

Executive Summary – Enforcement Matter – Case No. 41514
INEOS USA LLC
RN100238708
Docket No. 2011-0614-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Chocolate Bayou Plant, two miles south of the intersection of Farm-to-Market Road 2917 and Farm-to-Market Road 2004, Brazoria County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes: Docket Nos. 2011-1081-AIR-E, 2011-0223-AIR-E, 2008-1816-AIR-E, 2007-1279-AIR-E.

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: July 22, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$10,496

Amount Deferred for Expedited Settlement: \$2,099

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$8,397

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: Statutory Maximum Limit Adjustment \$2,025

Applicable Penalty Policy: September 2002

Executive Summary – Enforcement Matter – Case No. 41514
INEOS USA LLC
RN100238708
Docket No. 2011-0614-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: January 28, 2011

Date(s) of NOE(s): April 15, 2011

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, 1,623.48 pounds ("lbs") of volatile organic compounds, 232 lbs of nitrogen oxides and 1,180 lbs of carbon monoxide were released from the Olefins 1 Unit, when the Respondent failed to prevent an analyzer from being turned off while the tower was under Distributive Metrics Control, resulting in an emissions event which began on December 28, 2010, and lasted for one hour and 30 minutes (Incident No. 148890). Since the emissions event was avoidable by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), Flexible Permit Nos. 95 and PSD-TX-854M2, Special Conditions No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to report all contaminants released in the final report. Specifically, the final report submitted for Incident No. 148890, which occurred at the Olefins 1 Unit on December 28, 2010, failed to specify the release of propylene, propane, 1,3-butadiene, butenes and pentane [30 TEX. ADMIN. CODE § 101.201(b)(1)(G) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:

a. On December 29, 2010, conducted training to ensure that the analyzer technicians follow procedures and inform the board operators when an analyzer is being worked on in order to help prevent the recurrence of emissions events from same or similar causes as Incident No. 148890;

b. On January 31, 2011, submitted detailed information regarding the contaminants that were released during Incident No. 148890 to the TCEQ; and

c. On April 18, 2011, trained personnel to ensure that all released contaminants are accurately reported on the emissions event reports.

Technical Requirements:

N/A

Executive Summary – Enforcement Matter – Case No. 41514

INEOS USA LLC

RN100238708

Docket No. 2011-0614-AIR-E

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Nadia Hameed, Enforcement Division,
Enforcement Team 5, MC R-12, (713) 767-3629; Debra Barber, Enforcement Division,
MC 219, (512) 239-0412

TCEQ SEP Coordinator: N/A

Respondent: David L. Brackett, Site Manager, INEOS USA LLC, P.O. Box 1488, Alvin,
Texas 77512

Theresa Vitek, Manager - Safety, Health and Environmental, INEOS USA LLC, P.O. Box
1488, Alvin, Texas 77512

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	18-Apr-2011	Screening	21-Apr-2011	EPA Due	
	PCW	25-Apr-2011				

RESPONDENT/FACILITY INFORMATION

Respondent	INEOS USA LLC		
Reg. Ent. Ref. No.	RN100238708		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	41514	No. of Violations	2	
Docket No.	2011-0614-AIR-E	Order Type	1660	
Media Program(s)	Air	Government/Non-Profit	No	
Multi-Media		Enf. Coordinator	Nadia Hameed	
		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	\$2,600
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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	406.0% Enhancement	Subtotals 2, 3, & 7	\$10,556
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Notes: Enhancement for 10 orders with denial of liability, five orders without denial of liability, 12 same/similar NOVs and 11 dissimilar NOVs. Reduction for one Notice of Intent letter submitted.

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	\$635
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$16
Approx. Cost of Compliance	\$2,200

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$12,521
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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	\$12,521
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$10,496
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DEFERRAL	20.0% Reduction	Adjustment	-\$2,099
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$8,397
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Screening Date 21-Apr-2011
Respondent INEOS USA LLC
Case ID No. 41514
Reg. Ent. Reference No. RN100238708
Media [Statute] Air
Enf. Coordinator Nadia Hameed

Docket No. 2011-0614-AIR-E

PCW

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	12	60%
	Other written NOVs	11	22%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	10	200%
	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	5	125%
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 (<i>number of judgments or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	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 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 406%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for 10 orders with denial of liability, five orders without denial of liability, 12 same/similar NOVs and 11 dissimilar NOVs. Reduction for one Notice of Intent letter submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 406%

Screening Date 21-Apr-2011
Respondent INEOS USA LLC
Case ID No. 41514
Reg. Ent. Reference No. RN100238708
Media [Statute] Air
Enf. Coordinator Nadia Hameed

Docket No. 2011-0614-AIR-E

PCW

Policy Revision 2 (September 2002)
 PCW Revision October 30, 2008

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), Flexible Permit Nos. 95 and PSD-TX-854M2, Special Conditions No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, 1,623.48 pounds ("lbs") of volatile organic compounds, 232 lbs of nitrogen oxides and 1,180 lbs of carbon monoxide were released from the Olefins 1 Unit, when the Respondent failed to prevent an analyzer from being turned off while the tower was under Distributive Metrics Control, resulting in an emissions event which began on December 28, 2010, and lasted for one hour and 30 minutes (Incident No. 148890). Since the emissions event was avoidable by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			X	25%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes Human health or the environment has been exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

Reduction

\$625

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

Notes The Respondent completed the corrective actions on December 29, 2010, prior to the April 15, 2011 NOE.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$12,025

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

Economic Benefit Worksheet

Respondent INEOS USA LLC
Case ID No. 41514
Req. Ent. Reference No. RN100238708
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	28-Dec-2010	29-Dec-2010	0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated expense to ensure that correct procedures for analyzer custody transfer are followed. The Date Required is the first date of the emissions event. The Final Date is the date the 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

\$1,000

TOTAL

\$0

Screening Date 21-Apr-2011
Respondent INEOS USA LLC
Case ID No. 41514

Docket No. 2011-0614-AIR-E

PCW

Policy Revision 2 (September 2002)
PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100238708

Media [Statute] Air

Enf. Coordinator Nadia Hameed

Violation Number 2

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

Violation Description

Failed to report all contaminants released in the final report. Specifically, the final report submitted for Incident No. 148890, which occurred at the Olefins 1 Unit on December 28, 2010, failed to specify the release of propylene, propane, 1,3-butadiene, butenes and pentane.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

At least 70 percent of the rule requirement was met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

20 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

10.0% Reduction

\$10

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

Notes

The Respondent completed the corrective actions on April 18, 2011, after the April 15, 2011 NOE.

