Executive Summary – Enforcement Matter – Case No. 41412
Chevron Phillips Chemical Company LP
RN100825249
Docket No. 2011-0506-AIR-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
AIR
Small Business:
No
Location(s) Where Violation(s) Occurred:
Chevron Phillips Chemical Sweeny Complex, 21689 Highway 35, Old Ocean, Brazoria County
Type of Operation:
Petrochemical processing plant
Other Significant Matters:
Additional Pending Enforcement Actions: No
Past-Due Penalties: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: August 5, 2011
Comments Received: No

Penalty Information

Total Penalty Assessed: $10,468
Amount Deferred for Expedited Settlement: $2,093
Amount Deferred for Financial Inability to Pay: $0
Total Paid to General Revenue: $4,188
Total Due to General Revenue: $0
Payment Plan: N/A
SEP Conditional Offset: $4,187
Name of SEP: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Compliance History Classifications:
Person/CN - Average
Site/RN - Average
Major Source: Yes
Statutory Limit Adjustment: Statutory Maximum Limit Adjustment $1,700
Applicable Penalty Policy: September 2002

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Chevron Phillips Chemical Company LP
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Docket No. 2011-0506-AIR-E

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: January 10, 2011
Date(s) of NOE(s): March 11, 2011

Violation Information

1. Failed to comply with permitted emissions limits during an emissions event. Specifically, during an emissions event (Incident No. 148387) that occurred on December 10, 2010, and lasted approximately three minutes, the Respondent released 1,183 pounds ("lbs") of ethylene, and 1 lb of carbon monoxide from Ethylene Unit 22 Piping (EPN 22-0-0). The event occurred due to the level control of the Demethanizer Feed Separator being left open in bypass mode during start-up creating elevated pressure. Since the emissions event was not reported within 24 hours of discovery, the emissions are not subject to an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit Nos. 22690 and PSDTX751M1 Special Conditions No. 1].

2. Failed to submit an initial notification not later than 24 hours after the discovery of an emissions event that occurred on December 10, 2010. Specifically, the initial notification for Incident No. 148387 was due by 9:51 p.m. on December 11, 2010, but was not submitted until 3:49 p.m. on December 12, 2010 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) 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 February 14, 2011, completed an investigation of the emissions event (Incident No. 148387) and developed recommendations to prevent recurrence;

b. By April 14, 2011, trained personnel on proper emissions event reporting and adopted a new emission event protocol to verify that an emissions event report has been made to the proper regulatory agencies; and

c. By May 3, 2011, revised the start-up procedures for the Demethanizer to include a check to ensure proper bypass valve positions on level controllers, and provided training to affected operators.

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Technical Requirements:

The Order will require the Respondent to implement and complete a Supplemental Environmental Project ("SEP"). (See SEP Attachment A)

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: Allison Fischer, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2574; Debra Barber, Enforcement Division, MC 219, (512) 239-0412
TCEQ SEP Coordinator: Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732
Respondent: C.W. McDowell, Plant Manager, Chevron Phillips Chemical Company LP, P.O. Box 1000, Sweeny, Texas 77480
Respondent's Attorney: N/A

Attachment A
Docket Number: 2011-0506-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Chevron Phillips Chemical Company LP**
Payable Penalty Amount:	**Eight Thousand Three Hundred Seventy-Five Dollars ($8,375)**
SEP Amount:	**Four Thousand One Hundred Eighty-Seven Dollars ($4,187)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program**
Location of SEP:	**Texas Air Quality Control Region 216 – Houston-Galveston**

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to ***Houston-Galveston AERCO*** for the **Clean Cities/Clean Vehicles Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality Funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit

technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

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

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

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP 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 amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the Enforcement Division SEP Coordinator at the address in Section 3 above.

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

Penalty Calculation Worksheet (PCW)

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

TCEQ

DATES						
Assigned	14-Mar-2011					
PCW	5-May-2011	**Screening**	30-Mar-2011	**EPA Due**		

RESPONDENT/FACILITY INFORMATION

Respondent	Chevron Phillips Chemical Company LP		
Reg. Ent. Ref. No.	RN100825249		
Facility/Site Region	12-Houston	**Major/Minor Source**	Major

CASE INFORMATION

Enf./Case ID No.	41412	**No. of Violations**	2
Docket No.	2011-0506-AIR-E	**Order Type**	1660
Media Program(s)	Air	**Government/Non-Profit**	No
Multi-Media		**Enf. Coordinator**	Allison Fischer
		EC's Team	Enforcement Team 4

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

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1*: **$2,600**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — **378.0%** Enhancement — *Subtotals 2, 3, & 7*: **$9,828**

Notes: Enhancement for 21 NOVs with same/similar violations, two NOVs with dissimilar violations, 14 Orders with denial of liability and one Order without denial of liability. Penalty reduction due to 16 Notices of Intended Audit and 10 Disclosures of Violations.

Culpability — No — **0.0%** Enhancement — *Subtotal 4*: **$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — *Subtotal 5*: **$260**

Economic Benefit — **0.0%** Enhancement* — *Subtotal 6*: **$0**

Total EB Amounts $39
Approx. Cost of Compliance $2,000

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal*: **$12,168**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount: **$12,168**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty*: **$10,468**

DEFERRAL — **20.0%** Reduction — *Adjustment*: **-$2,093**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY: **$8,375**

Screening Date 30-Mar-2011 **Docket No.** 2011-0506-AIR-E **PCW**

Respondent Chevron Phillips Chemical Company LP

Case ID No. 41412

Reg. Ent. Reference No. RN100825249

Media [Statute] Air

Enf. Coordinator Allison Fischer

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 (*number of NOVs meeting criteria*)	21	105%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	14	280%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of 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)*	16	-16%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	10	-20%

Other		*Please Enter Yes or No*	
	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) 378%

>> 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 21 NOVs with same/similar violations, two NOVs with dissimilar violations, 14 Orders with denial of liability and one Order without denial of liability. Penalty reduction due to 16 Notices of Intended Audit and 10 Disclosures of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 378%

Screening Date 30-Mar-2011 **Docket No.** 2011-0506-AIR-E **PCW**

Respondent Chevron Phillips Chemical Company LP *Policy Revision 2 (September 2002)*

Case ID No. 41412 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN100825249

Media [Statute] Air

Enf. Coordinator Allison Fischer

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), Tex. Health & Safety Code § 382.085(b), and Flexible Permit Nos. 22690 and PSDTX751M1 Special Conditions No. 1

Violation Description Failed to comply with permitted emissions limits during an emissions event. Specifically, during an emissions event (Incident No. 148387) that occurred on December 10, 2010, and lasted approximately three minutes, the Respondent released 1,183 pounds ("lbs") of ethylene, and 1 lb of carbon monoxide from Ethylene Unit 22 Piping (Emission Point Number 22-0-0). The event occurred due to the level control of the Demethanizer Feed Separator being left open in bypass mode during start-up creating elevated pressure. Since the emissions event was not reported within 24 hours of discovery, the emissions are not subject to an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
OR Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

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

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 | 1 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 based on the emissions event.

