Executive Summary – Enforcement Matter – Case No. 39783
The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P.
RN102584026, RN100210517, RN100219310, RN100211663, RN100214386, RN100238385
Docket No. 2010-0909-MLM-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
MLM – Air, WQ
Small Business:
No
Location(s) Where Violation(s) Occurred:
Port Arthur Refinery, 1801 South Gulfway Drive, Port Arthur, Jefferson County;
McKee Plant, 6701 Farm-to-Market Road 119, Moore County;
Houston Refinery, 9701 Manchester Street, Houston, Harris County;
Corpus Christi Refinery East Plant, 1300 Cantwell Lane, Nueces County;
Corpus Christi Refinery West Plant, 5900 Up River Road, Corpus Christi, Nueces County; and
Texas City Refinery, 1301 Loop 197 South, Texas City, Galveston County.
Type of Operation:
Refineries
Other Significant Matters:
Additional Pending Enforcement Actions: Yes- RN100210517: 2010-1410-AIR-E and 2011-0710-AIR-E. RN102584026: 2009-0947-AIR-E. RN100214386: 2009-0116-IHW-E and 2010-0924-AIR-E. RN100219310: 2011-0781-AIR-E. RN100238385: 2010-0924-AIR-E, 2010-1836-AIR-E, and 2011-0991-AIR-E
Past-Due Penalties: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: July 8, 2011
Comments Received: No

Penalty Information

Total Penalty Assessed: $292,291
Amount Deferred for Expedited Settlement: $58,456
Amount Deferred for Financial Inability to Pay: $0
Total Paid to General Revenue: $165,781
Total Due to General Revenue: $0
Payment Plan: N/A
SEP Conditional Offset: $68,054
Name of SEP A: Bayou Land Conservancy *fka Legacy Land Trust,* Spring Creek Greenway Project
Name of SEP B: Texas A&M University-Corpus Christi, Texas A&M University AutoCheck Program

Name of SEP C: Southeast Texas Regional Planning Commission -Southeast Texas Regional Air Monitoring Network Ambient Air Monitoring Station

Compliance History Classifications:
Person/CN - Average
Site/RN - Average

Major Source: Yes

Statutory Maximum Limit Adjustment (RN100238385): $16,350
Statutory Maximum Limit Adjustment (RN100210517): $11,603
Statutory Maximum Limit Adjustment (RN100219310): $450
Applicable Penalty Policy: September 2002

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: February 16 through 25, 2010; May 10, 2010; April 27, 2010; March 25, 2010; March 29 through July 15, 2010; May 28 through June 14, 2010; July 7, 2010; July 14, 2010
Date(s) of NOE(s): May 20, 2010; May 28, 2010; May 27, 2010; June 17, 2010; July 14, 2010; July 30, 2010; August 2, 2010

Violation Information

1. Failed to prevent unauthorized emissions at the Port Arthur Refinery. Specifically, on January 15, 2010 during an emissions event, Incident No. 134571, 2.06 pounds ("lbs") of ammonia, 113.86 lbs of butane, 284.03 lbs of carbon monoxide ("CO"), 28.78 lbs of hydrogen sulfide ("H2S"), 297.64 lbs of isobutane, 39.32 lbs of nitrogen oxide ("NOx"), 16.05 lbs of particulate matter, 2.44 lbs of pentane, 330.32 lbs of propane, and 2,652.75 lbs of sulfur dioxide ("SO2") vented to the atmosphere from Flare 103B, emission point number ("EPN") E-103B-Flare for 1 hour and 23 minutes. Since the emissions event was not reported within 24 hours, the demonstrations in 30 TEX. ADMIN. CODE §101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), and 122.143(4), Flexible Air Permit Nos. 6825A, PSD-TX-49, and N65, Special Conditions ("SC") 1, Federal Operating Permit ("FOP") No. O-01498, General Terms and Conditions and Special Terms and Conditions ("STC") 18 and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to submit an initial report within 24 hours for Incident No. 134571 at the Port Arthur Refinery. Specifically, the incident occurred on January 15, 2010 at 5:51 p.m., but was not reported until January 18, 2010 at 9:20 a.m. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(A) and (B) and 122.143(4), FOP No. O-01498, STC 2F and General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions at the McKee Plant. Specifically, unauthorized emissions of 159 lbs of CO, 7 lbs of H2S, 22 lbs of NOx, 620 lbs of SO2, and 285 lbs of volatile organic compounds ("VOC") were released from the Main Refinery Flare (EPN FL-1), in the Refinery Light Ends Unit during an emissions event (Incident No. 134197) that occurred on January 8, 2010 and lasted three hours and 34 minutes. Since there was not enough information provided by the Respondent to demonstrate that this event could not have been prevented, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit Nos. 9708 and PSD-TX-861M2, SC 2].

4. Failed to obtain authorization to operate a 450 horsepower compressor engine in the No. 1 Crude Unit at the McKee Plant. Specifically, Form PI-7 was required to be submitted within ten days after construction began but has not been submitted [30 TEX. ADMIN. CODE § 106.512(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O-01555, STC 15].

5. Failed to conduct initial and weekly inspections of inactive drains for indications of low water levels or other problems that could result in VOC emissions (inspections are required initially upon taking the drain out of service and weekly thereafter) at the McKee Plant. Specifically, there were 78 instances of inactive drains not inspected, overlooked, or not identified in the inspection program, as reported in the January 1 to June 30, 2009 semi-annual deviation report [40 CODE OF FEDERAL REGULATIONS ("CFR") § 60.692-2(a)(3), 30 TEX. ADMIN. CODE § 101.20(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O-01555, STC 5B].

6. Failed to conduct initial and monthly inspections of active drains for indications of low water levels or other problems that could result in VOC emissions (inspections are required initially upon the drain being put into service and monthly thereafter) at the McKee Plant. Specifically, there were 13 instances of active drains not inspected, overlooked, or not identified in the inspection program, as reported in the January 1 to June 30, 2009 semi-annual deviation report [40 CFR § 60.692-2(a)(2), 30 TEX. ADMIN. CODE § 101.20(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O-01555, STC 5B].

7. Failed to repair 70 drains within 24 hours after determining that low water levels or missing or improperly installed caps and plugs were identified (indicating that pollutants are being released) at the McKee Plant, as reported in the January 1 to June 30, 2009 semi-annual deviation report [40 CFR § 60.692-2(a)(5), 30 TEX. ADMIN. CODE § 101.20(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O-01555, STC 5B].

8. Failed to record the date and time of the audio, visual, and olfactory ("AVO") inspections for leaks in pipes, pumps, valves, and compressors in H2S, SO2, and

ammonia service at the McKee Plant. Specifically, a table was provided after the investigation that reflects that inspections are conducted, but there were eight shifts during which no information was recorded to demonstrate an inspection was conducted, and no entries included the time of the inspection [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit Nos. 9708 and PSD-TX-861M2, STC 19D (formerly 23D)].

9. Failed to ensure that the pilot flame monitor is detecting the pilot flame for the Main Flare (EPN FL-1), the Fluid Catalytic Cracking Unit Flare (EPN FL-3), and the Hydrocarbon Unit Flare (EPN FL-4) intermittently between January 16, 2008 and January 12, 2010 at the McKee Plant. Specifically, semi-annual reports submitted on September 12, 2008, March 4, 2009, September 11, 2009, and March 12, 2010 include tables that document the monitor intermittently failed to detect a flame, but the flame was either visually confirmed or the flame did not require re-ignition, which indicates the flame was present [40 CFR §§ 60.18(f)(2) and 63.11(b)(5), 30 TEX. ADMIN. CODE § 101.20(1) and (2), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

10. Failed to update the Startup, Shutdown, and Malfunction Plan ("SSMP") within 45 days after the April 2, 2009 malfunctions occurred at the Reheat Exchanger in the No. 2 Sulfur Recovery Unit, in order to include detailed procedures for operating and maintaining the source during similar malfunctions as well as a corrective action program at the McKee Plant [40 CFR § 63.6(e)(3)(viii), 30 TEX. ADMIN. CODE § 101.20(2), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

11. Failed to prevent unauthorized emissions at the McKee Plant. Specifically, unauthorized emissions of 12,090.50 lbs of SO2 and 302.30 lbs of sulfuric acid were released from the Sulfuric Acid Plant Stack (EPN V-29), in the Complex 3, Acid Plant Unit during an emissions event (Incident No. 134548) that occurred on January 15, 2010 and lasted seven hours and 10 minutes. Since this event could have been prevented if the operator had not made an incorrect assumption that the analyzer was malfunctioning and had noticed that sludge acid was being overfed, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit Nos. 9708 and PSD-TX-861M2, STC 2].

12. Failed to comply with the 3.53 lbs per hour ("lbs/hr") NOx emission rate for Temporary Boiler No. 1 at the Houston Refinery. Specifically, during a November 2, 2007 stack test, the NOx emissions rate from Temporary Boiler No. 1 was 4.57 lbs/hr [FOP No. O1381, STC No. 19, Standard Permit Registration No. 81979, General Conditions, 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

13. Failed to perform stack testing within 90 days after the installation of Temporary Boiler No. 1 at the Houston Refinery. Specifically, Temporary Boiler No. 1 was installed on June 19, 2007; however, stack testing was not conducted until 136 days later on November 2, 2007 [FOP No. O1381, STC No. 19, Standard Permit Registration No. 81979, SC (5)(B)(v), 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b)].

14. Failed to comply with the permitted effluent limitations at the Houston Refinery for free cyanide at Outfall 001 [TEX. WATER CODE § 26.121(a), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000535000, Final Phase Effluent Limitations and Monitoring Requirements No. 1].

15. Failed to correctly calculate the effluent loadings for free cyanide at the Houston Refinery. Specifically, free cyanide was reported in milligrams per liter (the concentration average) instead of pounds per day (the loading average), on the April 2009 through February 2010 discharge monitoring reports ("DMRs") [30 TEX. ADMIN. CODE §§ 319.7(a)(5) and 319.11(c), and TPDES Permit No. WQ0000535000, Definitions and Standard Permit Conditions Nos. 2(f) and (g)].