Violation Subtotal \$90

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$16

Violation Final Penalty Total \$496

This violation Final Assessed Penalty (adjusted for limits) \$496

Economic Benefit Worksheet

Respondent INEOS USA LLC
Case ID No. 41514
Req. Ent. Reference No. RN100238708
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

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	\$1,000	28-Dec-2010	18-Apr-2011	0.30	\$15	n/a	\$15
Remediation/Disposal			0.00	\$0	n/a	\$0	
Permit Costs			0.00	\$0	n/a	\$0	
Other (as needed)	\$200	11-Jan-2011	31-Jan-2011	0.05	\$1	n/a	\$1

Notes for DELAYED costs

Estimated expense to ensure that the reports are submitted with all the necessary information. The Date Required is the date of the emissions event and the date the final report was due (corrected information on contaminants submitted on 01/11/2011). The Final Date is the date the 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

\$1,200

TOTAL

\$16

Compliance History

Customer/Respondent/Owner-Operator:	CN602817884	INEOS USA LLC	Classification: AVERAGE	Rating: 3.86
Regulated Entity:	RN100238708	CHOCOLATE BAYOU PLANT	Classification: AVERAGE	Site Rating: 7.04
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER		BL0002S
	AIR OPERATING PERMITS	PERMIT		1353
	AIR OPERATING PERMITS	PERMIT		2327
	POLLUTION PREVENTION PLANNING	ID NUMBER		P00028
	WASTEWATER	PERMIT		WQ0001333000
	WASTEWATER	EPA ID		TX0004821
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION		12999
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		0200132
	UNDERGROUND INJECTION CONTROL	PERMIT		5D0400007
	AIR NEW SOURCE PERMITS	PERMIT		53419
	AIR NEW SOURCE PERMITS	PERMIT		95
	AIR NEW SOURCE PERMITS	PERMIT		101
	AIR NEW SOURCE PERMITS	REGISTRATION		75608
	AIR NEW SOURCE PERMITS	REGISTRATION		12953
	AIR NEW SOURCE PERMITS	REGISTRATION		53419
	AIR NEW SOURCE PERMITS	REGISTRATION		75399
	AIR NEW SOURCE PERMITS	REGISTRATION		10465
	AIR NEW SOURCE PERMITS	REGISTRATION		10906
	AIR NEW SOURCE PERMITS	REGISTRATION		11060
	AIR NEW SOURCE PERMITS	REGISTRATION		11539
	AIR NEW SOURCE PERMITS	REGISTRATION		12136
	AIR NEW SOURCE PERMITS	REGISTRATION		12709
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		BL0002S
	AIR NEW SOURCE PERMITS	AFS NUM		4803900014
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX854
	AIR NEW SOURCE PERMITS	PERMIT		488A
	AIR NEW SOURCE PERMITS	PERMIT		491A
	AIR NEW SOURCE PERMITS	PERMIT		1041
	AIR NEW SOURCE PERMITS	PERMIT		2798
	AIR NEW SOURCE PERMITS	PERMIT		4882
	AIR NEW SOURCE PERMITS	PERMIT		7196
	AIR NEW SOURCE PERMITS	PERMIT		19868
	AIR NEW SOURCE PERMITS	PERMIT		35735
	AIR NEW SOURCE PERMITS	PERMIT		46192
	AIR NEW SOURCE PERMITS	REGISTRATION		48637

AIR NEW SOURCE PERMITS	REGISTRATION	71820
AIR NEW SOURCE PERMITS	REGISTRATION	74968
AIR NEW SOURCE PERMITS	REGISTRATION	76394
AIR NEW SOURCE PERMITS	EPA ID	PSDTX793
AIR NEW SOURCE PERMITS	EPA ID	PSDTX983
AIR NEW SOURCE PERMITS	REGISTRATION	76826
AIR NEW SOURCE PERMITS	REGISTRATION	76401
AIR NEW SOURCE PERMITS	EPA ID	PSDTX642
AIR NEW SOURCE PERMITS	REGISTRATION	78501
AIR NEW SOURCE PERMITS	REGISTRATION	78483
AIR NEW SOURCE PERMITS	EPA ID	PSDTX854M2
AIR NEW SOURCE PERMITS	REGISTRATION	94567
AIR NEW SOURCE PERMITS	REGISTRATION	87813
WATER LICENSING	LICENSE	0200132
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD050309012
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30042
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50121
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30042
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	BL0002S

Location: 2 MI South OF THE INTERSECTION OF FM 2917 AND FM 2004, Brazoria County, Texas

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: April 19, 2011

Date Compliance History Prepared:

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 19, 2006 to April 19, 2011

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

Name: Nadia Hameed Phone: (713) 767-3629

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: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 08/28/2006

ADMINORDER 2006-0242-AIR-E

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: Air Permit #92/PSD-TX-854, S.C.#1 PA

Description: Failed to prevent unauthorized emissions during a April 14, 2005 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 A 382.085(b)

Rqmt Prov: Air Permit #95/PSD-TX-854, S.C.#1 PA

Description: Failed to prevent unauthorized emissions during a May 29, 2005 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 A 382.085(b)

Rqmt Prov: Air Permit #95/PSD-TX-854, S.C.#1 PA

Description: Failed to prevent unauthorized emissions during a July 5, 2005 emissions event.