Good Faith Efforts to Comply

10.0% Reduction $250

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

Notes: The Respondent came into compliance by May 3, 2011, and the NOE is dated March 11, 2011.

Violation Subtotal $2,250

Economic Benefit (EB) for this violation

Estimated EB Amount $35

Statutory Limit Test

Violation Final Penalty Total $11,700

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

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 41412
Req. Ent. Reference No. RN100825249
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or $						
Delayed Costs							
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	$250	10-Dec-2010	3-May-2011	0.39	$5	n/a	$5
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$1,500	10-Dec-2010	3-May-2011	0.39	$30	n/a	$30
Notes for DELAYED costs	Estimated cost for additional oversight and management practices designed to ensure proper operation and maintenance practices are followed. Date Required is the start date of the emissions event. 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 $1,750

TOTAL $35

Screening Date 30-Mar-2011 **Docket No.** 2011-0506-AIR-E **PCW**

Respondent Chevron Phillips Chemical Company LP *Policy Revision 2 (September 2002)*

Case ID No. 41412 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN100825249

Media [Statute] Air

Enf. Coordinator Allison Fischer

Violation Number 2

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

Violation Description Failed to submit an initial notification not later than 24 hours after the discovery of an emissions event that occurred on December 10, 2010. Specifically, the initial notification for Incident No. 148387 was due by 9:51 p.m. on December 11, 2010, but was not submitted until 3:49 p.m. on December 12, 2010.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

OR

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Less than 30% of the rule requirement was not met.

Adjustment $9,900

$100

Violation Events

Number of Violation Events: 1 — 1 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 based on the untimely submission of the initial notification for the emissions event.

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 came into compliance by April 14, 2011, and the NOE is dated March 11, 2011.

Violation Subtotal $90

Economic Benefit (EB) for this violation

Estimated EB Amount $4

Statutory Limit Test

Violation Final Penalty Total $468

This violation Final Assessed Penalty (adjusted for limits) $468

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 41412
Req. Ent. Reference No. RN100825249
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	$250	11-Dec-2010	14-Apr-2011	0.34	$4	n/a	$4
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)				0.00	$0	n/a	$0
Notes for DELAYED costs	Estimated cost for improving the recordkeeping/reporting system for timely submittals of emissions event reports. The Date Required is the date the report was due and the Final Date is the date of compliance.						
Avoided Costs	**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $250

TOTAL $4

Compliance History

Customer/Respondent/Owner-Operator:	CN600303614	Chevron Phillips Chemical Company LP	Classification: AVERAGE	Rating: 4.58
Regulated Entity:	RN100825249	CHEVRON PHILLIPS CHEMICAL SWEENY COMPLEX	Classification: AVERAGE	Site Rating: 15.52

ID Number(s):			
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXR000039834
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	86586
	AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0758C
	AIR OPERATING PERMITS	PERMIT	2151
	AIR NEW SOURCE PERMITS	AFS NUM	4803900145
	AIR NEW SOURCE PERMITS	REGISTRATION	93525
	AIR NEW SOURCE PERMITS	REGISTRATION	93932
	AIR NEW SOURCE PERMITS	REGISTRATION	93703
	AIR NEW SOURCE PERMITS	REGISTRATION	93760
	AIR NEW SOURCE PERMITS	REGISTRATION	93521
	AIR NEW SOURCE PERMITS	REGISTRATION	93579
	AIR NEW SOURCE PERMITS	REGISTRATION	94603
	AIR NEW SOURCE PERMITS	REGISTRATION	94426
	AIR NEW SOURCE PERMITS	REGISTRATION	91596
	AIR NEW SOURCE PERMITS	REGISTRATION	92244
	AIR NEW SOURCE PERMITS	REGISTRATION	93150
	AIR NEW SOURCE PERMITS	REGISTRATION	91587
	AIR NEW SOURCE PERMITS	REGISTRATION	91786
	AIR NEW SOURCE PERMITS	REGISTRATION	92506
	AIR NEW SOURCE PERMITS	REGISTRATION	93203
	AIR NEW SOURCE PERMITS	REGISTRATION	92369
	AIR NEW SOURCE PERMITS	REGISTRATION	92153
	AIR NEW SOURCE PERMITS	REGISTRATION	75473
	AIR NEW SOURCE PERMITS	REGISTRATION	75479
	AIR NEW SOURCE PERMITS	REGISTRATION	75447
	AIR NEW SOURCE PERMITS	REGISTRATION	90007
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0758C
	AIR NEW SOURCE PERMITS	REGISTRATION	75072
	AIR NEW SOURCE PERMITS	PERMIT	22690
	AIR NEW SOURCE PERMITS	REGISTRATION	75059
	AIR NEW SOURCE PERMITS	REGISTRATION	91843
	AIR NEW SOURCE PERMITS	REGISTRATION	50960
	AIR NEW SOURCE PERMITS	REGISTRATION	94107
	AIR NEW SOURCE PERMITS	REGISTRATION	86119
	AIR NEW SOURCE PERMITS	REGISTRATION	91367
	AIR NEW SOURCE PERMITS	REGISTRATION	95206
	AIR NEW SOURCE PERMITS	REGISTRATION	95424
	AIR NEW SOURCE PERMITS	REGISTRATION	94984
	AIR NEW SOURCE PERMITS	REGISTRATION	95262
	AIR NEW SOURCE PERMITS	REGISTRATION	86995
	AIR NEW SOURCE PERMITS	REGISTRATION	87245
	AIR NEW SOURCE PERMITS	REGISTRATION	91254
	AIR NEW SOURCE PERMITS	REGISTRATION	91802
	AIR NEW SOURCE PERMITS	REGISTRATION	91428
	POLLUTION PREVENTION PLANNING	ID NUMBER	P06551
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	BL0758C

Location: 21689 HIGHWAY 35, OLD OCEAN, TX, 77463

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: March 30, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 30, 2006 to March 30, 2011

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

Name: Allison Fischer Phone: (512) 239 - 2574

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: 04/14/2006 ADMINORDER 2005-1709-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: No. 22690 and and PSD-TX-751M1 SC. #1 PA

Description: Failed to prevent unauthorized emissions during an avoidable emissions event that occurred on February 28, 2005.

Effective Date: 02/05/2007 ADMINORDER 2006-0904-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Flexible Permit #22690, SC#1 PERMIT
Description: Failure to prevent unauthorized emissions during an April 15, 2006 emissions event.

Effective Date: 12/20/2007 ADMINORDER 2006-0093-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: Special Condition 1 PERMIT
Description: failed to prevent the unauthorized release of air contaminants into the atmosphere.

Effective Date: 01/12/2008 ADMINORDER 2006-0675-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
5C THC Chapter 382, SubChapter D 382.085(b)
Description:
Failed to complete CEMS required testing and report submission within 60 days.

Effective Date: 02/25/2008 ADMINORDER 2007-1419-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Flexible Permit No. 22690, SC #1 PERMIT
Description: Failed to prevent unauthorized emissions as documented during a record review conducted on July 19, 2007. Specifically, 3,422 pounds ("lbs") of ethylene was released when the Chevron Phillips failed to close an open bleeder valve, resulting in an emissions event, as documented during a record review investigation.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Chevron failed to submit a final emissions event report within two weeks after the end of the event. The report was due on May 29, 2007, but was not submitted until May 30, 2007.