16. Failed to prevent unauthorized emissions at the Corpus Christi Refinery East Plant. Specifically, unauthorized emissions of 800 lbs of SO2, nine lbs of H2S, 152 lbs of VOC, 136 lbs of CO, and 19 lbs of NOx were released from the Complex 7 Flare (EPN WP-FLARE1), in the Complex 7 Unit during an emissions event (Incident No. 135957) that occurred on February 17, 2010 and lasted one hour and nine minutes. Since this event could have been avoided by better operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit Nos. 2937 and PSD-TX-1023M1, SC 1].

17. Failed to comply with the 0.035 lb of NOx per million British thermal units ("lb NOx/MMBtu") on an hourly averaging period for Boiler Nos. 1, 2 and 5, as reported in the semi-annual deviation reports for the annual compliance certification periods of November 24, 2007 through November 23, 2008 and November 24, 2008 through November 23, 2009 at the Corpus Christi Refinery East Plant. Specifically, during the period of January 1 through November 23, 2008, Boiler No. 1 operated at an average rate of 0.0655 lb NOx/MMBtu on an hourly averaging period, Boiler No. 2 at an average rate of 0.1483 lb NOx/MMBtu on an hourly averaging period and Boiler No. 5 at an average rate of 0.1573 lb NOx/MMBtu on an hourly averaging period, resulting in the release of 15,548 lbs of NOx, 26,283 lbs of NOx, and 92,378 lbs of NOx, respectively. During the period of November 24, 2008 through November 23, 2009, Boiler No. 1 operated at an average rate of 0.0630 lb NOx/MMBtu on an hourly averaging period, Boiler No. 2 at an average rate of 0.0603 lb NOx/MMBtu on an hourly averaging period and Boiler No. 5 at an average rate of 0.0808 lb NOx/MMBtu on an hourly averaging

period, resulting in the release of 16,381 lbs of NOx, 13,932 lbs of NOx, and 61,282 lbs of NOx, respectively [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit Nos. 2937 and PSD-TX-1023M1, SC 10A].

18. Failed to prevent unauthorized emissions at the Corpus Christi Refinery West Plant. Specificially, unauthorized emissions of 2,908.58 lbs of CO, 1,355.43 lbs of NOx, and 80.41 lbs of VOCs were released from the Butane Upgrade Project Flare (EPN 127), the Main Flare (EPN 126), and the Steam Methane Reforming ("SMR") Heaters (EPN 118) in the Complex 1, SMR Unit #13 when a heater tube corroded, resulting in an emissions event (Incident 137615) that occurred on March 28, 2010 and lasted 39 hours. Since this event could have been avoided by better operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit Nos. 38754 and PSD-TX-324M12, SC 1].

19. Failed to prevent unauthorized emissions at the Texas City Refinery. Specifically, unauthorized emissions of 3,619.23 lbs of VOC, 2,252.04 lbs of SO2, 80.34 lbs of CO, 35.89 lbs of H2S, 14.34 lbs of acetone, and 11.12 lbs of NOx were released from the No. 4 Flare Stack (EPN EFL-04), the No. 5 Flare Stack (EPN EFL-05), and Tank 88 (EPN 088), in Complex Nos. 4, 6, and 7, respectively; during an emissions event (Incident 138854) that occurred on April 25, 2010 and lasted 24 hours. Since this event could have been avoided by better operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit Nos. 39142 and PSD-TX-822M2, SC 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that the Respondents have implemented the following corrective measures:

a. At the Port Arthur Refinery, revised the emissions event reporting procedures and trained the appropriate personnel on May 25, 2010.

b. At the McKee Plant:

i. Developed tracking spreadsheets by June 1, 2009 that identified drains which need to be inspected weekly or monthly, and repaired within 24 hours. The spreadsheets also contain documentation that inspections have been conducted and repairs have been made;

ii. Repaired 70 leaking drains by June 1, 2009; and

iii. Updated the SSMP by July 8, 2009.

c. At the Houston Refinery:

i. Performed the required stack testing of Temporary Boiler No. 1 on November 2, 2007;

ii. Upon discovery of the non-compliant emission rates on November 2, 2007, Temporary Boiler No. 1 was permanently removed from service;

iii. Returned to compliance with the permitted effluent limitations of TPDES Permit No. WQ0000535000 by April 30, 2010;

iv. Conducted lab sample testing and implemented a new method of analyzing free cyanide by April 30, 2010; and

v. Submitted corrected DMRs for the period of April 2009 through February 2010 and developed and implemented a procedure to correctly calculate the effluent loading by June 24, 2010.

d. At the Corpus Christi Refinery East Plant, by February 19, 2010, in order to prevent a reoccurence of emissions events similar to Incident No. 135957:

i. Modified the operation of the coalescer level control valve so that it closes when a certain liquid level is reached, even if the valve is placed in manual override; and

ii. Updated operating procedures to note the modification of the valve.

Technical Requirements:

1. The Order will require the Respondents to implement and complete Supplemental Environmental Projects ("SEPs"). (See SEP Attachments A, B, and C)

2. The Order will also require the Respondents to:

a. Within 30 days, at the McKee Plant:

i. Implement measures designed to prevent emissions events due to the same causes as those that caused Incident Nos. 134197 and 134548;

ii. Cease operating or obtain authorization for the 450 horsepower compressor engine in the No. 1 Crude Unit; and

iii. Implement measures designed to ensure that AVO inspections are conducted, in accordance with SC 19D of Air Permit Nos. 9708 and PSD-TX-861M2.

b. Within 45 days, submit written certification demonstrating compliance.

c. Within 180 days, at the McKee Plant, implement measures and/or procedures to ensure the flare pilot monitoring system detects the presence of a flame for EPNs FL-1, FL-3, and FL-4.

d. Within 195 days, submit written certification demonstrating compliance.

e. Within 30 days, at the Corpus Christi Refinery East Plant, begin operating Boiler Nos. 1, 2, and 5 within the permitted limit of 0.035 lb NOx/MMBtu on an hourly averaging period.

f. Within 45 days, submit written certification demonstrating compliance.

g. Within 30 days, at the Corpus Christi Refinery West Plant, implement a preventative maintenance program designed to ensure that heater tubes are replaced before they break through in order to prevent the recurrence of emissions events due to the same cause as Incident No. 137615.

h. Within 45 days, submit written certification demonstrating compliance.

i. Within 30 days, at the Texas City Refinery, train operators to close valves appropriately in order to prevent recurrence of emissions events due to the same cause as Incident No. 138854.

j. Within 45 days, submit written certification demonstrating compliance.

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: Trina Grieco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495
TCEQ SEP Coordinator: Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732
Respondent: Mark Skobel, Vice President & General Manager-Houston Refinery, Valero Refining-Texas, L.P., 9701 Manchester Street, Houston, Texas 77012
J. Greg Gentry, Vice President & General Manager, The Premcor Refining Group Inc., 9701 Manchester Street, Houston, Texas 77012
Dennis Payne, Vice President & General Manager-Corpus Christi East Plant and West Plant, Valero Refining-Texas, L.P., 9701 Manchester Street, Houston, Texas 77012
Sal Viscontini, Senior Vice President & General Manager-Texas City, Valero Refining-Texas, L.P., 9701 Manchester Street, Houston, Texas 77012
G.M. Corcoran, Vice President & General Manager, Diamond Shamrock Refining Company, L.P., 9701 Manchester Street, Houston, Texas 77012
Respondent's Attorney: N/A

Attachment A
Docket Number: 2010-0909-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	**The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P.**
Penalty Amount:	**Two Hundred Thirty-Three Thousand Eight Hundred Thirty-Five Dollars ($233,835)**
SEP Offset Amount:	**Twenty-Nine Thousand Seven Hundred Fifty-Eight Dollars ($29,758)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Bayou Land Conservancy *fka Legacy Land Trust***
Project Name:	**Spring Creek Greenway Project**
Location of SEP:	**Harris or Montgomery Counties**

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

1. Project Description

A. Project

Respondents shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the **Bayou Land Conservancy** for the *Spring Creek Greenway Project*. The contribution will be used in accordance with the Supplemental Environmental Project Agreement between the Third-Party Recipient and the TCEQ (the "Project"). Specifically, this SEP will focus on preserving multiple tracts of land comprising approximately 1,000 acres in the riparian corridor east of FM 2978 and west of U.S. 59. The Third-Party Recipient shall use SEP funds to acquire conservation easements on these tracts to provide permanent protection and stewardship of these lands and waters. The Third-Party Recipient shall also use SEP funds to conduct restoration work, including tree plantings, on these tracts, as needed. All property acquired in whole or in part with SEP funds must be preserved in perpetuity through a conservation easement that complies with Subchapter A, Chapter 183, Texas Natural Resources Code. The holder of the conservation easement must be an entity that meets the definition of "holder" under section 183.001(2), Texas Natural Resources Code. Additionally, the holder of the conservation easement may not also be the owner of the

property. The Third-Party Recipient shall use only conservation easements that are substantially similar to the conservation easement described in the Supplement Environmental Project Agreement between Third-Party Recipient and TCEQ. The Third-Party Recipient shall not use or set aside SEP funds for legal defense of these properties without prior written approval of the TCEQ.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Respondents' signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action.

B. Environmental Benefit

The preservation of open space in the Spring Creek Greenway Project area provides substantial environmental, economic, and community benefits for the region. Spring Creek is on the State's 303(d) list for water quality impairment due to bacteria. The sandy banks of Spring Creek have frequently been stripped of their native vegetation, increasing erosion potential and reducing wildlife habitat. However, for such a highly populated area, northern Harris and southern Montgomery Counties are still heavily forested. Protecting this forested area's trees, understory and wetlands helps absorb fertilizer, roadway runoff, and animal fecal matter from the nearby highly populated areas. Biofiltration through these vegetated areas protects Spring Creek from non-point source water pollution by slowing the flow of run-off and assisting particulates and their associated pollutants to settle. As pollutants settle out via washover through these forests, they are immobilized, decomposed and absorbed back into the soil, instead of running off into the waterway. By preserving the natural vegetated banks, turbidity is reduced, and source water for recreation and human consumption is protected from further degradation before reaching the San Jacinto River, which feeds Lake Houston, a primary water source for Houston. Having vegetated areas remain protected along this area, while also increasing tree plantings through this project, will help protect this waterway from contaminants. Finally, the linking of open space enhances the conservation value of this greenway project by reversing land fragmentation.