Effective Date: 11/03/2006

ADMINORDER 2006-0469-AIR-E

Classification: Major

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

Rqmt Prov: No. 95/PSD-TX-854, Special Condition #1 PERMIT

Description: Failure to prevent loss of instrument air resulting in unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: Permit No. 95/PSD-TX-854 PERMIT

Description: Failed to maintain an emission rate below the maximum allowable emission limit of zero from the No. 1 Olefins Flare on November 19, 2005 [emission point No. ("EPN") DM-1101] on November 19, 2005.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to maintain an emission rate below the maximum allowable emission limit of zero from the No. 1 Olefins Flare on December 11, 2005 [EPN DM-1101] on December 11, 2005.

Effective Date: 04/26/2007

ADMINORDER 2006-1893-AIR-E

Classification: Moderate

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

Rqmt Prov: No. 95, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/31/2007

ADMINORDER 2007-0175-AIR-E

Classification: Moderate

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

Rqmt Prov: No. 95, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 11/19/2007

ADMINORDER 2004-0891-AIR-E

Classification: Major

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

Rqmt Prov: Flexible Air Permit #95, SC #1 PERMIT

Description: BP Amoco failed to prevent the unauthorized excessive emissions from Emission Point No. DDM-3101 during a period of 42 hours on April 1 through April 3, 2003.

Classification: Moderate

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

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

Rqmt Prov: Flexible Permit 95 and PSD-TX-854 PA

Description: BP Amoco failed to prevent the unauthorized emissions when a drain valve on Flare Knock-Out Drum AD-1501 was left open for one hour on May 3, 2004.

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: TCEQ FLEXIBLE AIR PERMIT #95, SC#1 PERMIT

Description: BP Amoco failed to prevent the unauthorized emissions when BP Amoco failed to prevent a high concentration of carbon monoxide in cracked gas which caused a malfunction in the acetylene reactor, which in turn, resulted in the production of ethylene which was routed to the Olefins 1 Flare for approximately 12 hours and 30 minutes on July 19, 2004.

Classification: Moderate

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

Rqmt Prov: TCEQ Flexible Air Permit No. 95, SC1 PERMIT

Description: BP Amoco failed to prevent the unauthorized emissions from the Olefins 2 Unit's flare when the Steam Turbine, DDGT-220AN, had an electrical short circuit which caused it to trip offline. This short circuiting caused the Cracked-Gas Compressor DDC-202N to trip-off during a period of approximately eleven (11) hours on June 16, 2004.

Classification: Moderate

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

Rqmt Prov: 19868, SC No. 1 PA

Description: BP Amoco failed to prevent the unauthorized emissions due to a seal failure on Quench Pump MG-251 for approximately one hour and forty-five minutes on July 9, 2004.

Classification: Moderate

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

Rqmt Prov: TCEQ Flex Air Permit No. 95, SC1 PERMIT

Description: BP Amoco failed to prevent unauthorized emissions from the Olefins 1 Unit Flare when BP failed to control back-pressure in a hydrogen pipeline; thereby shutting down two compressors and decreasing flow through the ethylene section of the Olefins 1 Unit for approximately 40 hours from October 21 through October 23, 2004.

Classification: Moderate

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

Rqmt Prov: 95, SC #1 PA

Description: BP Amoco failed to prevent unauthorized emissions from the Olefins 1 Flare when BP failed to control the carbon monoxide concentration and temperature in the acetylene reactor, DR-201 A/B, for approximately 10 hours on October 29, 2004.

Effective Date: 01/28/2008

ADMINORDER 2007-0370-AIR-E

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: No. 95/PSD-TX-854, SC#1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions during Incident 63040 and 63041.

Classification: Major

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: No. 95 PERMIT

Description: Failed to control unauthorized emissions during Incident No. 63863 and No. 63864.

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: TCEQ Flex Air Permit #95/PSD-TX-854, SC1 OP

Description: INEOS failure 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: Special Condition No. 1 PERMIT
Description: Failure to prevent loss of feed resulting in 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: TCEQ Permit No. 95, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions due to operator error.

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: TCEQ Permit No. 95, Special Condition 1 PERMIT
Description: Failure 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: No. 95, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions.

Effective Date: 04/03/2008 ADMINORDER 2007-1325-PWS-E

Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for Trihalomethanes during the fourth quarter of 2006.

Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the maximum contaminant level for Trihalomethanes during the first quarter of 2007.

Effective Date: 07/21/2008 ADMINORDER 2008-0266-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: No. 95, Special Condition 1 PERMIT
Description: Failed to prevent the interruption of dimethylsulfide supply to dilution steam.

Effective Date: 11/17/2008 ADMINORDER 2008-0800-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Condition No. 11 PERMIT
Special Condition 1 PERMIT
Description: Failed to comply with permitted emissions limits.

Effective Date: 03/12/2009 ADMINORDER 2008-1561-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 rupture of Tank AF4601B roof seals.

Effective Date: 07/20/2009

ADMINORDER 2009-0292-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: INEOS failed to prevent an avoidable emissions event.

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: INEOS failed to prevent an avoidable emissions event.

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: Failure to prevent the unauthorized release of 2,739 lbs of ethylene, 93 lbs of 1,3-butadiene, 303 lbs of propylene, 1,119 lbs nitrogen oxides, 5,701 lbs carbon monoxide, and 527 lbs of other volatile organic compounds (VOCs). This was caused by a malfunction of a level controller on the feed drum separator to a demethanizer column.

