18/2008

Viol. Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT TPDES 00402

Description: Failure to maintain sewer system integrity. Specifically, 3,550 liner feet of sewer in the oil water system were inspected, and 6 segments totaling 313 liner feet that contained defects requiring repairs.

Notice of Intent Date: 04/08/2008 (654698)

No DOV Associated

Notice of Intent Date: 04/18/2008 (654683)

No DOV Associated

Notice of Intent Date: 05/23/2008 (682189)

Disclosure Date: 11/25/2008

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PA TPDES 00402

Description: Failure to comply with TPDES permit condition requirements. Specifically, 270 feet of sewer confined to six segments of the storm sewer contained defects and structural cracks that may affect the hydraulic integrity.

Notice of Intent Date: 06/17/2008 (686667)

Disclosure Date: 11/25/2008

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT TPDES 00402

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

Notice of Intent Date: 08/18/2008 (701440)

Disclosure Date: 02/19/2009

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 10/27/2009 (785669)

No DOV Associated

Notice of Intent Date: 11/12/2009 (785386)

No DOV Associated

Notice of Intent Date: 01/12/2010 (789407)

No DOV Associated

G. Type of environmental management systems (EMSs).

01/11/2008 ENVIRONMENTAL MANAGEMENT SYSTEM NON 30 TAC CH 90 CERTIFIED

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SHELL OIL COMPANY AND SHELL
CHEMICAL LP
RN100211879

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2010-0609-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 Shell Oil Company and Shell Chemical LP ("the Respondents") 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 Respondents presented this agreement to the Commission.

The Respondents understand that they have 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 Respondents agree 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 Respondents.

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

I. FINDINGS OF FACT

1. Shell Oil Company operates a petroleum refinery and Shell Chemical LP operates a chemical manufacturing plant at 5900 Highway 225 in Deer Park, Harris County, Texas (the "Plants").

2. The Plants consist of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation on February 8, 2010, TCEQ staff documented that Shell Oil Company released unauthorized emissions during Incident No. 133506. Specifically, during the December 18, 2009 emissions event, the following unauthorized emissions were released from the East Property Flare over a period of seven hours and 47 minutes when Column V-1182 overpressured as a result of condensate accumulation on Pressure Transmitter PT-16481: 8,425 pounds ("lbs") of sulfur dioxide, 165 lbs of carbon monoxide, 91.3 lbs of hydrogen sulfide, 44.4 lbs of volatile organic compounds ("VOCs"), 22.9 lbs of nitrogen oxide, and 9.6 lbs of particulate matter.
4. During a record review on March 23, 2010, TCEQ staff documented that Shell Oil Company released unauthorized emissions during Incident No. 134189. Specifically, during the January 8, 2010 emissions event, the following unauthorized emissions were released from the Coker Flare over a period of two hours and 31 minutes when the freezing of components on the steam tracing for Level Transmitters LT31545B and LT31545C caused the wet gas compressor to shut down: 32,613.09 lbs of sulfur dioxide, 1,246.85 lbs of VOCs, 714.17 lbs of carbon monoxide, 347.33 lbs of hydrogen sulfide, 98.88 lbs of nitrogen oxide, 20.76 lbs of benzene, and 13.4 lbs of particulate matter.
5. During a record review on March 30, 2010, TCEQ staff documented that Shell Chemical LP released unauthorized emissions during Incident No. 134301. Specifically, during the January 11, 2010 emissions event, the following unauthorized emissions were released from the OP-2 Elevated Flare, the OP-3 Elevated Flare, and the OP-3 Ground Flare over a period of 37 hours when a technician closed a valve on a flow meter impulse line causing the process gas compressor to shut down: 13,131.5 lbs of VOCs (including 5,529 lbs of ethylene and 3,267 lbs of propylene), 9,901 lbs of carbon monoxide, and 1,109.2 lbs of nitrogen oxides.
6. The Respondents received notices of the violations on April 3, 2010 and May 24, 2010.
7. The Executive Director recognizes that the Respondents have implemented the following corrective measures at the Plants:
 - a. In response to Incident No. 133506, the steam tracing for the sensing line of Pressure Transmitter PT16481 was repaired on December 29, 2009; the internal investigation findings were reviewed with personnel on March 12, 2010; a deviation alarm was configured and installed on March 22, 2010; and the transmitter tubing was repaired and modified on April 28, 2010;
 - b. In response to Incident No. 134189, insulation was installed on the steam tracing for the Instrument Protective Function instruments on the Coker Wet Gas Compressor on March 3, 2010; the Ensure Safe Production variable table for the wet gas compressor alarms were updated to include troubleshooting actions on April 6, 2010; an evaluation of the freeze protection barriers of critical instrumentation in the process unit was completed on August 15, 2010; and an evaluation of the location of the three level transmitters associated with the inter-stage drum was completed on August 15, 2010; and