Effective Date: 04/14/2008 ADMINORDER 2007-1079-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Flexible Permit No. 22690, SC#1 PERMIT
Description: Chevron failed to prevent pluggage in the lower tap of the sight glass, creating a faulty low-level indication, causing a shutdown of Ethylene Unit 33, resulting in unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Flexible Permit No. 22690, SC No. 1 PERMIT
Description: Maintenance activities due to humar error are not covered under SSM rules. Therefore, this unplanned maintenance activity is now classified as an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 101, SubChapter F 101.211(a)
5C THSC Chapter 382 382.085(b)
Description: CPChem completely failed to report an emissions event as required by 30 TAC 101.201(a)(1)(B) and 101.201(b).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 22690 and PSD- tx-751M1 PA
Description: Failure to clear debris from the instrument air valve.

Effective Date: 06/05/2008 ADMINORDER 2007-1581-AIR-E
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 1 PERMIT
Description: Failure to maintain liquid level in D-14, which led to moisture breakthrough in Primary Dryers and consequent unauthorized flaring.

Effective Date: 06/19/2008 ADMINORDER 2007-1861-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Flex Permit No. 22690, SC #1 PERMIT
Description: Chevron failed to prevent a boiler feed water pressure disturbance which changed the control scheme from automatic to manual. This caused a release of unauthorized contaminants to the atmosphere.

Effective Date: 10/23/2008 ADMINORDER 2008-0551-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter 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)

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 15 PERMIT

Description: Failed to comply with permitted emissions limits and failed to maintain a flame present at all times on a flare. Specifically, the emissions limit for emissions events under a flexible permit is zero pounds ("lbs") per hour, and on November 25, 2007, Flare 4 (Emissions Point Number 56-61-4) in Unit 18 emitted 3 lbs of nitrogen oxides, 20 lbs of carbon monoxide, and 851 lbs of volatile organic compounds over a 1.3 hour period.

Effective Date: 02/08/2009 ADMINORDER 2007-0286-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02151, Special Condition 2F OP

Description: Failed to create a final record for a non-reportable emissions event, within two weeks after the end of the emissions event, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.355(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02151, Special Condition 1A OP

Description: Failed to conduct leak detection and repair monitoring in accordance with 40 Code of Federal Regulations, Part 60, Appendix A, Method 21, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(3)
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)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 22690 and PSD-TX-751M1, SC 14H PERMIT
O-02151, Special Condition 16A OP
O-02151, Special Condition 1A OP

Description: Failed to adequately identify leaking components site wide from October 4, 2005 to October 20, 2005, as reported in the December 15, 2005 deviation report.

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 A 60.18(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 22690 and PSD-TX-751M1, SC 19 PERMIT

Description: Failed to maintain a constant pilot flame at all times, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 22690 and PSD-TX-751M1, SC 11 PERMIT
22690 and PSD-TX-751M1, SC 12B PERMIT

Description: Failed to conduct calibrations for CEMS, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(1)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent the 24-hour rolling average concentration of carbon monoxide emissions from exceeding 400 parts per million by volume at 3.0% oxygen, dry basis, on 23 furnaces in Units 22, 23 and 33, as reported in the December 15, 2005 deviation report.

Classification: Moderate

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

Description: Failed to record daily flare observations on July 21 and 22, 2005, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter T 106.452(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent abrasive blasting usage from exceeding one ton per day, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter S 106.433(7)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent Volatile Organic Compound ("VOC") emissions due to painting activities from exceeding six pounds per hour averaged over a five-hour period on July 28 and August 16, 2005, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to repair Highly Reactive VOC ("HRVOC") components leaking greater than 10,000 parts per million within a timely manner, as reported in the December 15, 2005 deviation report.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(g)(1)

30 TAC Chapter 115, SubChapter H 115.781(g)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to record the times and dates on paper logs for LDAR monitoring events as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02151, Special Condition 1A OP

Description: Failed to monitor fourteen leaking valves in Unit 24 from September 1, 2005 to October 20, 2005, after the initial detection of the leak as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 22690 and PSD-TX-751M1, SC 14F PERMIT
O-02151, Special Condition 16A OP

Description: Failed to properly monitor when conducting repairs and maintenance on thirteen components site wide, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(a)(3)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to maintain and repair seals, as reported in the December 15, 2005 deviation report.

Classification: Moderate

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

Rqmt Prov: O-02151, Special Condition (3)(C)(iii) OP

Description: Failed to demonstrate that quarterly visible emissions observations of stationary vents, buildings, and other structures were conducted site wide during May 29, 2005 and June 29, 2005, as documented in the December 15, 2005 deviation report.

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: Failed to conduct extraordinary repair effort within fourteen days on a valve placed on DOR, as reoprted in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02151, Special Condition 1A OP

Description: Failed to monitor valves which were over the 3% allowable on a quarterly basis in Unit 33, as reported in the December 15, 2005 deviation report.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 22690 and PSD-TX-751M1, SC 23 PERMIT
O-02151, Special Condition 16A OP

Description: Failed to monitor cooling tower VOC concentrations, as reported in the June 24 and December 15, 2005 deviation reports.

Classification: Moderate

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

Rqmt Prov: O-02151, Special Condition 1A OP

Description: Failed to prevent visible emissions from the flare (EPN 56-61-10) from exceeding five minutes in a two hour period on June 4, 2005, as reported in the December 15, 2005 deviation report.

Classification: Minor

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

Rqmt Prov: AMOC 2003-01, Special Condition 7 PERMIT
AMOC 2003-01, Special Condition 9 PERMIT
O-02151, Special Condition 26 OP

Description: Failed to record the steam flow in Unit 24 from June 3, 2005 to June 16, 2005, and also failed to record the steam pressure and steam flow rate for seven furnaces (EPNs 24-36-1, 24-36-2, 24-36-3, 24-36-4, 24-36-5, 24-36-6, 24-36-9) in Unit 24 from December 7, 2004 to January 31, 2005, as reported in the December 15, 2005 deviation report.

Classification: Moderate

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

Rqmt Prov: AMOC 2003-01, Special Condition 13 PERMIT
AMOC 2003-01, Special Condition 5 PERMIT
O-02151, Special Condition 26 OP

Description: Failed to ensure that the steam flow is within permitted limits and that prompt corrective action was taken when the alarm was activated in Unti 24 on November 20, 2005 as reported in the December 15, 2005 deviation report. Chevron Phillips also failed to continuously supply steam to a wedge plug valve at or greater than 80 pounds per square inch gauge ("psig") for one furnace EPN 24-36-9 in Unit 24 during the time period November 29, 2004 until May 19, 2005.

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 G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 22690 and PSD-TX-751M1, SC 14E PERMIT
22690 and PSD-TX-751M1, SC 3B OP
Description: Failed to seal open-ended lines in VOC service, as reported in the December 15, 2005 deviation report.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter D 115.356(2)
30 TAC Chapter 115, SubChapter H 115.781(a)
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 60.482-7(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 22690 and PSD-TX-751M1, SC 14F PERMIT
O-02151, Special Condition 16A OP
O-02151, Special Condition 1A OP
Description: Failed to monitor 488 site wide components on a quarterly basis from November 29, 2004 to December 5, 2005, as reported in the December 15, 2005 deviation report.