Effective Date: 11/13/2009

ADMINORDER 2009-0758-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: Special Condition 1 PA

Description: Failure to prevent unauthorized emissions. Specifically, the failure of the mechanical arm caused the malfunction of DDC-201 crack gas compressor.

Effective Date: 04/11/2010

ADMINORDER 2009-1084-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: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event. The operator failed to control the liquid level on first stage suction drum (D-201).

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: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event. Specifically, INEOS failed to prevent the loss of steam pressure which resulted in C-201 cracked gas compressor trip.

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: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. The valve controller to the R-202 acetylene reactor was tuned improperly.

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: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions when the block valve to DB901A fuel line was not fully closed.

Effective Date: 04/25/2010
Classification: Moderate

ADMINORDER 2009-1737-AIR-E

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: Special Condition 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions which was caused by the polymerization of 1,3-butadiene in the process.

Effective Date: 03/07/2011

ADMINORDER 2010-1059-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(2)
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 from the No. 2 Olefins Flare, including more than 1,200 lbs per hour of HRVOC, during an excessive emissions event (Incident No. 135112) which began on January 28, 2010

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions from relief valves and the No. 1 Olefins flare during an emissions event (Incident No 135522) on February 6, 2010

Classification: Moderate

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

Rqmt Prov: Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions from the No. 2 Olefins Flare during an emissions event (Incident No. 134543) beginning on January 15, 2010.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC 8.B. PERMIT

Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions from the PP3 Flare and to maintain the flame on the flare during an emissions event (Incident No. 137002) which began on March 13, 2010

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 from the No. 1 Olefins Flare during an emissions event (Incident No. 137806) which began on March 31, 2010.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions from the DDG-411AN propylene product pump during an emissions event (Incident No. 138184) on April 10, 2010

- 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	08/09/2006	(375409)
2	02/22/2007	(437530)
3	02/23/2007	(437902)
4	05/10/2006	(451219)
5	05/19/2006	(453213)
6	05/09/2006	(453215)
7	04/28/2006	(453217)
8	05/15/2006	(454640)
9	07/11/2007	(454997)
10	11/27/2006	(455008)
11	03/13/2007	(455785)
12	04/24/2006	(459777)
13	04/24/2006	(460166)
14	04/24/2006	(460197)
15	03/23/2007	(460443)
16	04/03/2007	(461307)
17	04/11/2007	(461770)
18	05/17/2006	(462063)
19	05/04/2006	(462911)
20	07/27/2006	(465816)
21	06/30/2006	(482249)
22	07/07/2006	(483768)
23	07/07/2006	(483977)
24	07/07/2006	(484327)
25	07/21/2006	(484894)
26	07/21/2006	(485159)
27	07/06/2006	(485562)
28	09/01/2006	(488185)
29	09/01/2006	(488258)
30	09/01/2006	(488259)
31	09/01/2006	(488316)

32 09/01/2006 (488416)
33 09/01/2006 (488461)
34 09/01/2006 (488482)
35 09/01/2006 (489158)
36 02/26/2007 (489773)
37 09/01/2006 (497259)
38 04/21/2006 (498117)
39 05/16/2006 (498118)
40 06/19/2006 (498119)
41 07/17/2006 (498120)
42 10/10/2006 (511470)
43 05/21/2007 (511619)
44 10/10/2006 (514525)
45 10/17/2006 (515418)
46 12/06/2006 (518260)
47 08/16/2006 (520130)
48 10/12/2006 (520131)
49 12/19/2006 (532142)
50 04/13/2007 (532653)
51 01/16/2007 (534803)
52 03/22/2007 (541397)
53 04/09/2007 (541411)
54 02/26/2007 (541487)
55 02/28/2007 (541747)
56 02/07/2007 (544396)
57 11/17/2006 (544397)
58 11/08/2006 (544398)
59 12/12/2006 (544399)
60 01/12/2007 (544400)
61 05/03/2007 (554914)

62 05/10/2007 (555702)
63 05/25/2007 (560317)
64 06/06/2007 (562013)
65 08/10/2007 (562140)
66 08/10/2007 (563070)
67 06/25/2007 (564693)
68 09/28/2007 (565477)
69 08/31/2007 (565801)
70 10/04/2007 (565852)
71 10/04/2007 (565854)
72 10/10/2007 (565963)
73 10/10/2007 (565967)
74 10/10/2007 (566452)
75 10/19/2007 (566487)
76 07/23/2007 (566724)
77 10/10/2007 (566839)
78 10/19/2007 (566879)
79 10/10/2007 (566915)
80 10/11/2007 (566941)
81 12/04/2007 (566947)
82 10/11/2007 (566955)
83 07/23/2007 (567132)
84 01/17/2007 (567358)
85 07/19/2007 (567658)
86 05/18/2007 (568214)
87 07/30/2007 (568409)
88 10/18/2007 (569974)
89 11/26/2007 (569987)
90 11/26/2007 (570225)
91 02/20/2008 (570269)
92 09/19/2007 (570290)

93 11/27/2007 (570543)
94 09/19/2007 (574167)
95 11/13/2007 (574346)
96 03/12/2007 (575151)
97 04/16/2007 (575152)
98 05/18/2007 (575153)
99 06/11/2007 (575154)
100 07/12/2007 (575155)
101 08/07/2007 (575156)
102 11/09/2007 (594021)
103 11/09/2007 (594251)
104 11/09/2007 (594360)
105 11/16/2007 (594670)
106 11/16/2007 (594676)
107 11/16/2007 (594681)
108 11/09/2007 (594738)
109 11/19/2007 (594880)
110 03/10/2008 (597253)
111 12/20/2007 (599302)
112 01/02/2008 (599812)
113 11/06/2007 (600100)
114 01/08/2008 (600585)
115 02/08/2008 (600663)
116 09/18/2007 (607523)
117 09/18/2007 (607524)
118 02/08/2008 (609244)
119 01/10/2008 (609407)
120 01/25/2008 (609712)
121 02/08/2008 (609996)
122 02/08/2008 (610061)