C. Minimum Expenditure

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

2. Performance Schedule

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

Bayou Land Conservancy
Jennifer Lorenz, Executive Director
10330 Lake Road, Building J
Houston, Texas 77070

3. Records and Reporting

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

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

4. Failure to Fully Perform

If Respondents do not perform its obligations under this SEP agreement in any way, including full expenditure of the SEP offset amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that Respondents failed to complete the project, Respondents shall remit payment for all or a portion of the SEP offset amount, as determined by the ED, and shall include on the check the docket number of this Agreed Order and note that it is for reimbursement of a SEP. Respondents shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

Attachment B
Docket Number:2010-0909-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	**The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P.**
Penalty Amount:	**Two Hundred Thirty-Three Thousand Eight Hundred Thirty-Five Dollars ($233,835)**
SEP Offset Amount:	**Thirty-Four Thousand Two Hundred Fifty Dollars ($34,250)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Texas A&M University-Corpus Christi**
Project Name:	**Texas A&M University AutoCheck Program**
Location of SEP:	**Nueces and San Patricio Counties**

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

1. Project Description

a. Project

Respondents shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the *Texas A&M University-Corpus Christi* for the *Texas A&M University-Corpus Christi AutoCheck Program SEP* to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ (the "Project"). Specifically the SEP offset amount shall be used to only pay for the repair vouchers, equipment maintenance, mobile emission source inventory, and a program operator. The operator shall only work on the AutoCheck Program. The Project involves a remote sensing system that detects polluting vehicles as they drive past the system. Motorists are informed if their vehicles are polluting via a large electronic sign. When a vehicle is found to have high exhaust emissions, the owner is given a voucher to take the vehicle for a checkup at one of the program's certified auto shops. The vehicle owner may choose the approved auto shop from a list composed by Third-Party Recipient. Mechanics at the auto shop thoroughly check the vehicle and determine the problem.

The mechanic reports the problem to Third-Party Administrator who authorizes the recommended repairs. Once the vehicle is repaired, a post-repair test is conducted to document the reduction in emissions. These activities are performed at no cost to the owner of the vehicle. Pre- and post- emissions tests are performed and tracked and the service stations are reimbursed for their expenses.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

Respondents' signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action.

b. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing a direct reduction in air emissions from vehicles in the Corpus Christi Urban Air Shed. This direct area includes Nueces County and part of San Patricio County.

c. Minimum Expenditure

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

2. Performance Schedule

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

Texas A&M University- Corpus Christi
Pollution Prevention Partnerhsip
Attention: Gretchen Arnold
6300 Ocean Drive, NRC #2200
Corpus Christi, Texas 78412

3. Records and Reporting

Concurrent with the payment of the SEP offset amount, Respondents shall provide the TCEQ Enforcement Division SEP Coordinator with a copy of the check and transmittal

letter indicating full payment of the SEP offset amount to the Third-Party Recipient. Respondents shall mail a copy of the check and transmittal letter to:

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

4. Failure to Fully Perform

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

In the event of incomplete performance, Respondents shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall mail it to:

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
PO Box 13087
Austin, Texas 78711-3087

5. Publicity

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

6. Clean Texas Program

Respondents shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, 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 offset amount identified in this Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Attachment C
Docket Number: 2010-0909-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	**The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P.**
Payable Penalty Amount:	**Two Hundred Thirty-Three Thousand Eight Hundred Thirty-Five Dollars ($233,835)**
SEP Amount:	**Four Thousand Forty-Six Dollars ($4,046)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Southeast Texas Regional Planning Commission -Southeast Texas Regional Air Monitoring Network Ambient Air Monitoring Station**
Location of SEP:	**Jefferson County**

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondents 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 Respondents shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the **Southeast Texas Regional Planning Commission** to be used for the *Meteorological and Air Monitoring Network* as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to operate, maintain, and potentially expand the existing Southeast Texas Regional Air Monitoring Network which includes nine monitoring stations currently at the following locations:

1. Beaumont CAM#2
2. Cove School CAM #C695
3. Mauriceville CAM#642
4. Port Arthur (Motiva) Industrial Site CAM #C628
5. Port Arthur Memorial High School campus CAM #C689
6. Port Neches CAM #136
7. Sabine Pass CAM #C640

8. Southeast Texas Regional Airport CAM #C643
9. West Orange CAM #C9

The pollutants currently monitored at each station are identified in Table 1.1 of the agreement between the Third-Party Recipient and the TCEQ. Additional parameters or monitoring sites may, contingent upon available funding and approval of TCEQ, be added. Operation and maintenance of the ambient air monitoring stations includes canister sampling and gas chromatographs. Ancillary equipment includes sample conditioning systems, meteorological towers, climate controlled equipment shelters, a remote communications system, and electronic data logging capability. Ambient monitoring protocols have been and will continue to conform to applicable TCEQ or U.S. Environmental Protection Agency guidelines.

A TCEQ-approved Quality Assurance Project Plan containing all applicable EPA QA-R5 elements shall be maintained. Analysis of all data collected from these sites will comply with Standard Operating Procedures for the analysis and measurement of Volatile Organic Compounds in Ambient Air. The laboratory data generated by this project will be from a TCEQ accredited laboratory in compliance with state laws and rules regarding use of certified or accredited testing laboratories For example, the Third-Party Recipient must comply with 30 Texas Administrative Code, Chapter 25, Subchapter A, relating to Environmental Testing Laboratory Accreditation and Certification, as amended.

The SEP Offset Amount will be used to purchase equipment (such as automated canister samplers), hardware, software, and licenses to enable the monitoring, and for the cost of operating, maintaining, and periodically upgrading or adding to these air monitoring stations along with ancillary equipment approved by TCEQ. The data will be validated and sent to TCEQ's Leading Environmental Analysis and Display (LEADS) system. All costs associated with the collection, transfer, and formatting of these data to be compatible with the LEADS system is the responsibility of the Third-Party Recipient. No portion of the SEP Offset Amount will be used for administrative costs or salaries of the Third-Party Recipient. The Third-Party Recipient may use contractors to perform the monitoring project, subject to special conditions concerning costs.

The project will be administered in accordance with federal, state, and local environmental laws and regulations. The Respondents certifies that there is no prior commitment to make this contribution and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Particulate matter (PM), sulfides (SO, SO2), oxides of nitrogen (NOx), volatile organic carbon (VOC) compounds, and ambient air conditions are measured at the stations and

the data are made accessible to TCEQ and the public. Sites may also provide continuous assessment of benzene, 1, 3-butadiene and styrene. This monitoring was not previously covered by existing ambient air monitoring systems.

Continued monitoring in this area of the community will help better understand air quality pollutants and will enable better identification of emission sources. The data will focus on specific chemicals that may raise air quality concerns.

C. Minimum Expenditure

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

2. Performance Schedule

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

Southeast Texas Regional Planning Commission
Bob Dickinson, Director Transportation and Environmental Resources
Attention: SEP - West Port Arthur Home Energy Project
South East Texas Regional Planning Commission
2210 Eastex Freeway, Beaumont, TX 77703

3. Records and Reporting

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

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

4. Failure to Fully Perform

If the Respondents do not perform its obligations under this SEP in any way, including

full 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:

Texas Commission on Environmental Quality
Litigation Division
Attention: Cashier, MC 175
P.O. Box 13088
Austin, Texas 78711-3087

The Respondents 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 Respondents must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

Penalty Calculation Worksheet (PCW)

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

TCEQ

DATES					
Assigned	2-Aug-2010				
PCW	13-Jan-2011	Screening	10-Aug-2010	EPA Due	N/A

RESPONDENT/FACILITY INFORMATION

Respondent	Valero Refining-Texas, L.P. (Corpus Christi Refinery East Plant)		
Reg. Ent. Ref. No.	RN100211663		
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	39783	No. of Violations	2
Docket No.	2010-0909-MLM-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		EC's Team	Enforcement Team 5

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

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$22,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 255.0% Enhancement — *Subtotals 2, 3, & 7* **$57,375**

Notes: Enhancement for eight NOVs with same/similar violations, eight NOVs with dissimilar violations, six orders with denial of liability, two orders without denial of liability, and one court order/consent decree with denial of liability. Reduction for one Notice of Intended Audit submitted.

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* **$625**

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

Total EB Amounts $757
Approx. Cost of Compliance $11,500

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$79,250**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$79,250**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$79,250**

DEFERRAL 20.0% Reduction — *Adjustment* **-$15,850**

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 **$63,400**

Screening Date 10-Aug-2010 **Docket No.** 2010-0909-MLM-E **PCW**
Respondent Valero Refining-Texas, L.P. (Corpus Christi Refinery East Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100211663
Media [Statute] Air
Enf. Coordinator Trina Grieco

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*)	8	40%
	Other written NOVs	8	16%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
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*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 255%

>> 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 eight NOVs with same/similar violations, eight NOVs with dissimilar violations, six orders with denial of liability, two orders without denial of liability, and one court order/consent decree with denial of liability. Reduction for one Notice of Intended Audit submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 255%

Screening Date 10-Aug-2010 **Docket No.** 2010-0909-MLM-E **PCW**
Respondent Valero Refining-Texas, L.P. (Corpus Christi Refinery East Plant) *Policy Revision 2 (September 2002)*
Case ID No. 39783 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN100211663
Media [Statute] Air
Enf. Coordinator Trina Grieco

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. 2937 and PSD-TX-1023M1, Special Conditions 1

Violation Description Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 800 pounds ("lbs") of sulfur dioxide, nine lbs of hydrogen sulfide, 152 lbs of volatile organic compounds, 136 lbs of carbon monoxide, and 19 lbs of nitrogen oxides ("NOx") were released from the Complex 7 Flare, emissions point number WP-FLARE1, in the Complex 7 Unit during an emissions event (Incident No. 135957) that occurred on February 17, 2010 and lasted one hour and nine minutes. Since this event could have been avoided by better operational practices, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
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 contaminants that did not exceed protective levels as a result of the 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.

Good Faith Efforts to Comply

25.0% Reduction $625

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

Notes: The Respondent completed corrective actions on February 19, 2010, prior to the July 30, 2010 NOE.