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 117, SubChapter B 117.219(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: O-02151, Special Condition 17 OP
Description: Failed to obtain preconstruction authorization and keep records for two portable diesel engines, as reported in the June 24, 2005 deviation report.

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: O-02151, Special Condition 17 OP
Description: Failed to obtain authorization for abrasive blasting and painting activities being conducted at the site, as reported in the June 24, 2005 deviation report.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Part 61, Subpart FF 61.356(g)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to record the quarterly junction box inspections, as reported in the June 24, 2005 deviation report.

Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)(i)
30 TAC Chapter 115, SubChapter C 115.216(3)(A)(iii)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to record the tank truck identification and leak test date during an unloading operation of a truck on November 20, 2004, as reported in the June 24, 2005 deviation report.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Flexible Permit No. 22690, SC #1 PERMIT
Description: Failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Flexible Permit #22690, SC #1 PERMIT
Description: Failed to prevent unauthorized emissions.

Effective Date: 04/20/2009 ADMINORDER 2008-1262-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: TCEQ Flexible Permit No. 22690, SC #1 PERMIT
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent failed to prevent the shutdown of the ethylene compressor in Ethylene Unit 24 on April 2, 2008, resulting in the release of 1,328 pounds of volatile organic compounds ("VOCs"), 449 pounds of NOx, and 896 pounds of CO from emission point number 56-61-20 over a period of two hours and seven minutes.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: TCEQ Flexible Permit No. 22690, SC #1 PERMIT
TCEQ Flexible Permit No. 22690, SC #15 PERMIT
Description: Failed maintain a flame on the Ethylene Unit 21/22 Low-Pressure Flare.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: NSR 22690 Special Condition 1 PERMIT
O-02151 Special Terms and Condition 16 OP
Description: Failure to control the annual emissions for NOx and CO for the calendar year 2006. (CATEGORY A12(i)(6) violation)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: NSR 22690 Special Condition 1 PERMIT
O-02151 Special Terms and Conditions 16 OP
Description: Failure to control the emissions for the rolling 12 month average for MSS for NOx and CO. (CATEGORY A12(i)(6) violation)

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)
Rqmt Prov: O-02151 General Terms and Conditions OP
Description: Failure to disclose a deviation in the deviation reporting periods. (CATEGORY A12(i)(6) violation)

Effective Date: 08/31/2009 ADMINORDER 2009-0267-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: Failure to prevent unauthorized emissions. Chevron Phillips failed to prevent the shutdown of the Process Gas compressor due to a false low level indication cause by a damaged pneumatic differential pressure transmitter.

Effective Date: 11/13/2009 ADMINORDER 2009-0523-AIR-E
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: General Terms and Conditions OP
Description: Failed to submit an ACC with all of the correct information. Specifically, the ACC submitted for the period October 1, 2007 through September 30, 2008 failed to specify the first six months as part of the compliance period, even though the information for that period was included in the certification.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
Rqmt Prov: Special Term and Condition 16 OP
Description: Failed to prevent visible emissions from flares. Specifically, visible emissions from Flares 10 and 12 in Unit 22 experienced continuous visible emissions for 18 minutes on May 3, 2008, while visible emissions are not permitted to exceed five minutes in any two consecutive hours.

Effective Date: 01/28/2010 ADMINORDER 2009-1023-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: #22690, Special Condition #1 PERMIT
Description: Failed to comply with permitted emissions limits.

Effective Date: 02/20/2011 ADMINORDER 2010-1151-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: Failure to prevent unauthoirzed emissions due to failure of the steam valve mechanical linkage.

B. Any criminal convictions of the state of Texas and the federal government.
N/A

C. Chronic excessive emissions events.
N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	04/17/2006	(437247)
2	04/06/2006	(456117)
3	04/06/2006	(456167)
4	05/12/2006	(457714)

5	07/06/2006	(457725)
6	05/12/2006	(457729)
7	05/12/2006	(457753)
8	05/15/2006	(457756)
9	05/12/2006	(457763)
10	05/12/2006	(457767)
11	05/12/2006	(457770)
12	05/12/2006	(457773)
13	05/17/2006	(458185)
14	04/20/2006	(462475)
15	05/22/2006	(464707)
16	05/23/2006	(466215)
17	06/14/2006	(466748)
18	08/24/2006	(480002)
19	07/07/2006	(483754)
20	07/20/2006	(486881)
21	08/04/2006	(487670)
22	09/28/2006	(511672)
23	10/19/2006	(511690)
24	02/06/2007	(512451)
25	12/13/2006	(518692)
26	01/03/2007	(518929)
27	12/13/2006	(519123)
28	08/24/2007	(532612)
29	01/09/2007	(533451)
30	01/11/2007	(534901)
31	02/14/2007	(535930)
32	01/10/2007	(535946)
33	02/14/2007	(536814)
34	02/05/2007	(538166)
35	02/28/2007	(539690)
36	04/20/2007	(539694)
37	06/08/2007	(555170)
38	05/16/2007	(555914)
39	05/16/2007	(559164)
40	05/21/2007	(560418)
41	05/31/2007	(560629)
42	05/25/2007	(561001)
43	06/15/2007	(561008)
44	07/26/2007	(563100)
45	10/11/2007	(567347)
46	08/17/2007	(568455)
47	09/14/2007	(571669)
48	10/15/2007	(593848)
49	10/25/2007	(595189)
50	03/24/2008	(613029)
51	01/28/2008	(613165)
52	01/29/2008	(613651)
53	01/28/2008	(614877)
54	01/25/2008	(615884)
55	01/30/2008	(616327)
56	03/13/2008	(638830)
57	03/28/2008	(639042)
58	04/21/2008	(639678)
59	04/09/2008	(641467)
60	05/14/2008	(654055)
61	05/14/2008	(656842)
62	06/04/2008	(657098)
63	05/19/2008	(671031)
64	06/03/2008	(679905)
65	06/30/2008	(680043)
66	06/09/2008	(682372)
67	06/18/2008	(682442)
68	06/18/2008	(682771)
69	07/02/2008	(684203)
70	06/27/2008	(684487)
71	07/25/2008	(684655)
72	07/08/2008	(685572)
73	08/13/2008	(688231)
74	10/02/2008	(700011)
75	09/22/2008	(701000)
76	10/03/2008	(704494)
77	12/05/2008	(708375)
78	02/12/2009	(709036)
79	03/04/2009	(722252)
80	01/09/2009	(723176)
81	03/30/2009	(724013)
82	04/29/2008	(725879)
83	02/16/2009	(726472)
84	03/23/2009	(739365)
85	06/23/2009	(739479)
86	05/18/2009	(741006)
87	04/10/2009	(741145)
88	04/17/2009	(741377)
89	04/21/2009	(743200)
90	04/28/2009	(743970)
91	06/23/2009	(744409)
92	06/12/2009	(747249)
93	06/17/2009	(749612)
94	06/18/2009	(759181)
95	08/25/2009	(759205)
96	08/14/2009	(759207)
97	07/10/2009	(761685)
98	07/20/2009	(762660)
99	07/27/2009	(763733)