123 02/08/2008 (610221)
124 02/08/2008 (610485)
125 02/08/2008 (611533)
126 01/18/2008 (611544)
127 01/03/2008 (611841)
128 02/08/2008 (611999)
129 02/08/2008 (612004)
130 02/08/2008 (612681)
131 03/13/2008 (614947)
132 03/18/2008 (615544)
133 03/18/2008 (615545)
134 03/18/2008 (615556)
135 03/18/2008 (615557)
136 03/31/2008 (616611)
137 03/31/2008 (616733)
138 04/04/2008 (618108)
139 02/15/2008 (618820)
140 11/08/2007 (619477)
141 12/05/2007 (619478)
142 10/29/2008 (636605)
143 03/06/2008 (636901)
144 05/09/2008 (637781)
145 04/21/2008 (639800)
146 05/16/2008 (639937)
147 05/16/2008 (639984)
148 05/16/2008 (640018)
149 05/23/2008 (640200)
150 07/07/2008 (641625)
151 02/08/2008 (652098)
152 05/18/2007 (652283)
153 08/10/2007 (652667)

154 11/15/2007 (653032)
155 05/07/2008 (654421)
156 10/27/2008 (657228)
157 06/30/2008 (671377)
158 06/30/2008 (671397)
159 02/13/2008 (671984)
160 03/06/2008 (671985)
161 04/07/2008 (671986)
162 03/26/2008 (671987)
163 07/15/2008 (681456)
164 10/21/2008 (682299)
165 06/26/2008 (683110)
166 06/27/2008 (684063)
167 10/28/2008 (685844)
168 08/14/2008 (686668)
169 07/28/2008 (687478)
170 08/19/2008 (687694)
171 08/22/2008 (687895)
172 02/20/2009 (689406)
173 02/20/2009 (689422)
174 05/12/2008 (689902)
175 06/10/2008 (689903)
176 11/10/2008 (700448)
177 08/29/2008 (701306)
178 11/10/2008 (705593)
179 12/06/2007 (710683)
180 09/05/2008 (710684)
181 09/23/2008 (710685)
182 11/10/2008 (710686)
183 09/23/2008 (710687)

184 02/03/2009 (722657)
185 02/05/2009 (722823)
186 02/05/2009 (722848)
187 02/27/2009 (724203)
188 08/20/2009 (724204)
189 07/27/2009 (725190)
190 02/10/2009 (726338)
191 12/10/2008 (727445)
192 12/10/2008 (727446)
193 04/24/2009 (737309)
194 05/15/2009 (737333)
195 04/27/2009 (737963)
196 03/18/2009 (738007)
197 03/18/2009 (738050)
198 05/05/2009 (739628)
199 05/05/2009 (739755)
200 06/09/2009 (739816)
201 04/18/2009 (741058)
202 08/07/2009 (741172)
203 05/15/2009 (742437)
204 05/15/2009 (742470)
205 05/15/2009 (742611)
206 11/10/2009 (746109)
207 06/30/2009 (746227)
208 11/05/2009 (746389)
209 08/04/2010 (747496)
210 07/16/2009 (748313)
211 07/16/2009 (748315)
212 08/14/2009 (749587)
213 02/03/2009 (750205)
214 03/04/2009 (750206)

215	04/08/2009	(750207)
216	04/01/2009	(750208)
217	09/02/2009	(760233)
218	09/02/2009	(760551)
219	09/03/2009	(761249)
220	09/02/2009	(761259)
221	09/03/2009	(761268)
222	09/28/2009	(762141)
223	09/28/2009	(763026)
224	09/18/2009	(763553)
225	08/17/2009	(764639)
226	09/30/2009	(764855)
227	09/30/2009	(764874)
228	10/01/2009	(765567)
229	10/08/2009	(766406)
230	08/20/2009	(766649)
231	05/15/2009	(768312)
232	06/09/2009	(768313)
233	12/23/2009	(777974)
234	01/05/2010	(778214)
235	12/02/2009	(778933)
236	12/22/2009	(780308)
237	01/22/2010	(780824)
238	12/17/2009	(784082)
239	01/26/2010	(787753)
240	01/22/2010	(787933)
241	01/27/2010	(789059)
242	02/17/2010	(789378)
243	02/24/2010	(792058)
244	05/27/2010	(793072)

245 07/13/2010 (795013)
246 03/12/2010 (795191)
247 04/23/2010 (795826)
248 04/23/2010 (795943)
249 04/19/2010 (796648)
250 05/10/2010 (800560)
251 05/17/2010 (801639)
252 06/10/2010 (801866)
253 06/23/2010 (802202)
254 05/26/2010 (802444)
255 06/24/2010 (802766)
256 08/31/2010 (803098)
257 02/08/2010 (804519)
258 11/09/2009 (804520)
259 12/07/2009 (804521)
260 01/11/2010 (804522)
261 08/09/2010 (824509)
262 06/17/2010 (824648)
263 06/08/2010 (824682)
264 07/28/2010 (825561)
265 07/09/2010 (826424)
266 07/14/2010 (826434)
267 11/24/2010 (826657)
268 11/10/2010 (826661)
269 11/24/2010 (826663)
270 03/04/2010 (830831)
271 04/07/2010 (830832)
272 05/13/2010 (830833)
273 09/07/2010 (841097)
274 07/21/2010 (841099)
275 09/03/2010 (841100)