Violation Subtotal $1,875

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $8,250

This violation Final Assessed Penalty (adjusted for limits) $8,250

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P. (Corpus Christi Refinery East Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100211663
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				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$1,500	17-Feb-2010	19-Feb-2010	0.01	$0	n/a	$0

Notes for DELAYED costs Estimated cost to modify the operation of the coalescer level control valve so that it closes when a certain liquid level is reached (even if the valve is placed in manual override), and update the operating procedures to incorporate the modification. The date required is the date of the event and the final date is the date corrective actions were completed.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
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 $1,500

TOTAL $0

Screening Date 10-Aug-2010 **Docket No.** 2010-0909-MLM-E **PCW**
Respondent Valero Refining-Texas, L.P. (Corpus Christi Refinery East Plant) *Policy Revision 2 (September 2002)*
Case ID No. 39783 *PCW Revision October 30, 2008*
Reg. Ent. Reference No. RN100211663
Media [Statute] Air
Enf. Coordinator Trina Grieco

Violation Number 2

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. 2937 and PSD-TX-1023M1, Special Conditions No. 10A

Violation Description Failed to comply with the 0.035 lb of NOx per million British thermal units ("lb NOx/MMBtu") on an hourly averaging period for Boiler Nos. 1, 2 and 5, as reported in the semi-annual deviation reports for the annual compliance certification periods of November 24, 2007 through November 23, 2008 and November 24, 2008 through November 23, 2009. Specifically, during the period of January 1 through November 23, 2008, Boiler No. 1 operated at an average rate of 0.0655 lb NOx/MMBtu on an hourly averaging period, Boiler No. 2 at an average rate of 0.1483 lb NOx/MMBtu on an hourly averaging period and Boiler No. 5 at an average rate of 0.1573 lb NOx/MMBtu on an hourly averaging period, resulting in the release of 15,548 lbs of NOx, 26,283 lbs of NOx, and 92,378 lbs of NOx, respectively. During the period of November 24, 2008 through November 23, 2009, Boiler No. 1 operated at an average rate of 0.0630 lb NOx/MMBtu on an hourly averaging period, Boiler No. 2 at an average rate of 0.0603 lb NOx/MMBtu on an hourly averaging period and Boiler No. 5 at an average rate of 0.0808 lb NOx/MMBtu on an hourly averaging period, resulting in the release of 16,381 lbs of NOx, 13,932 lbs of NOx, and 61,282 lbs of NOx, respectively.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health has been exposed to an insignificant amount of pollutants that would not exceed levels protective of human health or environmental receptors.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 8 692 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $20,000

Eight quarterly events are recommended for the violations that occurred from January 1, 2008 to November 23, 2009.

Good Faith Efforts to Comply

0.0% Reduction $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $20,000

Economic Benefit (EB) for this violation

Estimated EB Amount $756

Statutory Limit Test

Violation Final Penalty Total $71,000

This violation Final Assessed Penalty (adjusted for limits) $71,000

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P. (Corpus Christi Refinery East Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100211663
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$10,000	28-May-2010	1-Dec-2011	1.51	$756	n/a	$756

Notes for DELAYED costs: Estimated cost to prepare, submit, and implement a Corrective Action Plan to comply with permitted Nox emission rate. The date required is the date of the investigation and the final date is the date that corrective actions are projected to be 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: $10,000

TOTAL: $756

Penalty Calculation Worksheet (PCW)

TCEQ

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

DATES					
Assigned	2-Aug-2010				
PCW	18-Apr-2011	Screening	10-Aug-2010	EPA Due	N/A

RESPONDENT/FACILITY INFORMATION

Respondent	Valero Refining-Texas, L.P. (Corpus Christi Refinery West Plant)		
Reg. Ent. Ref. No.	RN100214386		
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	39783	No. of Violations	1
Docket No.	2010-0909-MLM-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$2,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History — 155.0% Enhancement — *Subtotals 2, 3, & 7* **$3,875**

Notes: Enhancement for two NOVs with same/similar violations, 21 NOVs with dissimilar violations, one order with denial of liability, one order without denial of liability, and two court orders with denial of liability. Reduction for two Notices of Intended Audits submitted.

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* **$0**

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

Total EB Amounts	$420
Approx. Cost of Compliance	$5,000

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$6,375**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **$6,375**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$6,375**

DEFERRAL — 20.0% Reduction — *Adjustment* **-$1,275**

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 **$5,100**

Screening Date 10-Aug-2010 **Docket No.** 2010-0909-MLM-E **PCW**

Respondent Valero Refining-Texas, L.P. (Corpus Christi Refinery West Plant)

Policy Revision 2 (September 2002)

Case ID No. 39783

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100214386

Media [Statute] Air

Enf. Coordinator Trina Grieco

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*)	2	10%
	Other written NOVs	21	42%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	1	20%
	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*)	2	60%
	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)*	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 155%

>> 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 two NOVs with same/similar violations, 21 NOVs with dissimilar violations, one order with denial of liability, one order without denial of liability, and two court orders with denial of liability. Reduction for two Notices of Intended Audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 155%

Screening Date	10-Aug-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Valero Refining-Texas, L.P. (Corpus Christi Refinery West Plant		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100214386		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

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 Air Permit Nos. 38754 and PSD-TX-324M12, Special Conditions 1

Violation Description Failed to prevent unauthorized emissions. Specificially, unauthorized emissions of 2,908.58 pounds ("lbs") of carbon monoxide, 1,355.43 lbs of nitrogen oxides, and 80.41 lbs of volatile organic compounds were released from the Butane Upgrade Project Flare, Emission Point Number ("EPN") 127, the Main Flare, EPN 126, and the Steam Methane Reforming Heaters ("SMR"), EPN 118 in the Complex 1, SMR Unit #13 when a heater tube corroded, resulting in an emissions event (Incident 137615) that occurred on March 28, 2010 and lasted 39 hours. Since this event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to insignificant amounts of contaminants that did not exceed protective levels as a result of the violation.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events: 1

2 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $2,500

Economic Benefit (EB) for this violation

Estimated EB Amount $420

Statutory Limit Test

Violation Final Penalty Total $6,375

This violation Final Assessed Penalty (adjusted for limits) $6,375

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P. (Corpus Christi Refinery West Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100214386
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$5,000	28-Mar-2010	1-Dec-2011	1.68	$420	n/a	$420
Notes for DELAYED costs	Estimated cost to implement a preventative maintenance program designed to ensure that heater tubes are replaced before they begin to corrode. The required date is the date the event began and the final date is the date corrective actions are projected to be completed.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance: $5,000

TOTAL: $420

Penalty Calculation Worksheet (PCW)

TCEQ

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

DATES					
Assigned	21-Jun-2010				
PCW	21-Sep-2010	Screening	28-Oct-2010	EPA Due	5-Sep-2010

RESPONDENT/FACILITY INFORMATION

Respondent	Valero Refining-Texas, L.P. (Houston Refinery)		
Reg. Ent. Ref. No.	RN100219310		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	39783	No. of Violations	2
Docket No.	2010-0909-MLM-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		EC's Team	Enforcement Team 1

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

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) *Subtotal 1* $11,100

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 364.0% Enhancement *Subtotals 2, 3, & 7* $40,404

Notes: Enhancement for 19 months of self-reported effluent violations, two NOVs with same/similar violations, 13 NOVs with dissimilar violations, 10 administrative orders containing a denial of liability, and one court order, and reduction for two Notices of Audits submitted.

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* $2,610

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

Total EB Amounts	$708
Approx. Cost of Compliance	$14,550

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 *Final Subtotal* $48,894

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount $48,894

STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty* $48,894

DEFERRAL 20.0% Reduction *Adjustment* -$9,778

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 $39,116

Screening Date	28-Oct-2010	Docket No. 2010-0909-MLM-E	PCW
Respondent	Valero Refining-Texas, L.P. (Houston Refinery)		Policy Revision 2 (September 2002)
Case ID No.	39783		PCW Revision October 30, 2008
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Water Quality		
Ent. Coordinator	Trina Grieco		

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	13	26%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	10	200%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
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	1	35%
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*)	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 364%

>> 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 19 months of self-reported effluent violations, two NOVs with same/similar violations, 13 NOVs with dissimilar violations, 10 administrative orders containing a denial of liability, and one court order; and reduction for two Notices of Audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 364%

Screening Date	28-Oct-2010	Docket No. 2010-0909-MLM-E	PCW
Respondent	Valero Refining-Texas, L.P. (Houston Refinery)		Policy Revision 2 (September 2002)
Case ID No.	39783		PCW Revision October 30, 2008
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Water Quality		
Enf. Coordinator	Trina Grieco		

Violation Number: 1

Rule Cite(s): Tex. Water Code § 26.121(a); 30 Tex. Admin. Code § 305.125(1); and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000535000, Final Phase Effluent Limitations and Monitoring Requirements No. 1 for Outfall 001

Violation Description: Failed to comply with the permitted effluent limitations, as shown in the attached violation table.

Base Penalty: $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

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.

Adjustment: $7,500

$2,500

Violation Events

Number of Violation Events: 4

274 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty: $10,000

Four quarterly events are recommended.

Good Faith Efforts to Comply

25.0% Reduction: $2,500

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

Notes: The Respondent achieved compliance by April 30, 2010, prior to the June 17, 2010 NOE.

Violation Subtotal: $7,500

Economic Benefit (EB) for this violation

Estimated EB Amount: $549

Statutory Limit Test

Violation Final Penalty Total: $43,900

This violation Final Assessed Penalty (adjusted for limits): $43,900

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P. (Houston Refinery)
Case ID No. 39783
Reg. Ent. Reference No. RN100219310
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs.	Interest Saved	Onetime Costs	EB Amount
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	$12,000	31-May-2009	30-Apr-2010	0.92	$549	n/a	$549
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	Estimated cost to conduct lab sample testing and implement a new method of analyzing free cyanide. Date required is the initial month of noncompliance. 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: $12,000

TOTAL: $549

Screening Date	28-Oct-2010	Docket No. 2010-0909-MLM-E	PCW
Respondent	Valero Refining-Texas, L.P. (Houston Refinery)		Policy Revision 2 (September 2002)
Case ID No.	39783		PCW Revision October 30, 2008
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Water Quality		
Enf. Coordinator	Trina Grieco		

Violation Number: 2

Rule Cite(s): 30 Tex. Admin. Code §§ 319.7(a)(5) and 319.11(c), and TPDES Permit No. WQ0000535000, Definitions and Standard Permit Conditions Nos. 2(f) and (g)

Violation Description: Failed to correctly calculate the effluent loadings for free cyanide. Specifically, the Facility used the concentration average for the loading average on the April 2009 through February 2010 discharge monitoring reports ("DMRs") for free cyanide.