- c. In response to Incident No. 134301, a review of actions by the maintenance craftsmen to close the valve on the impulse line to the flow meter was completed on March 23, 2010 and an analysis of the seal flush differential pressure swings on PDC-3314 was completed on June 5, 2010.

II. CONCLUSIONS OF LAW

1. The Respondents are 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, Shell Oil Company failed to prevent unauthorized emissions during Incident No. 133506, in violation of Air Flexible Permit No. 21262 and PSD-TX-928, Special Condition No. 1, 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event could have been avoided through better maintenance practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.
3. As evidenced by Findings of Fact No. 4, Shell Oil Company failed to prevent unauthorized emissions during Incident No. 134189, in violation of Air Flexible Permit No. 21262 and PSD-TX-928, Special Condition No. 1, 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.
4. As evidenced by Findings of Fact No. 5, Shell Chemical LP failed to prevent unauthorized emissions during Incident No. 134301, in violation of Air Permit No. 3219 and PSD-TX-974, Special Condition No. 1, 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondents 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.
6. An administrative penalty in the amount of Forty Thousand Dollars (\$40,000) 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 Respondents have paid Twenty Thousand Dollars (\$20,000) of the administrative penalty. Twenty Thousand Dollars (\$20,000) shall be conditionally offset by the Respondents' completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

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

1. The Respondents are assessed an administrative penalty in the amount of Forty Thousand Dollars (\$40,000) as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondents' 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: Shell Oil Company and Shell Chemical LP, Docket No. 2010-0609-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 Respondents shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 6 above, Twenty Thousand Dollars (\$20,000) 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 Respondents' 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 Respondents. The Respondents are 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 Respondents fail 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 Respondents' failure to comply is not a violation of this Agreed Order. The Respondents shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondents shall notify the Executive Director within seven days after the Respondents become 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 Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive 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 Respondents if the Executive Director determines that the Respondents have 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 Respondents 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 Szollosi
For the Executive Director

11/8/2010
Date

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

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

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

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

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

Amir Farid
Signature

11/31/2010
Date

AMIR FARID
Name (Printed or typed)
Authorized Representative of
Shell Oil Company

GENERAL MANAGER
Title

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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Steele
For the Executive Director

12/16/2010
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Shell Chemical LP. I am authorized to agree to the attached Agreed Order on behalf of Shell Chemical LP, 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, Shell Chemical LP 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.

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- 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.