276 01/07/2011 (843913)
277 06/15/2010 (846251)
278 08/31/2010 (849984)
279 07/08/2010 (860846)
280 11/08/2010 (866088)
281 10/13/2010 (866253)
282 08/12/2010 (866812)
283 01/27/2011 (870365)
284 02/24/2011 (871346)
285 01/12/2011 (872609)
286 01/14/2011 (872634)
287 02/08/2011 (872714)
288 09/08/2010 (873884)
289 01/05/2011 (878647)
290 12/10/2010 (878760)
291 01/14/2011 (878920)
292 01/05/2011 (881211)
293 09/21/2010 (881485)
294 01/10/2011 (885126)
295 03/15/2011 (885405)
296 03/23/2011 (887208)
297 11/03/2010 (888014)
298 04/14/2011 (891799)
299 03/10/2011 (891868)
300 03/10/2011 (891871)
301 03/10/2011 (891874)
302 03/04/2011 (893279)
303 02/08/2011 (894375)
304 03/03/2011 (895466)
305 12/09/2010 (896219)

306 03/30/2011 (900038)
 307 01/07/2011 (902288)
 308 04/07/2011 (905461)
 309 04/07/2011 (905464)
 310 04/06/2011 (908551)
 311 02/08/2011 (909064)

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

Date: 04/28/2006 (453217)CN602817884
 Self Report? NO Classification: Moderate
 Citation: Permit No. 19868, Special Condition 1 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 19868 for the Flare.

Date: 01/17/2007 (567358) CN602817884
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
 5A THC Chapter 341, SubChapter A 341.0315(c)
 Description: Violated the maximum contaminant level for Trihalomethanes during the fourth quarter of 2006.

Date: 05/18/2007 (652283) CN602817884
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
 Description: TOTAL TRIHALOMETHANES

Date: 05/18/2007 (568214) CN602817884
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
 5A THC Chapter 341, SubChapter A 341.0315(c)
 Description: Violated the maximum contaminant level for Trihalomethanes during the first quarter of 2007.

Date: 08/10/2007 (652667) CN602817884
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
 Description: TOTAL TRIHALOMETHANES

Date: 08/31/2007 (565801) CN602817884
 Self Report? NO Classification: Moderate
 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 Part 60, Subpart VV 60.482-6(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP #O-01353, Special Condition #1A OP
 FOP #O-01353, Special Condition #6 OP
 Permit #19868, Special Condition #5E PERMIT
 Permit #35735, Special Condition #8E PERMIT
 Permit #5419, Special Condition #8E PERMIT
 Description: Failure to seal open-ended lines in a VOC service.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

FOP # O-01353, Special Condition #1A OP
FOP # O-01353, Special Condition #6 OP
Permit #19868, Special Condition #8D PERMIT
Permit #35735, Special Condition #4 PERMIT

Description: Failure to prevent flares' on-line analyzers to be out of service.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart A 60.18(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP #O-01353, Special Condition #1A OP
FOP #O-01353, Special Condition #6 OP
Permit #35735, Special Condition #3 PERMIT

Description: Failure to prevent visible emissions at the flare.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP #O-01353, Special Condition #6 OP
Permit #35735, Special Condition #4 PERMIT

Description: Failure to prevent flare monitoring data for vent flow rate lost due to parametric meter malfunction.

Self Report? NO Classification: Minor

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

Description: Failure to include in four previous deviation reports (May 2005 to October 2006) their failure to submit semi-annual reports of non-repairable HRVOC fugitive emission components to TCEQ Houston Region Office.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to prevent extraordinary repair attempt not completed within 30 days of leak detection for valve in HRVOC service (leaking <10,000 ppmv).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit reports of HRVOC fugitive emissions components that were non-repairable (i.e. placed on delay of repair) to the TCEQ and local agency semi-annually as required until the report covering the period ending December 31, 2006.

Self Report? NO Classification: Moderate

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

Description: Failure to collect samples for total VOC analysis while Polypropylene Unit #2 cooling tower analyzer was out of calibration.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to prevent stationary diesel emergency engine tested between 6 am and 12 noon.

Date: 09/30/2007 (607523) CN602817884

Self Report? YES Classification: Moderate

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

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

Date: 11/15/2007 (653032) CN602817884

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Description: TOTAL TRIHALOMETHANES

Date: 02/08/2008 (652098) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TOTAL TRIHALOMETHANES

Date: 04/04/2008 (618108) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
No. 95, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions due to operator error.

Date: 07/15/2008 (681456) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Special Condition No. 8B PERMIT
Description: Failed to prevent the loss of flame at the flare.
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: Failed to prevent unauthorized emissions.

Date: 08/22/2008 (687895) CN602817884
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 flare malfunction.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
Special Condition #8.B PERMIT
Description: Failure to prevent the loss of flame on the flare.

Date: 10/31/2008 (710686) CN602817884
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2008 (636605) CN602817884
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(C)
30 TAC Chapter 115, SubChapter H 115.782(c)(1)(C)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(d)(2)
5C THSC Chapter 382 382.085(b)
STC 1A OP
Description: Failure to repair four leaking pumps.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1A OP
Description: Failed to repair leaking components within 15 days.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)

5C THSC Chapter 382 382.085(b)
 Description: Failure to submit HRVOC Delay of Repair report.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)
 5C THSC Chapter 382 382.085(b)

Description: Failure to conduct Extra-Ordinary Efforts.
 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 UU 63.1033(b)(1)
 5C THSC Chapter 382 382.085(b)
 SC 34E PA
 STC 19 PA

Description: Failure to seal open ended lines.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 35F PA
 STC 19 OP

Description: Failure to conduct fugitive monitoring on 216 valves.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 STC 1A OP

Description: Failure to verify leak repairs.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.788(c)
 5C THSC Chapter 382 382.085(b)

Description: Failure to provide 30 day notification prior to HRVOC Audit.
 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)
 SC 13 PA
 STC 19 OP

Description: Failure to maintain hourly NOX emissions within limits.
 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)
 STC 1Hi OP

Description: Failure to maintain flare analyzer downtime to less than 5%.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to maintain ammonia emissions less than 10 ppmv.
 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 1 PA
 STC 19 OP

Description: Failure to maintain ammonia emissions within the MAERT.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.300
 30 TAC Chapter 117, SubChapter B 117.340(d)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 STC 1A OP

Description: Failure to monitor ammonia slip.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(7)(ii)
5C THSC Chapter 382 382.085(b)
SC 11A PA
STC 1A OP

Description: Failure to maintain flare exit velocity less than Vmax.