Base Penalty: $10,000

>>Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent: 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			X

Percent: 1%

Matrix Notes: 70 percent of the permit requirement was met.

Adjustment: $9,900

$100

Violation Events

Number of Violation Events: 11

334 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty: $1,100

Eleven single events are recommended.

Good Faith Efforts to Comply

10.0% Reduction: $110

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

Notes: The Respondent came into compliance on June 24, 2010.

Violation Subtotal: $990

Economic Benefit (EB) for this violation

Estimated EB Amount: $80

Statutory Limit Test

Violation Final Penalty Total: $4,994

This violation Final Assessed Penalty (adjusted for limits): $4,994

Economic Benefit Worksheet

Respondent: Valero Refining-Texas, L.P. (Houston Refinery)
Case ID No: 39783
Reg. Ent. Reference No: RN100219310
Media: Water Quality
Violation No: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description: No commas or $	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)	$275	30-Apr-2009	24-Jun-2010	1.15	$1	$21	$22
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$1,000	30-Apr-2009	24-Jun-2010	1.15	$58	n/a	$58
Notes for DELAYED costs	Estimated cost to re-submit the corrected DMRs for the period from April 2009 through February 2010 for free cyanide (11 DMRs x $25 per DMR = $275) and to develop and implement a procedure to correctly calculate the effluent loading ($1,000). Date required is the initial month of non-compliance. 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: $1,275

TOTAL: $80

EFFLUENT VIOLATION TABLE		
Months	Free Cyanide Daily Avg. Loading Limit = 0.211 lbs/day	Free Cyanide Daily Max. Loading Limit = 0.4463 lbs/day
5/31/2009	0.438	1.2320
6/30/2009	0.353	1.0790
7/31/2009	0.541	1.1050
8/31/2009	0.519	1.1950
9/30/2009	c	0.8014
10/31/2009	0.229	0.6304
12/31/2009	0.480	1.1010
1/31/2010	0.197	0.7456
2/28/2010	0.254	0.6070

c = compliant
Avg. = average
Max. = maximum
lbs/day = pounds per day

Penalty Calculation Worksheet (PCW)

TCEQ

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

DATES					
Assigned	9-Aug-2010				
PCW	19-Aug-2010	Screening	19-Aug-2010	EPA Due	N/A

RESPONDENT/FACILITY INFORMATION			
Respondent	Valero Refining-Texas, L.P. (Texas City Refinery)		
Reg. Ent. Ref. No.	RN100238385		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	39783	No. of Violations	1
Docket No.	2010-0909-MLM-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	*Subtotal 1*	$5,000
ADJUSTMENTS (+/-) TO SUBTOTAL 1		

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

Compliance History	427.0% Enhancement	*Subtotals 2, 3, & 7*	$21,350

Notes: Enhancement for 13 NOVs with same/similar violations, 18 NOVs with dissimilar violations, ten agreed orders with denial of liability, four agreed orders without denial of liability, and one court order with denial of liability. Reduction for four Notices of Intended Audits submitted.

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

Total EB Amounts: $80
Approx. Cost of Compliance: $1,000
**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7	*Final Subtotal*	$26,350
OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0%	*Adjustment*	$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	$26,350
STATUTORY LIMIT ADJUSTMENT *Final Assessed Penalty*	$10,000
DEFERRAL 20.0% Reduction *Adjustment*	-$2,000

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	$8,000

Screening Date 19-Aug-2010 **Docket No.** 2010-0909-MLM-E **PCW**

Respondent Valero Refining-Texas, L.P. (Texas City Refinery)

Case ID No. 39783

Reg. Ent. Reference No. RN100238385

Media [Statute] Air

Enf. Coordinator Trina Grieco

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*)	13	65%
	Other written NOVs	18	36%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	10	200%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4	100%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	4	-4%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 427%

>> 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 13 NOVs with same/similar violations, 18 NOVs with dissimilar violations, ten agreed orders with denial of liability, four agreed orders without denial of liability, and one court order with denial of liability. Reduction for four Notices of Intended Audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 427%

Screening Date	19-Aug-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Valero Refining-Texas, L.P. (Texas City Refinery)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100238385		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

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 Air Permit Nos. 39142 and PSD-TX-822M2, Special Conditions 1

Violation Description Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 3,619.23 pounds ("lbs") of volatile organic compounds, 2,252.04 lbs of sulfur dioxide, 80.34 lbs of carbon monoxide, 35.89 lbs of hydrogen sulfide, 14.34 lbs of acetone, and 11.12 lbs of nitrogen oxides were released from the No. 4 Flare Stack, emission point number ("EPN") EFL-04, the No. 5 Flare Stack, EPN EFL-05, and Tank 88, EPN 088, in Complex Nos. 4, 6, and 7, respectively, during an emissions event (Incident 138854) that occurred on April 25, 2010 and lasted 24 hours. Since this event could have been avoided by better operational practices, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm: Major	Moderate	Minor
	Actual		x	
	Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to significant amounts of contaminants that did not exceed protective levels as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one with an x

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $5,000

Economic Benefit (EB) for this violation

Estimated EB Amount $80

Statutory Limit Test

Violation Final Penalty Total $26,350

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

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P. (Texas City Refinery)
Case ID No. 39783
Reg. Ent. Reference No. RN100238385
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling	$1,000	25-Apr-2010	1-Dec-2011	1.60	$80	n/a	$80
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to train operators to close valves appropriately. The date required is the date of the release and the final date is the date corrective actions are projected to be 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: $1,000

TOTAL: $80

Penalty Calculation Worksheet (PCW)

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

TCEQ

DATES					
Assigned	1-Jun-2010				
PCW	7-Jun-2010	Screening	7-Jun-2010	EPA Due	21-Feb-2011

RESPONDENT/FACILITY INFORMATION			
Respondent	Valero Refining-Texas, L.P. (Houston Refinery)		
Reg. Ent. Ref. No.	RN100219310		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	39783	No. of Violations	2
Docket No.	2010-0909-MLM-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)		*Subtotal 1*	$3,500
ADJUSTMENTS (+/-) TO SUBTOTAL 1			
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.			
Compliance History	343.0% Enhancement	*Subtotals 2, 3, & 7*	$12,005
Notes	Enhancement for nine NOVs with same/similar violations, 25 NOVs with dissimilar violations, six agreed orders with a denial of liability, four agreed order without a denial of liability, and one Court Order with a denial of liability. Reduction due to two Notices of Intended Audits submitted.		
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*	$875
Economic Benefit	0.0% Enhancement*	*Subtotal 6*	$0
Total EB Amounts	$39	**Capped at the Total EB $ Amount*	
Approx. Cost of Compliance	$14,000		
SUM OF SUBTOTALS 1-7		*Final Subtotal*	$14,630
OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	*Adjustment*	$0
Reduces or enhances the Final Subtotal by the indicated percentage.			
Notes			
		Final Penalty Amount	$14,630
STATUTORY LIMIT ADJUSTMENT		*Final Assessed Penalty*	$14,180
DEFERRAL	20.0% Reduction	*Adjustment*	-$2,836
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			$11,344

Screening Date 7-Jun-2010 **Docket No.** 2010-0909-MLM-E **PCW**

Respondent Valero Refining-Texas, L.P. (Houston Refinery)

Case ID No. 39783

Reg. Ent. Reference No. RN100219310

Media [Statute] Air

Enf. Coordinator Trina Grieco

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 NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	9	45%
	Other written NOVs	25	50%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	4	100%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (*number of judgements or consent decrees meeting criteria*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 343%

>> 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 nine NOVs with same/similar violations, 25 NOVs with dissimilar violations, six agreed orders with a denial of liability, four agreed order without a denial of liability, and one Court Order with a denial of liability. Reduction due to two Notices of Intended Audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 343%

Screening Date	7-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Valero Refining-Texas, L.P. (Houston Refinery)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 1

Rule Cite(s) Federal Operating Permit No. O1381, Special Terms and Conditions ("STC") No. 19, Standard Permit Registration No. 81979, General Conditions, 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to comply with the 3.53 pounds per hour ("lbs/hr") nitrogen oxides ("NOx") emission rate for Temporary Boiler No. 1. Specifically, during a November 2, 2007 stack test, the NOx emissions rate from Temporary Boiler No. 1 was 4.57 lbs/hr.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to an insignificant amount of pollutants that did not exceed protective levels as a result of the 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 November 2, 2007 non-compliant stack test date to the November 2, 2007 corrective action date.

Good Faith Efforts to Comply

25.0% Reduction — $625

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

Notes: The Respondent completed corrective actions on November 2, 2007, which was prior to the May 27, 2010 Notice of Enforcement.

Violation Subtotal $1,875

Economic Benefit (EB) for this violation

Estimated EB Amount $1

Statutory Limit Test

Violation Final Penalty Total $10,450

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

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P. (Houston Refinery)
Case ID No. 39783
Reg. Ent. Reference No. RN100219310
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$8,000	2-Nov-2007	3-Nov-2007	0.00	$1	n/a	$1
Notes for DELAYED costs	Estimated cost to remove Temporary Boiler No. 1 from service. The date required is the date of the stack test. The final date is one day after 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: $8,000

TOTAL: $1

Screening Date	7-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Valero Refining-Texas, L.P. (Houston Refinery)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100219310		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 2

Rule Cite(s) Federal Operating Permit No. O1381, STC No. 19, Standard Permit Registration No. 81979, Special Conditions No. (5)(B)(v), 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to perform stack testing within 90 days after the installation of Temporary Boiler No. 1. Specifically, Temporary Boiler No. 1 was installed on June 19, 2007, however, stack testing was not conducted until 136 days later on November 2, 2007.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment could have been exposed to an insignificant amount of pollutants that would not exceed protective levels as a result of the violation.