100	09/02/2009	(767378)
101	09/02/2009	(767979)
102	09/14/2009	(775457)
103	10/23/2009	(778832)
104	12/17/2009	(779586)
105	10/21/2009	(779593)
106	10/23/2009	(779639)
107	10/26/2009	(779999)
108	11/05/2009	(780592)
109	04/12/2010	(785014)
110	01/11/2010	(786446)
111	12/28/2009	(786667)
112	01/14/2010	(787103)
113	02/09/2010	(789454)
114	01/26/2010	(789652)
115	03/11/2010	(793517)
116	05/03/2010	(794317)
117	03/31/2010	(794453)
118	05/21/2010	(794655)
119	03/22/2010	(794936)
120	03/22/2010	(795313)
121	07/08/2010	(797411)
122	06/22/2010	(802079)
123	07/30/2010	(828180)
124	07/07/2010	(828541)
125	12/22/2010	(844233)
126	08/12/2010	(844553)
127	11/22/2010	(860239)
128	09/09/2010	(860428)
129	10/21/2010	(865199)
130	10/25/2010	(865490)
131	10/06/2010	(866542)
132	03/11/2011	(886035)
133	03/08/2011	(886037)
134	01/27/2011	(886344)
135	01/18/2011	(891916)
136	03/10/2011	(894864)
137	03/25/2011	(899759)
138	03/23/2011	(906920)

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

Date: 04/07/2006 (456117) CN600303614
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Permit #22690 PERMIT
Description: Chevron failed to properly maintain the primary and secondary vacuum condensate pumps.

Date: 05/16/2006 (486731) CN600303614
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
Description: Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of Furnace 1 (EPN 22-36-1.)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
Description: Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of Furnace 2 (EPN 22-36-2.)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
Description: Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of Furnace 3 (EPN 22-36-3.)

Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of the Furnace.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
Description: Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of Furnace 4 (EPN 22-36-4.)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
Description: Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of Furnace 6 (EPN 22-36-6.)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
Description: Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of Furnace 7 (EPN 22-36-7.)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
Description: Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of Furnace 8 (EPN 22-36-8.)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)(II)
Description: Violation of 30 TAC 117. 520 (c)(2)(A)(i)(II). Testing was completed, but not within 60 days following startup of the Turbine Bypass Stack (EPN 22-95-27.)

Date 12/13/2006 (519123) CN600303614

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flexible Permit No. 22690, SC #1 PERMIT

Description: Chevron failed to prevent a leak in a decoke process line of Ethylene Unit's 24's cracking furnace #6.

Date 01/10/2007 (534901) CN600303614
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 THC Chapter 382, SubChapter A 382.085(b)
TCEQ Flexible Permit No. 22690, SC #1 PERMIT
TCEQ Flexible Permit No. 22690, SC #15 PERMIT

Description: Chevron failed to maintain a flame on Unit 18 Process flare which resulted in unauthorized emissions.

Date 04/19/2007 (539694) CN600303614
Self Report? NO Classification: Moderate

Citation: 22690 SC. 1 PA
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: RE failed to prevent unauthorized emissions from Unit 24.

Date 06/15/2007 (561008) CN600303614
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Air Flexible Permit No. 22690, SC#1 PERMIT

Description: Chevron failed to prevent mineral deposits from fouling on the valve stems causing a release of unauthorized emissions.

Date 10/23/2007 (571738)
Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ AIR PERMIT #22690, SC#15 PA

Description: Chevron Phillips Chemical Company - Sweeny Plant failed to control the visible emissions from Unit 24 - Flare 14 and Unit 22 Flare - 12.

Date 05/14/2008 (656842) CN600303614
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Permit No. 22690. SC #1 PERMIT

Description: CP failed to maintain a flame on the flare tip.
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)
TCEQ Flexible Permit No. 22690, SC #15 PERMIT

Description: CP failed to maintain a flame on a flare.

Date 06/30/2008 (683548) CN600303614
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to obtain proper permit authorizations for a portable diesel driven air compressor that was used on site for more than 12 months. (CATEGORY B19(g)(1) violation)

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)
5C THSC Chapter 382 382.085(b)
O-02151 Special Terms and Conditions 1A OP

Description: Failure to properly equip sampling connection systems on unit 33-60VV with proper system.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(2)(ii)(A)
5C THSC Chapter 382 382.085(b)
O-02151 Special Terms and Conditions 11B OP

Description: Failure to maintain the flow indicators on the junction box vents.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(5)
5C THSC Chapter 382 382.085(b)
O-02151 Special Terms and Conditions OP

Description: Failure to make corrections on the junction box vent flow indicators within 15 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.766(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02151 Special Term and Condition 1Oiv OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to maintain records for the HRVOC monitoring system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02151 Special Term and Condition 1Oiv OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to analyze samples collected for HRVOC analysis for Cooling Tower 6&7 within 72 hours.

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)
5C THSC Chapter 382 382.085(b)
O-02151 Special Terms and Conditions 1A OP

Description: Failure to complete Delay of Repair within 6 months on Pump Nos. 329 and 330.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 22690 Special Condition 8G PERMIT
O-02151 Special Terms and Conditions 16 OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to repair and remove pumps from DOR list in 6 months of the date the pumps were placed on DOR.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(e)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02151 Special Terms and Conditions 1A OP

Description: Failure to monitor the relief valve within 24 hours of venting to atmosphere.

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-02151 Special Term and Condition 1Oi OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to maintain the flow meter for Flare #12, resulting in downtime exceeding 5% of total operating time.

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-02151 Special Term and Condition 1Oi OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to maintain monitoring system serving valves nos. 93-130 and 93-94, resulting in the downtime exceeding 5% of total unit operating time.

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 22690 Special Condition 16 PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to control the fuel gas concentration, resulting in a greater than 160 ppmv of H2S on an hourly maximum average.

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 22690 Special Condition 7B2 PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to maintain the daily calibration on CEMS for Furnace #2 and #6.

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-02151 Special Term and Condition 1Oi OP

O-02151 Special Terms and Conditions 1A OP

Description: Failure to conduct sampling for HRVOC flare monitoring systems on Ethylene Unit 24 and 22.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(ii)
5C THSC Chapter 382 382.085(b)
O-02151 Special Terms and Conditions 1A OP

Description: Failure to maintain the carbon canisters on Unit 33 and Unit 12 resulting in breakthrough.

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 22690 Special Condition 15 PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to maintain net heating value of gas at 300 BTU or greater on the flares.

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 22690 Special Condition 7(B)(2) PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to maintain daily auto calibration on CEMS for NOx and CO in Ethylene Units 24 and 33.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
NSR 22690 Special Condition 15 PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to maintain flare pilot lights.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02151 Special Term and Condition 1Oi OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to maintain records for the annual calibration of temperature and pressure sensors serving the flare vent line flow meter for all flares on site.

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 22690 Special Condition 7F PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to maintain monitoring system serving NOx CEMS analyzer on Unit 22 and Unit 33, resulting in the downtime exceeding 5% of total unit operating time.