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)
5C THSC Chapter 382 382.085(b)
SC 11A PA
STC 1A OP

Description: Failure to maintain net heating content greater than 300 Btu/scf.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.300
30 TAC Chapter 117, SubChapter B 117.335(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to test engine within 60 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.300
30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to maintain CO emissions less than 400 ppmv.

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)
SC 1 PA
STC 19 OP

Description: Failure to maintain firing rates within limits.

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)
SC 4B PA
STC 19 OP

Description: Failure to maintain boiler firing rate less than 388 mmbtu/hr.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 49 PA
STC 19 OP

Description: Failure to record vent stream flow to flare.

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)
SC 1 PA
STC 19 OP

Description: Failure to maintain CO emissions within the MAERT.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 3Ai OP

Description: Failure to prevent visible emissions from stationary vents.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(c)(2)(i)

5C THSC Chapter 382 382.085(b)
 STC 1A OP
 Description: Failure to maintain records of Audio, Visual, Olfactory (AVO) inspections.
 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 38 PA
 STC 19 OP
 Description: Failure to record time during ammonia AVO inspections
 Self Report? NO Classification: Minor
 Citation: 1A OP
 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 3 PA
 Description: Failure to maintain NOx emissions within limits
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.300
 30 TAC Chapter 117, SubChapter B 117.345(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 STC 1A OP
 Description: Failure to submit PEMS RATA notification within 15 days.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 STC 7A OP
 Description: Failure to prevent engine testing between 6 am and 12 noon.
 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)
 STC 2F OP
 Description: Failure to submit Emission Event reports to local programs.

 Date: 11/10/2008 (700448) CN602817884
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 Special Condition #11.B-PERMIT
 Description: Failed to prevent the loss of flame on the flare.

 Date: 04/27/2009 (737963) CN602817884
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions during an emissions event.

 Date: 07/31/2009 (727445) CN602817884
 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: 12/17/2009 (784082) CN602817884

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Description: Failure to prevent the unauthorized emissions. C-302 and C-501 compressors tripped during level adjustments to the D-345 flash drums.

Date: 05/31/2010 (846251) CN602817884
 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: 08/05/2010 (747496) CN602817884
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to limit Cogen HRSG boiler firing rate to 213 MMBtu/hr. Category B violation.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 106, SubChapter T 106.454(1)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to maintain solvent make up records. Category C 3 violation.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter E 115.412(2)(D)(i)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to maintain proper freeboard level on degreasers. Category C 7 violation.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to install fuel flow-meters. Category C 7 violation.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(d)(2)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP
 Description: Failure to repair two pumps on delay of repair (DOR). Category C 7 violation.

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)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)
 5C THSC Chapter 382 382.085(b)
 Special Condition 34E PA
 Special Conditions 1A, 18 OP
 Description: Failure to cap/plug open-ended lines in VOC/HAPS/HRVOC service. Category C 10 violation.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 34I PA
 Special Conditions 1A, 18 OP
 Description: Failure to repair valves on required time frame.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(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 A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 11 PA
Special Conditions 1A and 18 OP

Description: Failure to operate flares without visible emissions.

Self Report? NO Classification: Minor

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

Description: Failure to operate waste gas units/furnaces within opacity limit. Category C 7 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)
5C THSC Chapter 382 382.085(b)

Description: Failure to include T-301, T-304 vents in the new source performance standards (NSPS) applicability in the Federal Operating Permit (FOP) #O-02327. Category C 7 violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.335(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to perform required initial engine test. Category C 1 violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to conduct stationary emergency diesel engine test at a required time.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to maintain carbon monoxide (CO) less than 400 ppmv. Category B 14 violation.

Self Report? NO Classification: Moderate

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

Description: Failure to sample a highly reactive volatile organic compound (HRVOC) analyzer. Category C 1 violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to conduct continuous emission monitoring system (CEMS) daily zero span check.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(2)
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 A 60.18(c)(4)(ii)
40 CFR Part 63, Subpart A 63.11(b)(7)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 11A PA
Special Conditions 1A, 18 OP

Description: Failure to maintain flare velocity. CATEGORY C 4 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)
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 A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11A PA
 Special Conditions 1A, 18 OP

Description: Failure to maintain flare hourly net heating value at 300 Btu/SCF.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1A OP

Description: Failure to equip sample connection system with a closed-purge.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 18 OP
 Special Condition 38 PA

Description: Failure to maintain aqueous ammonia audio, visual, olfactory (AVO) record.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.781(a)
 5C THSC Chapter 382 382.085(b)

Description: Failure to identify a component in highly-reactive volatile organic compound (HRVOC) service. Category C 7 violation.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 5C THSC Chapter 382 382.085(b)

Description: Failure to document time in the daily flare visible emission log. Category C 3 violation.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 18 OP
 Special Condition 43H PA

Description: Failure to demonstrate ninety five percent valid emission with predictive emission monitoring system (PEMS). Category C 1 violation.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 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)
 Special Condition 41 PA
 Special Conditions 1A, 18 OP

Description: Failure to continuously maintain and operate continuous emission monitoring system (CEMS). Category C 1 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)
 General Terms and Conditions OP

Description: Failure to submit a complete deviation report.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Condition 18 OP

Description: Exceedence of hourly CO limit (MAERT) during relative accuracy test audit (RATA). Category B 14 violation.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)
5C THSC Chapter 382 382.085(b)
Special Condition 8 PA
Special Conditions 1A, 18 OP

Description: Failure to close tank hatch. Category C 1 violation.