Adjustment $9,000

$1,000

Violation Events

Number of Violation Events: 1 — 46 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One single event is recommended based on the one stack test that was conducted late.

Good Faith Efforts to Comply

25.0% Reduction — $250

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

Notes: The Respondent completed corrective actions on November 2, 2007, which was prior to the May 27, 2010 Notice of Enforcement.

Violation Subtotal $750

Economic Benefit (EB) for this violation — Statutory Limit Test

Estimated EB Amount $36

Violation Final Penalty Total $4,180

This violation Final Assessed Penalty (adjusted for limits) $4,180

Economic Benefit Worksheet

Respondent Valero Refining-Texas, L.P. (Houston Refinery)
Case ID No. 39783
Reg. Ent. Reference No. RN100219310
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$6,000	17-Sep-2007	2-Nov-2007	0.13	$38	n/a	$38
Notes for DELAYED costs	Estimated cost to conduct stack testing of Temporary Boiler No. 1. The date required is the date Temporary Boiler No. 1 was required to be tested. The final date is the date Temporary Boiler No. 1 was tested.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance $6,000

TOTAL $38

Penalty Calculation Worksheet (PCW)

TCEQ

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

DATES					
Assigned	1-Jun-2010				
PCW	4-Jun-2010	Screening	4-Jun-2010	EPA Due	N/A

RESPONDENT/FACILITY INFORMATION			
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		
Reg. Ent. Ref. No.	RN100210517		
Facility/Site Region	1-Amarillo	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	39783	No. of Violations	9
Docket No.	2010-0909-MLM-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)		*Subtotal 1*	$33,100
ADJUSTMENTS (+/-) TO SUBTOTAL 1			
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.			
Compliance History	320.0% Enhancement	*Subtotals 2, 3, & 7*	$105,920
Notes	Enhancement for 11 NOVs with same/similar violations, six NOVs with dissimilar violations, ten Agreed Orders with a denial of liability, one Agreed Order without a denial of liability, and one Court Order with a denial of liability. Reduction for two Notice of Intended Audits submitted.		
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*	$4,375
Economic Benefit	0.0% Enhancement*	*Subtotal 6*	$0
Total EB Amounts	$1,088	**Capped at the Total EB $ Amount*	
Approx. Cost of Compliance	$6,362		
SUM OF SUBTOTALS 1-7		*Final Subtotal*	$134,645
OTHER FACTORS AS JUSTICE MAY REQUIRE	0.3%	*Adjustment*	$436
Reduces or enhances the Final Subtotal by the indicated percentage.			
Notes	Recommended enhancement to capture avoided costs associated with Violations 3, 4, and 6.		
		Final Penalty Amount	$135,081
STATUTORY LIMIT ADJUSTMENT		*Final Assessed Penalty*	$123,478
DEFERRAL	20.0% Reduction	*Adjustment*	-$24,695
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			$98,783

Screening Date 4-Jun-2010 **Docket No.** 2010-0909-MLM-E **PCW**

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)

Policy Revision 2 (September 2002)

Case ID No. 39783

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100210517

Media [Statute] Air

Enf. Coordinator Trina Grieco

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	11	55%
	Other written NOVs	6	12%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	10	200%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	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*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 320%

>> 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 11 NOVs with same/similar violations, six NOVs with dissimilar violations, ten Agreed Orders with a denial of liability, one Agreed Order without a denial of liability, and one Court Order with a denial of liability. Reduction for two Notice of Intended Audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 320%

Screening Date	4-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100210517		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

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. 9708 and PSD-TX-861M2, Special Conditions 2

Violation Description Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 159 pounds ("lbs") of carbon monoxide, 7 lbs of hydrogen sulfide ("H2S"), 22 lbs of nitrogen oxides, 620 lbs of sulfur dioxide ("SO2"), and 285 lbs of volatile organic compounds ("VOC") were released from the Main Refinery Flare, emission point number ("EPN") FL-1, in the Refinery Light Ends Unit during an emissions event (Incident No. 134197) that occurred on January 8, 2010 and lasted three hours and 34 minutes. Since there was not enough information provided by the Respondent to demonstrate that this event could not have been prevented, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
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 contaminants that did not exceed protective levels as a result of the 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.

Good Faith Efforts to Comply

0.0% Reduction — $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $2,500

Economic Benefit (EB) for this violation

Estimated EB Amount $95

Statutory Limit Test

Violation Final Penalty Total $10,534

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

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
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				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$1,000	8-Jan-2010	1-Dec-2011	1.90	$95	n/a	$95

Notes for DELAYED costs Estimated cost to implement measures designed to prevent emissions events due to the same causes as those that caused Incident No. 134197. The date required is the date of the event and the final date is the date corrective actions are projected to be 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 $1,000

TOTAL $95

Screening Date	4-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100210517		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 106.512(1), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O-01555, Special Terms and Conditions ("STC") 15

Violation Description Failed to obtain authorization to operate a 450 horsepower compressor engine in the No. 1 Crude Unit. Specifically, Form PI-7 was required to be submitted within ten days after construction began but has not been submitted.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes: The Respondent failed to meet 100% of the rule requirements.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events: 2

97 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $5,000

Two quarterly events are recommended from the investigation date of February 19, 2010 to the initial screening date of June 4, 2010.

Good Faith Efforts to Comply

0.0% Reduction $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $5,000

Economic Benefit (EB) for this violation

Estimated EB Amount $45

Statutory Limit Test

Violation Final Penalty Total $21,068

This violation Final Assessed Penalty (adjusted for limits) $21,068

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$500	19-Feb-2010	1-Dec-2011	1.78	$45	n/a	$45
Notes for DELAYED costs	Estimated cost to obtain a permit by rule to operate the compressor engine. The date required is the investigation date and the final date is the date corrective actions are projected to be 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: $500

TOTAL: $45

Screening Date	4-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100210517		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 3

Rule Cite(s) 40 Code of Federal Regulations ("CFR") § 60.692-2(a)(3), 30 Tex. Admin. Code § 101.20(1), Tex. Health & Safety Code § 382.085(b), and FOP No. O-01555, STC 5B

Violation Description Failed to conduct initial and weekly inspections of inactive drains for indications of low water levels or other problems that could result in VOC emissions (inspections are required initially upon taking the drain out of service and weekly thereafter). Specifically, there were 78 instances of inactive drains not inspected, overlooked, or not identified in the inspection program, as reported in the January 1 to June 30, 2009 semi-annual deviation report.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Harm: Moderate	Minor
Actual			
Potential		x	

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes Human health or the environment could have been exposed to significant amounts of contaminants that would not have exceeded protective levels as a result of the violation.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 2 — 151 **Number of violation days**

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $5,000

Two quarterly events are recommended from January 1 to June 1, 2009 during which inspections were missed.

Good Faith Efforts to Comply

25.0% Reduction — $1,250

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

Notes The Respondent completed corrective actions on June 1, 2009 (before the May 20, 2010 NOE).

Violation Subtotal $3,750

Economic Benefit (EB) for this violation

Estimated EB Amount $214

Statutory Limit Test

Violation Final Penalty Total $19,814

This violation Final Assessed Penalty (adjusted for limits) $19,814

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$300	1-Jan-2009	1-Jun-2009	0.41	$6	n/a	$6
Notes for DELAYED costs	Estimated cost to to develop a spreadsheet that includes all inactive drains and the associated initial inspection dates, and outlines a schedule for weekly inspections thereafter. The date required is the first date of the semi-annual deviation period during which the violations occurred and the final date is the date corrective actions were completed.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
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]	$195	1-Jan-2009	1-Jun-2009	1.33	$13	$195	$208
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs	Estimated cost to conduct 78 inspections of inactive drains. The date required is the first day of the semi-annual deviation period during which drain inspections were missed and the final date is the date corrective actions were completed.						

Approx. Cost of Compliance $495

TOTAL $214

Screening Date	4-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100210517		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 4

Rule Cite(s) 40 CFR § 60.692-2(a)(2); 30 Tex. Admin. Code § 101.20(1); Tex. Health & Safety Code § 382.085(b); and FOP No. O-01555, STC 5B

Violation Description Failed to conduct initial and monthly inspections of active drains for indications of low water levels or other problems that could result in VOC emissions (inspections are required initially upon the drain being put into service and monthly thereafter). Specifically, there were 13 instances of active drains not inspected, overlooked, or not identified in the inspection program, as reported in the January 1 to June 30, 2009 semi-annual deviation report.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential		x	

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment could have been exposed to significant amounts of contaminants that would not have exceeded protective levels as a result of the violation.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events: 2 — 151 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $5,000

Two quarterly events are recommended from January 1 to June 1, 2009 during which the inspections were missed.

Good Faith Efforts to Comply

25.0% Reduction — $1,250

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

Notes: The Respondent completed corrective actions on June 1, 2009 (before the May 20, 2010 NOE).

Violation Subtotal $3,750

Economic Benefit (EB) for this violation

Estimated EB Amount $41

Statutory Limit Test

Violation Final Penalty Total $19,814

This violation Final Assessed Penalty (adjusted for limits) $19,814

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$300	1-Jan-2009	1-Jun-2009	0.41	$6	n/a	$6
Notes for DELAYED costs	Estimated cost to to develop a spreadsheet that includes all active drains that shows the initial inspection and the schedule for monthly inspections thereafter. The date required is the first date of the semi-annual deviation period during which the violations occurred and the final date is the date corrective actions were completed.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
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)	$33	1-Jan-2009	1-Jun-2009	1.33	$2	$33	$35
Notes for AVOIDED costs	Estimated cost to conduct 13 inspections of active drains. The date required is the first day of the semi-annual deviation period during which drain inspections were missed and the final date is the date corrective actions were completed.						

Approx. Cost of Compliance: $333

TOTAL: $41

Screening Date 4-Jun-2010 **Docket No.** 2010-0909-MLM-E **PCW**

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant) *Policy Revision 2 (September 2002)*

Case ID No. 39783 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN100210517

Media [Statute] Air

Enf. Coordinator Trina Grieco

Violation Number 5 Track No. 394712

Rule Cite(s) 40 CFR § 60.692-2(a)(5), 30 Tex. Admin. Code § 101.20(1), Tex. Health & Safety Code § 382.085(b), and FOP No. O-01555, STC 5B

Violation Description Failed to repair 70 drains within 24 hours after determining that low water levels or missing or improperly installed caps and plugs were identified (indicating that pollutants are being released), as reported in the January 1 to June 30, 2009 semi-annual deviation report.