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 Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
NSR 22690 Special Condition 15 PERMIT
O-02151 Special Terms and Conditions 16 OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to maintain flare resulting in visible emissions exceeding 5 minutes in a two hour period.

Self Report? NO Classification: Minor

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)
O-02151 Special Terms and Conditions 1J OP

Description: Failure to maintain the 24 hour rolling average concentration of CO resulting in exceeding 400 ppmv.

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)
O-02151 General Terms and Conditions OP

Description: Failure to include all deviation in the semi-annual deviation report.

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 22690 Special Condition 8M PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to monitor one LDAR component (one drain) annually since 11/29/2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
5C THSC Chapter 382 382.085(b)
O-02151 Special Terms and Conditions 1A OP

Description: Failure to to identify two components on the Ethylene Unit 24 in the LDAR database.

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 22690 Special Condition 10 PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to monitor two components in Ethylene Unit 24.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)
5C THSC Chapter 382 382.085(b)
O-02151 Special Terms and Conditions 1A OP

Description: Failure to identify a total of 198 components in Ethylene Unit 24.1 in the LDAR database.

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 22690 Special Condition 11B PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to monitor a total of 194 components in Ethylene Unit 24.1.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356(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 22690 Special Condition 10 PERMIT
O-02151 Special Terms and Conditions 16 OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to identify 11 components in the Natural Gas Liquids (NGL) Unit 10D (10.2) in the LDAR database.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
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 22690 Special Condition 10 PERMIT
O-02151 Special Terms and Conditions 16 OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to monitor 11 components in the Natural Gas Liquids (NGL) Unit 10D (10.2) annually

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 22690 Special Condition 11A PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to identify 2 components in Ethylene Unit 33 and 2 components in Ethylene Unit 24 in the LDAR database.

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 22690 Special Condition 11B PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to monitor a total of 2 components in Ethylene Unit 33 and 2 components in Ethylene Unit 24 quarterly.

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 22690 Special Condition 1 PERMIT
O-02151 Special Terms and Conditions 16 OP

Description: Failure to control emissions during emissions testing.

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)
5C THSC Chapter 382 382.085(b)
NSR 22690 Special Condition 8E PERMIT
O-02151 Special Terms and Conditions 16 OP
O-02151 Special Terms and Conditions 1A OP

Description: Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a second valve. (CATEGORY C10 violation)

Date 07/28/2008 (684655) CN600303614

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Permit No. 22690, SC#1 PERMIT

Description: Chevron failed to prevent an increase in pressure on the propylene compressor serving Ethylene Unit 22.

Date 08/15/2008 (688231) CN600303614

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Permit No. 22690, SC #1 PERMIT

Description: Chevron failed to prevent a composition change for Unit 12 due to a malfunctioning analyzer.

Date 12/05/2008 (708375) CN600303614

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
TCEQ Flexible Permit No. 22690, SC #1 PERMIT

Description: Chevron failed to prevent excess pressure in the refrigeration system resulting in unauthorized emissions.

Date 03/04/2009 (722252) CN600303614

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. The regulated entity (RE) failed to prevent the power loss to a relay caused by flipping the wrong circuit breaker thus resulting in the automatic isolation of the Acetylene Reactor and the dumping of the feed to the flare header.

Date 03/30/2009 (724013) CN600303614

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 6B PERMIT
Special Term and Condition 16 OP

Description: Failure to calibrate H2S monitors daily. (CATEGORY C1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to perform the daily calibration on Cooling Tower 5. (CATEGORY C1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(a)
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)
Special Condition 15 PERMIT
Special Term and Condition 16 OP
Special Term and Condition 1A OP

Description: Failure to maintain a continuous pilot flame on flares. (CATEGORY C4 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 8M PERMIT
Special Term and Condition 16 OP
Special Term and Condition 1A OP

Description: Failure to monitor the new piping/vent to junction box/atmospheric vent (S-02). (CATEGORY B19(g)(5) VIOLATION)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter H 115.781(b)
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 8E PERMIT
Special Condition 8F PERMIT
Special Term and Condition 16 OP
Special Term and Condition 1A OP

Description: Failure to monitor miscellaneous fugitive components. (CATEGORY B19(g)(5) VIOLATION)

Self Report? NO Classification: Minor

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 Term and Condition 1A OP
Special Term and Condition 1J OP

Description: Failure to stay below 30 TAC 117 limits for stationary internal combustion engines. (CATEGORY C4 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to monitor carbon canisters at proper intervals. (CATEGORY C1 VIOLATION)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(ii)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP

Description: Failure to replace carbon beds in canisters in a timely manner. (CATEGORY B18 VIOLATION)

Self Report? NO Classification: Minor

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)
Special Term and Condition 1A OP

Description: Failure to operate monitoring system serving atmospheric relief valve 93-117 at least 95% of the calendar year. (CATEGORY B18 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)(J)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 2F OP

Description: Failure to document non-reportable events within two weeks of the incident. (CATEGORY C3 VIOLATION)

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)
Special Term and Condition 1A OP
Special Term and Condition 1O(i) OP

Description: Failure to conform to required HRVOC sampling protocols. (CATEGORY B1 VIOLATION)

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)
Special Term and Condtion 1A OP

Description: Failure to repair leaking components within a proper time frame. (CATEGORY C4 VIOLATION)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to properly calibrate HRVOC analyzers. (CATEGORY B18 VIOLATION)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT G 68.150(a)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 23 OP
Description: Failure to maintain an accurate risk management plan. (CATEGORY C3 VIOLATION)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 115, SubChapter H 115.766(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to keep required records for cooling towers. (CATEGORY B3 VIOLATION)
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to prevent open ended lines. (CATEGORY C10 VIOLATION)

Date 05/18/2009 (741006) CN600303614
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. Chevron Phillips failed to prevent HRVOCs from leaking to the flare.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit Initial Notification within 24 hours of discovery.

Date 06/22/2009 (744409) CN600303614
Self Report? NO Classification: Moderate

Citation: #22690, Special Condition #1 PERMIT
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent unauthorized emissions due to level indicator malfunction on Depropanizer Tower.

Date 08/14/2009 (759207) CN600303614
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. This was due to malfunction of a pressure controller PC-2655.

Date 08/25/2009 (759205) CN600303614
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. This was due to a high temperature excursion in the Acetylene Reactor 24T210 and the tripping of Propylene Compressor 24C102.

Date 12/17/2009 (779586) CN600303614
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 due to elevated temperature in the Acetylene Reactor.