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 63, SubChapter C, PT 63, SubPT SS 63.999(a)(1)(iv)
5C THSC Chapter 382 382.085(b)
Special Condition 8 PA
Special Conditions 1A, 18 OP

Description: Failure to submit an application to substitute a prior flare performance test within ninety days. Category B 3 violation.

Date: 08/31/2010 (803098) CN602817884

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC #1(A) OP

Description: Failure to maintain a copy of the flares (EPNs: P2FLARE, P-3POLY, and P4FLARE) HRVOC monitoring Quality Assurance Plan (QAP). (Category C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.766(i)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions #1(A) PERMIT

Description: Failure to maintain a copy of the cooling towers (EPNs: P3CWT and P4CWT) HRVOC monitoring QAP which was deleted from the system. [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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition #8E PERMIT
Special Terms and Conditions #1A OP
Special Terms and Conditions #9 OP

Description: Failure to seal one (1) open-ended line discovered in the PP4 Unit. [Category C10]

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition #8C PERMIT
Special Terms and Conditions #1A OP
Special Terms and Conditions #9 OP

Description: Failure to prevent visible emissions at the P-3POLY flare. [Category B18]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(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 #8A PERMIT
Special Terms and Conditions #1A OP
Special Terms and Conditions #9 OP

Description: Failure to maintain the net heating content for the P-3POLY flare greater than 300 Btu/scf. [Category C4]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(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 #3A PERMIT
Special Terms and Conditions #1A OP
Special Terms and Conditions #9 OP

Description: Failure to maintain the net heating content for the P4FLARE greater than 300 Btu/scf. [Category C4]

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions #1A OP

Description: Failure to prevent emergency generator (EPN:P4EMGEN) on October 29, 2009 from operating between 6 a.m. and 12 noon. [Category C4]

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Terms and Condition#3(B)(iv)(1) OP

Description: Failure to conduct visible emission observations on stationary vents once during each quarter from April 1, 2009 through March 31, 2010. [Category B1]

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)
 Special Condition #5E PERMIT
 Special Terms and Conditions #1A OP
 Special Terms and Conditions #9 OP

Description: Failure to seal six (6) open-ended lines discovered in the PP3 Unit. [Category C10]

Date: 08/31/2010 (849984) CN602817884

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
 30 TAC Chapter 319, SubChapter A 319.7(c)

Description: Failure to maintain a temperature log for the sample storage refrigerator. At the time of the inspection, a temperature log was not being maintained for the sample storage refrigerator. A log must be maintained to ensure the sample refrigerator is operating properly.

Date: 03/09/2011 (895466) CN602817884

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter G 117.8100(b)(4)(C)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1(A) OP

Description: Chocolate Bayou plant failed an O2 RATA.(C-1)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.345(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1(A) OP

Description: Chocolate Bayou plant failed to submit the Compliance Test Report within the 60 day limit.(C-3)

F. Environmental audits.

Notice of Intent Date: 04/30/2010 (803375)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
INEOS USA LLC
RN100238708**

§
§
§
§
§

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2011-0614-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding INEOS USA LLC ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant two miles south of the intersection of Farm-to-Market Road 2917 and Farm-to-Market Road 2004 in Brazoria County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about April 20, 2011.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Four Hundred Ninety-Six Dollars (\$10,496) is assessed by the Commission in settlement of the violations alleged in

Section II ("Allegations"). The Respondent has paid Eight Thousand Three Hundred Ninety-Seven Dollars (\$8,397) of the administrative penalty and Two Thousand Ninety-Nine Dollars (\$2,099) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On December 29, 2010, conducted training to ensure that the analyzer technicians follow procedures and inform the board operators when an analyzer is being worked on in order to help prevent the recurrence of emissions events from same or similar causes as Incident No. 148890;
 - b. On January 31, 2011, submitted detailed information regarding the contaminants that were released during Incident No. 148890 to the TCEQ; and
 - c. On April 18, 2011, trained personnel to ensure that all released contaminants are accurately reported on the emissions event reports.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

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

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), Flexible Permit Nos. 95 and PSD-TX-854M2, Special Conditions No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during

a record review conducted on January 28, 2011. Specifically, 1,623.48 pounds ("lbs") of volatile organic compounds, 232 lbs of nitrogen oxides and 1,180 lbs of carbon monoxide were released from the Olefins 1 Unit, when the Respondent failed to prevent an analyzer from being turned off while the tower was under Distributive Metrics Control, resulting in an emissions event which began on December 28, 2010, and lasted for one hour and 30 minutes (Incident No. 148890). Since the emissions event was avoidable by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

2. Failed to report all contaminants released in the final report, in violation of 30 TEX. ADMIN. CODE § 101.201(b)(1)(G) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on January 28, 2011. Specifically, the final report submitted for Incident No. 148890, which occurred at the Olefins 1 Unit on December 28, 2010, failed to specify the release of propylene, propane, 1,3-butadiene, butenes and pentane.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: INEOS USA LLC, Docket No. 2011-0614-AIR-E" to:

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

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

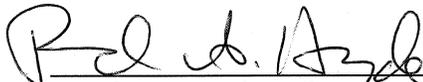
4. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

8/30/11

Date

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

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

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

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



Signature

6/2/2011

Date

DAVID L. BRACKETT

Name (Printed or typed)
Authorized Representative of
INEOS USA LLC

SITE MANAGER

Title

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