Base Penalty $10,000

>>Environmental, Property and Human Health Matrix

Release	Harm: 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 contaminants that did not exceed protective levels as a result of the violation.

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 2 151 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $5,000

Two quarterly events are recommended from January 1 to June 1, 2009 during which the drains were not timely repaired.

Good Faith Efforts to Comply

25.0% Reduction $1,250

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

Notes: The Respondent completed corrective actions on June 1, 2009 (before the May 20, 2010 NOE).

Violation Subtotal $3,750

Economic Benefit (EB) for this violation

Estimated EB Amount $10

Statutory Limit Test

Violation Final Penalty Total $19,814

This violation Final Assessed Penalty (adjusted for limits) $19,814

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$500	1-Jan-2009	1-Jun-2009	0.41	$10	n/a	$10

Notes for DELAYED costs: Estimated cost to repair 70 drains and to develop a spreadsheet for tracking drains that need to be repaired within 24 hours of discovering a leak. The date required is the first date of the semi-annual deviation period during which the violations occurred and the final date is the date corrective actions were completed.

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance: $500

TOTAL: $10

Screening Date	4-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100210517		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 6

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), Tex. Health & Safety Code § 382.085(b), and Flexible Air Permit Nos. 9708 and PSD-TX-861M2, STC 19D (formerly 23D)

Violation Description Failed to record the date and time of the audio, visual, and olfactory ("AVO") inspections for leaks in pipes, pumps, valves, and compressors in H2S, SO2, and ammonia service. Specifically, a table was provided after the investigation that reflects that inspections are conducted, but there were eight shifts during which no information was recorded to demonstrate an inspection was conducted, and no entries included the time of the inspection.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: The Respondent failed to meet less than 30% of the rule requirement.

Adjustment $9,900

$100

Violation Events

Number of Violation Events: 1 — 364 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 for the deficient log.

Good Faith Efforts to Comply

0.0% Reduction — $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $100

Economic Benefit (EB) for this violation — Statutory Limit Test

Estimated EB Amount $200 — **Violation Final Penalty Total** $421

This violation Final Assessed Penalty (adjusted for limits) $421

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
Media Air
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$50	1-Jan-2009	1-Dec-2011	2.92	$7	n/a	$7
Notes for DELAYED costs	Estimated cost to implement measures designed to ensure that AVO inspections are properly recorded. The date required is the first inspection date with missing information and the final date is the date corrective actions are projected to be 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	$184	1-Jan-2009	31-Dec-2009	1.00	$9	$183	$193
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	Estimated cost to record eight inspections and to enter a time for all 728 inspections (two shifts for 365 days). The date required is the first inspection date with missing information and the final date is the last inspection date with missing information.						

Approx. Cost of Compliance: $234

TOTAL: $200

Screening Date	4-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100210517		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 7

Rule Cite(s) 40 CFR §§ 60.18(f)(2) and 63.11(b)(5); 30 Tex. Admin. Code § 101.20(1) and (2); and Tex. Health & Safety Code § 382.085(b).

Violation Description Failed to ensure that the pilot flame monitor is detecting the pilot flame for the Main Flare (EPN FL-1), the Fluid Catalytic Cracking Unit Flare (EPN FL-3), and the Hydrocarbon Unit Flare (EPN FL-4) intermittently between January 16, 2008 and January 12, 2010. Specifically, semi-annual reports submitted on September 12, 2008, March 4, 2009, September 11, 2009, and March 12, 2010 include tables that document the monitor intermittently failed to detect a flame, but the flame was either visually confirmed or the flame did not require re-ignition, which indicates the flame was present.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			x

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment could have been exposed to insignificant amounts of contaminants that would not exceed protective levels as a result of the violation.

Adjustment $9,000

$1,000

Violation Events

3 — 727 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $3,000

Three single events are recommended for the three flares operating with a malfunctioning monitor.

Good Faith Efforts to Comply

0.0% Reduction — $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $3,000

Economic Benefit (EB) for this violation

Estimated EB Amount $388

Statutory Limit Test

Violation Final Penalty Total $12,641

This violation Final Assessed Penalty (adjusted for limits) $12,641

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
Media Air
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$2,000	16-Jan-2008	1-Dec-2011	3.88	$388	n/a	$388

Notes for DELAYED costs: Estimated cost to repair the pilot flame monitor to ensure that it detects flames from the three flares. The date required is the date the first malfunction was detected and the final date is the date corrective actions are projected to be 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: $2,000

TOTAL: $388

Screening Date	4-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100210517		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 8

Rule Cite(s) 40 CFR § 63.6(e)(3)(viii), 30 Tex. Admin. Code § 101.20(2), and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to update the Startup, Shutdown, and Malfunction Plan ("SSMP") within 45 days after the April 2, 2009 malfunctions occurred at the Reheat Exchanger in the No. 2 Sulfur Recovery Unit, in order to include detailed procedures for operating and maintaining the source during similar malfunctions as well as a corrective action program.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes The Respondent failed to comply with 100% of the rule requirements.

Adjustment $7,500

$2,500

Violation Events

1 — 52 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $2,500

One single event is recommended for the SSMP that was not timely updated.

Good Faith Efforts to Comply

25.0% Reduction $625

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

Notes The Respondent completed corrective actions on July 8, 2009 (prior to the May 20, 2010 NOE).

Violation Subtotal $1,875

Economic Benefit (EB) for this violation

Estimated EB Amount $2

Statutory Limit Test

Violation Final Penalty Total $9,907

This violation Final Assessed Penalty (adjusted for limits) $9,907

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
Media Air
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$300	17-May-2009	8-Jul-2009	0.14	$2	n/a	$2

Notes for DELAYED costs: Estimated cost to update the SSMP. The date required is the date the plan was required to be updated and the final date is the date corrective actions were completed.

Avoided Costs (ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs))							
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: $300

TOTAL: $2

Screening Date	4-Jun-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	Diamond Shamrock Refining Company, L.P. (McKee Plant)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN100210517		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 9

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. 9708 and PSD-TX-861M2, STC 2

Violation Description Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 12,090.50 lbs of SO2 and 302.30 lbs of sulfuric acid were released from the Sulfuric Acid Plant Stack, EPN V-29, in the Complex 3, Acid Plant Unit during an emissions event (Incident No. 134548) that occurred on January 15, 2010 and lasted seven hours and 10 minutes. Since this event could have been prevented if the operator had not made an incorrect assumption that the analyzer was malfunctioning and had noticed that sludge acid was being overfed, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health or the environment has been exposed to significant amounts of contaminants that did not exceed protective levels as a result of the violation.

Adjustment $5,000

$5,000

Violation Events

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

mark only one with an x

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $5,000

One monthly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction — $0

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

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal $5,000

Economic Benefit (EB) for this violation — Statutory Limit Test

Estimated EB Amount $94 — **Violation Final Penalty Total** $21,068

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

Economic Benefit Worksheet

Respondent Diamond Shamrock Refining Company, L.P. (McKee Plant)
Case ID No. 39783
Reg. Ent. Reference No. RN100210517
Media Air
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				0.00	$0	n/a	$0
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)	$1,000	15-Jan-2010	1-Dec-2011	1.88	$94	n/a	$94
Notes for DELAYED costs	Estimated cost to train operators to recognize indicators that sludge acid is being overfed. The date required is the date of the event and the final date is the date corrective actions are projected to be 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 $1,000

TOTAL $94

Penalty Calculation Worksheet (PCW)

TCEQ

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

DATES					
Assigned	19-Apr-2010				
PCW	2-Jun-2010	Screening	22-Apr-2010	EPA Due	14-Jan-2011

RESPONDENT/FACILITY INFORMATION			
Respondent	The Premcor Refining Group Inc. (Port Arthur Refinery)		
Reg. Ent. Ref. No.	RN102584026		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	39783	No. of Violations	2
Docket No.	2010-0909-MLM-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Trina Grieco
		EC's Team	Enforcement Team 5
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)		*Subtotal 1*	$2,600
ADJUSTMENTS (+/-) TO SUBTOTAL 1			
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.			
Compliance History	299.0% Enhancement	*Subtotals 2, 3, & 7*	$7,774
Notes	Enhancement for seven NOVs with same/similar violations, five NOVs with dissimilar violations, four agreed orders with denial of liability, six orders without a denial of liability and one court order. Reduction for six Notices of Intended Audits submitted.		
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	$27	**Capped at the Total EB $ Amount*	
Approx. Cost of Compliance	$1,500		
SUM OF SUBTOTALS 1-7		*Final Subtotal*	$10,114
OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	*Adjustment*	$0
Reduces or enhances the Final Subtotal by the indicated percentage.			
Notes			
		Final Penalty Amount	$10,114
STATUTORY LIMIT ADJUSTMENT		*Final Assessed Penalty*	$10,114
DEFERRAL	20.0% Reduction	*Adjustment*	-$2,022
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			$8,092

Screening Date 22-Apr-2010 **Docket No.** 2010-0909-MLM-E **PCW**

Respondent The Premcor Refining Group Inc. (Port Arthur Refinery)

Policy Revision 2 (September 2002)

Case ID No. 39783

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102584026

Media [Statute] Air

Enf. Coordinator Trina Grieco

Compliance History Worksheet

>> Compliance History *Site* Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (*number of NOVs meeting criteria*)	7	35%
	Other written NOVs	5	10%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	4	80%
	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	6	150%
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*)	1	30%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which notices were submitted)*	6	-6%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

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

Adjustment Percentage (Subtotal 2) 299%

>> 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 seven NOVs with same/similar violations, five NOVs with dissimilar violations, four agreed orders with denial of liability, six orders without a denial of liability and one court order. Reduction for six Notices of Intended Audits submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 299%

Screening Date 22-Apr-2010 **Docket No.** 2010-0909-MLM-E **PCW**

Respondent The Premcor Refining Group Inc. (Port Arthur Refinery) *Policy Revision 2 (September 2002)*

Case ID No. 39783 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN102584026

Media [Statute] Air

Enf. Coordinator Trina Grieco

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.715(a) and (c)(7), and 122.143(4); Flexible Air Permit Nos. 6825A, PSD-TX-49, and N65, Special Conditions No. 1, Federal Operating Permit ("FOP") No. O-01498, General Terms and Conditions ("GTC") and Special Terms and Conditions ("STC") 18, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, on January 15, 2010 during an emissions event, Incident No. 134571, 2.06 pounds ("lbs") of ammonia, 113.86 lbs of butane, 284.03 lbs of carbon monoxide, 28.78 lbs of hydrogen sulfide, 297.64 lbs of isobutane, 39.32 lbs of nitrogen oxide, 16.05 lbs of particulate matter, 2.44 lbs of pentane, 330.32 lbs of propane, and 2,652.75 lbs of sulfur dioxide vented to the atmosphere from Flare 103B (Emission Point Number E-103B-Flare) for 1 hour and 23 minutes. Since the emissions event was not reported within 24 hours, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

Release	Harm: Major	Moderate	Minor
Actual			x
Potential			

OR

Percent 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes: Human health and the environment has been exposed to an insignificant amount of pollutants which do not exceed levels that are protective.