Date 04/12/2010 (785014) CN600303614
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
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)
SC 8E PERMIT
ST&C 1A and 16 OP

Description: Failure to operate the facility with no open-ended lines. (CATEGORY C4 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)
5C THSC Chapter 382 382.085(b)
SC 28B PERMIT
ST&C 16 OP

Description: Failure to use an approved paint coating on the Main Office Building (CATEGORY C4 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)
5C THSC Chapter 382 382.085(b)
SC 6B PERMIT
ST&C 16 OP

Description: Failure to perform complete daily calibrations to H2S Analyzers 9ai1340 and 14ai1301. (CATEGORY B1 VIOLATION)

Self Report? NO Classification: Minor

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

Description: Failure to perform weekly HRVOC analyzer calibrations for Flares 4, 8, 9, & 12. (CATEGORY C1 VIOLATION)

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)
ST&C 1A and 1O OP

Description: Failure to perform daily auto-calibrations to the HRVOC analyzers for Cooling Towers 9 and 12 (CATGORY C1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.766(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A and 1O OP

Description: Failure to perform the daily mid-level correction for the HRVOC analyzer for Cooling Tower 5. (CATEGORY C1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
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)
SC 8F PERMIT
ST&C 1A and 16; OP

Description: Failure to perform quarterly Method 21 monitoring to six valves. (CATEGORY B1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A & 1O OP

Description: Failure to perform annual Method 21 monitoring to fifteen connectors. CATEGORY B1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to replace spent carbon in carbon canisters within the required timeframe. (CATEGORY B1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to monitor the carbon canister (UNIT ID 12-SUMP-1) at the required regulatory interval. (CATEGORY C4 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)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
ST&C 16 OP

Description: Failure to operate the Propylene Compressor (UNIT ID 22-95-27) within the rolling 12 month annual emissions limit for CO. (CATEGORY B13 VIOLATION)

Self Report? NO Classification: Minor

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)
ST&C 1A OP

Description: Failure to operate miscellaneous equipment within the required 400 PPM CO limit. (CATEGORY C1 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 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)
SC 16 PERMIT
ST&C 1A and 16 OP

Description: Failure to operate operate Flare 12 with a continuously lit pilot light on four separate occasions. (CATEGORY B18 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 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
SC 16 PERMIT
ST&C 1A and 16 OP

Description: Failure to operate Flare #10 above the minimum net heating of 300 BTU/scf. (CATEGORY B18 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)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
ST&C 16 OP

Description: Failure to operate the Unit 24 Air compressor within the annual individual emissions limitations for CO, NOx, PM, SO2, & VOCs. (CATEGORY B18 VIOLATION),

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter W 106.512(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 17 OP

Description: Failure to limit operations of the Unit 24 Air Compressor to within the required limit of 90 days for temporary engines. (CATEGORY B1 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 and 1O OP

Description: Failure to take grab samples within 10 hours of an HRVOC analyzer malfunction (CATEGORY C1 VIOLATION).

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)
ST&C 1A and 16 OP

Description: Failure to operate Flares 14 and 20 (UNIT IDs 56-61-14 and 56-61-20) with visible emissions less than five minutes over two hours. (CATEGORY B13 VIOLATION).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to perform quarterly testing for the Unit 24 Air Compressor. (CATEGORY C1 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)
5C THSC Chapter 382 382.085(b)
ST&C 16 OP

Description: Failure to operate the V-24 Hydrotreater Heater No. 8 (UNIT ID 24-36-8) within the required firing rate of 3 MMBtu/hr (CATEGORY B18 VIOLATION).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to report all deviations in the deviation report. (CATEGORY B3 VIOLATION).

This violation is part of the NOV and not NOE.

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)
SC 6A PERMIT
ST&C 16 OP

Description: Failure to submit two RATA tests within 60 days (CATEGORY B3 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)
5C THSC Chapter 382 382.085(b)
SC 7F PERMIT
ST&C 16 OP

Description: Failure to continuously monitor NOx emissions from the 24F-5 furnace (CATEGORY B1 VIOLATION).

Date 04/30/2010 (794317) CN600303614

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 due to power loss to the Acetylene Reactor controls.

Date 10/25/2010 (865490) CN600303614

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 due to liquid level measurement transmitter/controller drifting from calibrated range.

Date 12/23/2010 (844233) CN600303614

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Codition 20(A) OP

Description: Failure to send the Initial notification at least 15 days prior to test date(C-3)

F. Environmental audits.

Notice of Intent Date: 12/14/2006 (536537)
Disclosure Date: 06/13/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(A)
30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(1)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.356(3)
30 TAC Chapter 115, SubChapter H 115.781(a)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(6)
30 TAC Chapter 115, SubChapter H 115.781(b)(7)
Rqmt PERMIT Air Permit 22069
Description: Failure to monitor certain fugitive valves, connectors, and difficult to monitor or unsafe to monitor components in gas/vapor or light liquid service.

Notice of Intent Date: 08/15/2007 (594191)
Disclosure Date: 03/04/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)
30 TAC Chapter 115, SubChapter H 115.781(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(e)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022

Rqmt PERMIT 22069

Description: Failure to identify certain fugitive components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)(3)

30 TAC Chapter 115, SubChapter H 115.781(b)(7)

40 CFR Part 61, Subpart V 61.242-7(c)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(h)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027

Rqmt PERMIT 22069

Description: Failure to monitor certain valves, connectors, and difficulte to monitor components.

Notice of Intent Date: 02/22/2008 (646235)

Disclosure Date: 10/15/2008

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)

30 TAC Chapter 115, SubChapter H 115.781(a)

Rqmt PERMIT 22069

Description: Failure to identify, by tagging, certain fugitive components in an electronic database, on process flow diagrams, or by other means (Units 21 and 24).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(b)(3)

Rqmt PERMIT 22069

Description: Failure to instrument monitor certain valves, connectors, pumps, and difficult to monitor components per applicable requirements (Unit 21 and 24).

Disclosure Date: 01/29/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)

30 TAC Chapter 115, SubChapter H 115.781(a)

Rqmt PERMIT 22069

Description: Failure to identify, by tagging, certain fugitive components in an electronic database, on process flow diagrams, or by other means (Units 21 and 24).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 115, SubChapter H 115.781(b)(3)

Rqmt PERMIT 22069

Description: Failure to instrument monitor certain valves, connectors, pumps, and difficult to monitor components per applicable requirements (Unit 21 and 24).

Notice of Intent Date: 07/10/2008 (700470)

Disclosure Date: 10/28/2008

Viol. Classification: Moderate

Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.87(b)(2)

Description: Failed to provide required training for contractor employees.

Viol. Classification: Minor

Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.75(b)

Description: Failed to have complete management of change (MOC) documentation.

Viol. Classification: Minor

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT D 265.52(d)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT D 265.52(e)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT D 265.52(f)

Description: Failure to adequately meet all regulatory requirements for the Hazardous Waste Contingency Plan.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter Q 335.476

Description: Failed to issue an executive summary and certification within 30 days of the most recent revision to the Source Reduction and Waste Minimization Plan (SR/WMP).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261

30 TAC Chapter 106, SubChapter K 106.262

Description: Failed to authorize new fugitive emissions components by PBR deadline.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(A)

Description: Failed to include specifications for all monitors in the HRVOC monitoring plan.