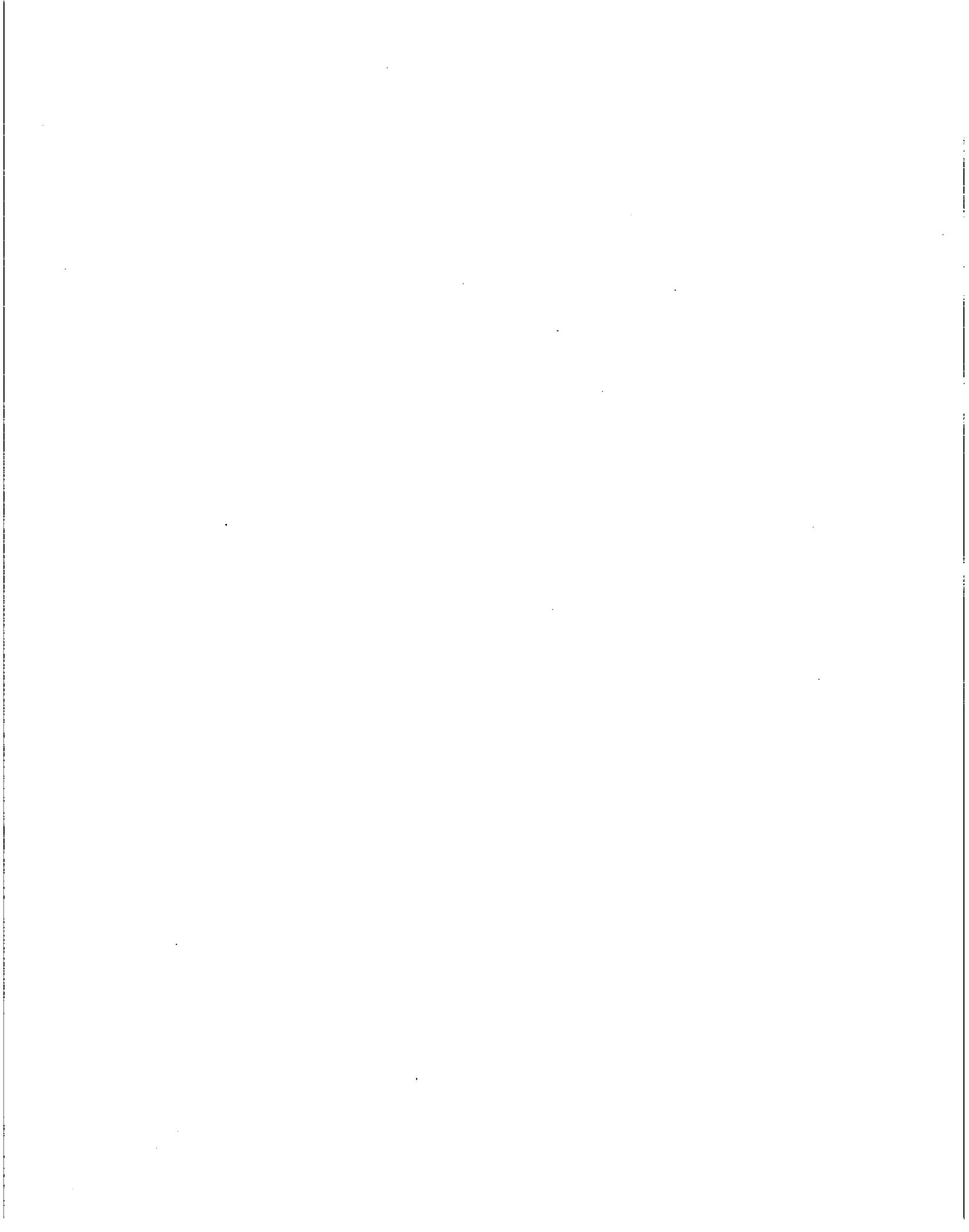
Alan Farid
Signature

8/31/10
Date

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

GENERAL MGR
Title

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: 2010-0609-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents: Shell Oil Company and Shell Chemical LP

Penalty Amount: Forty Thousand Dollars (\$40,000)

SEP Offset Amount: Twenty Thousand Dollars (\$20,000)

Type of SEP: Pre-approved

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

Location of SEP: Harris County

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

1. Project Description

A. Project

The Respondents shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Houston Regional Monitoring Corporation** for the *HRMC Houston Area Air Monitoring* to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used to supplement existing operation of a network of ambient air monitoring stations (designated HRM Sites 1, 3, 4, 7, 8, 10, Wallisville, and Lynchburg Ferry) that continuously measure and record concentrations of ambient air pollutants. Specifically, SEP funds will be used to operate, maintain, and potentially expand portions of the existing ambient air quality monitoring network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives. SEP funds may be used to operate a single monitoring site or multiple sites contingent upon the amount of SEP funds provided. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

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

B. Environmental Benefit

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

C. Minimum Expenditure

The Respondents 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 Respondents must contribute the SEP offset amount to the Third-Party Recipient. The Respondents shall mail a copy of the Agreed Order with the contribution to:

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

3. Records and Reporting

Concurrent with the payment of the SEP offset amount, the Respondents 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 Respondents shall mail a copy of the check and transmittal letter to:

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

4. Failure to Fully Perform

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

In the event of incomplete performance, the Respondents shall include on the check the docket number of this Agreed Order and a note that it is for reimbursement of a SEP. The Respondents 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 Respondents 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 Respondents shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondents may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

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