Viol. Classification: Minor

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

30 TAC Chapter 101, SubChapter F 101.201(c)

30 TAC Chapter 101, SubChapter F 101.201(h)

30 TAC Chapter 101, SubChapter F 101.211(a)
30 TAC Chapter 101, SubChapter F 101.211(c)
30 TAC Chapter 101, SubChapter F 101.211(f)(1)
30 TAC Chapter 101, SubChapter F 101.211(f)(2)
30 TAC Chapter 115, SubChapter H 115.786(c)
30 TAC Chapter 115, SubChapter H 115.788(c)
30 TAC Chapter 115, SubChapter H 115.788(e)

Description: Failed to report required information to the local pollution control agency.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

Description: Failed to directly observe select flares for visible emissions.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(2)
30 TAC Chapter 115, SubChapter H 115.766(a)(2)

Description: Failed to have up-to-date mid-level calibration gas cylinder concentrations for all HRVOC continuous monitoring systems to allow calculation of calibration error for daily and weekly mid-level calibrations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 115, SubChapter H 115.764(f)

Description: Failed to install probes for the HRVOC sample system consistent with Appendix P requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(A)(ii)

Description: Failed to control VOC emissions from a loading hose.

Notice of Intent Date: 11/20/2008 (722249)
Disclosure Date: 04/02/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)
30 TAC Chapter 115, SubChapter H 115.781(a)

Rqmt PERMIT New Source Review Permit 22069

Description: Failure to tag certain fugitive componets subject to or exempt from instrument monitoring (Unit 18).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(7)

Rqmt PERMIT New Source Review Permit 22069

Description: Failure to instrument monitor certain valves, connectors and difficult to monitor components in gas/vapor or light liquid service.

Notice of Intent Date: 03/11/2009 (740247)
No DOV Associated

Notice of Intent Date: 04/02/2009 (742476)
Disclosure Date: 10/13/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)
30 TAC Chapter 115, SubChapter H 115.781(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(1)(i)

Description: Failure to tag certain fugitive components (as entries in an electronic database, on process flow diagrams, or by other means) which are subject to or exempt from instrument monitoring requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(7)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt PERMIT Air Permit 22069

Description: Failure to instrument monitor certain valves, connectors, and difficult to monitor components (in gas/vapor or light liquid service) per applicable requirements.

Notice of Intent Date: 04/23/2009 (744726)
No DOV Associated

Notice of Intent Date: 09/17/2009 (777734)
Disclosure Date: 03/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.356(3)
30 TAC Chapter 115, SubChapter H 115.781(a)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)

30 TAC Chapter 115, SubChapter H 115.781(b)(7)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
40 CFR Part 61, Subpart V 61.242-7(c)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(h)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(e)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)

Rqmt PERMIT TCEQ Air Permit No. 22069

Description: Failure to monitor valves, connectors, and difficult to monitor components in gas/vapor or light liquid service per applicable requirements and identify certain fugitive components.

Notice of Intent Date: 09/25/2009 (779115)

Disclosure Date: 04/20/2010

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)(1)

Description: Failure to identify and tag certain fugitive components subject to or exempt from instrument monitoring requirements.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Part 60, Subpart VV 60.482-7

Description: Failure to monitor certain valves in gas/vapor or light liquid service.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(11)
40 CFR Part 60, Subpart VV 60.482-7

Description: Failure to monitor certain connectors and difficult-to-monitor components in gas/vapor or light liquid service.

Notice of Intent Date: 12/16/2009 (788769)

Disclosure Date: 06/17/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)
30 TAC Chapter 115, SubChapter H 115.781(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480

Rqmt PERMIT Air Permit No. 22069

Description: Failure to identify by tagging certain fugitive components subject to or exempt from instrument monitoring.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(7)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480

Rqmt PERMIT Air Permit No. 22069

Description: Failure to monitor certain valves in gas/vapor or light liquid service per applicable requirements.

Notice of Intent Date: 01/05/2010 (788565)

No DOV Associated

Notice of Intent Date: 03/04/2010 (798075)

No DOV Associated

Notice of Intent Date: 03/18/2010 (798081)

No DOV Associated

Notice of Intent Date: 05/12/2010 (826897)

Disclosure Date: 11/18/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)
30 TAC Chapter 115, SubChapter H 115.781(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(e)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2525(a)

Description: Failure to identify certain fugitive components subject to or exempt from instrument monitoring requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 115, SubChapter H 115.781(b)

Description: Failure to instrument monitor certain valves, connectors, and difficult to monitor components in gas/vapor or light liquid service.

Notice of Intent Date: 11/10/2010 (881390)

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 CHEVRON PHILLIPS CHEMICAL COMPANY LP RN100825249	**§ § § § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2011-0506-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 Chevron Phillips Chemical Company LP ("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 petrochemical processing plant at 21689 Highway 35 in Old Ocean, Brazoria County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. 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 March 16, 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 Sixty-Eight Dollars ($10,468) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Thousand One Hundred Eighty-Eight Dollars ($4,188) of the administrative penalty and Two Thousand Ninety-Three Dollars ($2,093) 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. Four Thousand One Hundred Eighty-Seven Dollars ($4,187) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

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 February 14, 2011, completed an investigation of the emissions event (Incident No. 148387) and developed recommendations to prevent recurrence;

   b. By April 14, 2011, trained personnel on proper emissions event reporting and adopted a new emission event protocol to verify that an emissions event report has been made to the proper regulatory agencies; and

   c. By May 3, 2011, revised the start-up procedures for the Demethanizer to include a check to ensure proper bypass valve positions on level controllers, and provided training to affected operators.

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 comply with permitted emissions limits during an emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit Nos. 22690 and PSDTX751M1 Special Conditions No. 1, as documented during an investigation conducted on January 10, 2011. Specifically, during an emissions event (Incident No. 148387) that occurred on December 10, 2010, and lasted approximately three minutes, the Respondent released 1,183 pounds ("lbs") of ethylene, and 1 lb of carbon monoxide from Ethylene Unit 22 Piping (EPN 22-0-0). The event occurred due to the level control of the Demethanizer Feed Separator being left open in bypass mode during start-up creating elevated pressure. Since the emissions event was not reported within 24 hours of discovery, the emissions are not subject to an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

2. Failed to submit an initial notification not later than 24 hours after the discovery of an emissions event that occurred on December 10, 2010, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on January 10, 2011. Specifically, the initial notification for Incident No. 148387 was due by 9:51 p.m. on December 11, 2010, but was not submitted until 3:49 p.m. on December 12, 2010.

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: Chevron Phillips Chemical Company LP, Docket No. 2011-0506-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Four Thousand One Hundred Eighty-Seven Dollars ($4,187) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. 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.

7. 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.

8. 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

R. D. Hyde
For the Executive Director

8/22/11
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

7/6/11
Date

C W McDowell
Name (Printed or typed)
Authorized Representative of
Chevron Phillips Chemical Company LP

Plant Mgr.
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.

Attachment A
Docket Number: 2011-0506-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	**Chevron Phillips Chemical Company LP**
Payable Penalty Amount:	**Eight Thousand Three Hundred Seventy-Five Dollars ($8,375)**
SEP Amount:	**Four Thousand One Hundred Eighty-Seven Dollars ($4,187)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program**
Location of SEP:	**Texas Air Quality Control Region 216 – Houston-Galveston**

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to ***Houston-Galveston AERCO*** for the **Clean Cities/Clean Vehicles Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality Funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit

technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

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

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

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP 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 amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the Enforcement Division SEP Coordinator at the address in Section 3 above.

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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