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.

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 completed corrective actions on May 25, 2010, after the NOE dated April 12, 2010.

Violation Subtotal $2,250

Economic Benefit (EB) for this violation

Estimated EB Amount $27

Statutory Limit Test

Violation Final Penalty Total $9,725

This violation Final Assessed Penalty (adjusted for limits) $9,725

Economic Benefit Worksheet

Respondent The Premcor Refining Group Inc. (Port Arthur Refinery)
Case ID No. 39783
Reg. Ent. Reference No. RN102584026
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling	$1,500	15-Jan-2010	25-May-2010	0.36	$27	n/a	$27
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0
Notes for DELAYED costs	Estimated cost to train personnel to report incidents in a timely manner. The date required is the date of the emissions event. The final date is the date corrective actions were completed.						
Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Notes for AVOIDED costs							

Approx. Cost of Compliance: $1,500

TOTAL: $27

Screening Date	22-Apr-2010	**Docket No.** 2010-0909-MLM-E	**PCW**
Respondent	The Premcor Refining Group Inc. (Port Arthur Refinery)		*Policy Revision 2 (September 2002)*
Case ID No.	39783		*PCW Revision October 30, 2008*
Reg. Ent. Reference No.	RN102584026		
Media [Statute]	Air		
Enf. Coordinator	Trina Grieco		

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(A) and (B) and 122.143(4), FOP No. O-01498, STC 2F and GTC and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit an initial report within 24 hours for Incident No. 134571. Specifically, the incident occurred on January 15, 2010 at 5:51 p.m., but was not reported until January 18, 2010 at 9:20 a.m.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Harm Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes: Most (at least 70%) of the rule requirements were met.

Adjustment $9,900

$100

Violation Events

Number of Violation Events: 1

2 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 for the one late report.

Good Faith Efforts to Comply

10.0% Reduction $10

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

Notes: The Respondent completed all corrective action on May 25, 2010, after the NOE dated April 12, 2010.

Violation Subtotal $90

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $389

This violation Final Assessed Penalty (adjusted for limits) $389

Economic Benefit Worksheet

Respondent The Premcor Refining Group Inc. (Port Arthur Refinery)
Case ID No. 39783
Reg. Ent. Reference No. RN102584026
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or $						
Delayed Costs							
Equipment				0.00	$0	$0	$0
Buildings				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0
Engineering/construction				0.00	$0	$0	$0
Land				0.00	$0	n/a	$0
Record Keeping System				0.00	$0	n/a	$0
Training/Sampling				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: The economic benefit for this violation is included in Violation No. 1 since loss of affirmative defense was based solely on late reporting.

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: $0

TOTAL: $0

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 10.27
Regulated Entity:	RN100211663	VALERO CORPUS CHRISTI REFINERY EAST PLANT	Classification: AVERAGE	Site Rating: 10.88

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0043A
AIR OPERATING PERMITS	PERMIT	1231
AIR OPERATING PERMITS	PERMIT	2238
AIR OPERATING PERMITS	PERMIT	2239
AIR OPERATING PERMITS	PERMIT	2250
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50261
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30530
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD008132268
WASTEWATER	PERMIT	WQ0000465000
WASTEWATER	EPA ID	TX0006904
AIR NEW SOURCE PERMITS	REGISTRATION	92232
AIR NEW SOURCE PERMITS	REGISTRATION	71884
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	NE0043A
AIR NEW SOURCE PERMITS	PERMIT	1084
AIR NEW SOURCE PERMITS	PERMIT	1085
AIR NEW SOURCE PERMITS	PERMIT	2937
AIR NEW SOURCE PERMITS	PERMIT	9344
AIR NEW SOURCE PERMITS	PERMIT	10923
AIR NEW SOURCE PERMITS	PERMIT	11456
AIR NEW SOURCE PERMITS	REGISTRATION	11652
AIR NEW SOURCE PERMITS	REGISTRATION	13764
AIR NEW SOURCE PERMITS	PERMIT	2180A
AIR NEW SOURCE PERMITS	REGISTRATION	21563
AIR NEW SOURCE PERMITS	PERMIT	22390
AIR NEW SOURCE PERMITS	REGISTRATION	41936
AIR NEW SOURCE PERMITS	REGISTRATION	75588
AIR NEW SOURCE PERMITS	AFS NUM	4835500177
AIR NEW SOURCE PERMITS	AFS NUM	4835500018
AIR NEW SOURCE PERMITS	REGISTRATION	72781
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1023M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1023
AIR NEW SOURCE PERMITS	REGISTRATION	78472
AIR NEW SOURCE PERMITS	REGISTRATION	78481
AIR NEW SOURCE PERMITS	REGISTRATION	87486
AIR NEW SOURCE PERMITS	REGISTRATION	84566
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1023M2
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30530
WASTEWATER LICENSING	LICENSE	WQ0000465000
WASTE WATER GENERAL PERMIT	PERMIT	TXG670074
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	NE0043A

Location: 1300 CANTWELL LN, NUECES COUNTY, TX, 78407

TCEQ Region: REGION 14 - CORPUS CHRISTI

Date Compliance History Prepared: August 05, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 05, 2005 to August 05, 2010

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

Name: Trina Grieco Phone: (210) 403-4006

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 11/23/2005 COURTORDER

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

Description: Failure to provide notification of reportable emissions, released as a result of emissions events at the Vacuum Jet Compressor on September 21, 2002 and February 7, 2003, within 24 hours of discovery.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Rqmt Prov: TCEQ Permit 6797 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Vacuum Jet Compressor during eleven emissions events.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Rqmt Prov: TCEQ Permit 6797 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Ingersoll Rand (IR) Compressor during an emissions event on June 27, 2002.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Permit 21655 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Sulfur Recovery Unit Incinerator during an emissions event which started on June 20, 2002 and ended on June 24, 2002.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)

Description: Failure to provide rule required information in the notification of a reportable emissions, released as a result of emissions events at the Vacuum Jet Compressor on September 23, 2003, to the commission's regional office within 24 hours of discovery.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
Rqmt Prov: General Conditions PA

Description: Failure to obtain regulatory authority for, or satisfy all demonstration criteria to exempt from compliance limitations, the emissions (including approximately 3 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during an emissions event on September 23, 2003.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
Rqmt Prov: 6797 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and (c) and obtain regulatory authority for the emissions (including approximately 89 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during emissions events and scheduled activities.

Classification: Moderate
Citation: 30 TAC Chapter 112, SubChapter B 112.31

Description: Failure to prevent emissions of hydrogen sulfide from a source or sources operated on a property or multiple sources operated on contiguous properties from exceeding a net ground level concentration of 0.80 parts per million averaged over a 30-minute period.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: SC 1 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and obtain regulatory authority for the emissions (including approximately 6.3 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during an emissions event on or about May 5, 2004.

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

Description: Failure to prevent visible emissions from the flare (EPN: EP-FLARE1) from exceeding the required limit, as reported on January 21, 2004 in incident 33605.

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

Description: Failure to notify the TCEQ Corpus Christi Region Office within twenty four hours after the discovery of a reportable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to satisfy all demonstrations criteria in 30 TAC §101.222(b) and gain an affirmative defense for the unauthorized emissions that were released during TCEQ incident 37739.

Classification: Moderate
Rqmt Prov: Provision No. 3 PERMIT

Description: Failed to prevent the discharge of floating solids and visible foam in other than trace amounts at Outfall 001.

Effective Date: 12/30/2005 ADMINORDER 2001-1023-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset event that occurred 7/2/00 - 7/7/00.

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

Description: Fail. maintain complete records regarding upset event that occurred on 9/8/2000.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset events that occurred on 7/2/00 thru 7/7/00.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset that occurred on 9/26/00.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from upset event that occurred on 9/26/00.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for emissions resulting from 20 upset events at crude & vacuum unit.

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

Description: Fail. maintain flare observation log for 4 flares for may & june 2000 & for east plt. main flare for december 2000.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.114(b)(2)
30 TAC Chapter 115, SubChapter B 115.114(b)(3)
30 TAC Chapter 115, SubChapter B 115.114(b)(4)

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

Description: Fail. visually inspect or physically measure secondary seal gaps of vessels numbered 84, 98, 100, 151, 153, 355 & 358 at least once every 12 months during calendar yr. 2000.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.322(5)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. mark applicable pipeline valves & pressure relief valves in gaseous VOC serv. in manner readily obvious to monitoring personnel.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.324(1)(C)
30 TAC Chapter 115, SubChapter D 115.326(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. measure emissions from all affected process drains on yearly basis.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.325(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)
Rqmt Prov: SC 11 & 12 PERMIT
SC 13F PERMIT
SC 16F & 16G PERMIT
SC 1F & 1G PERMIT
SC 3F & 3G PERMIT
SC 5 & 6 PERMIT
SC 5F, 5G & 6 PERMIT
SC 6 PERMIT
SC4 PERMIT

Description: Fail. properly conduct test method 21.

Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.326(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. submit monitoring program plan which includes list of refinery units & quarter in which they will be monitored copy of log book format & make & model of monitoring equip. to be used.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.327(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. submit required compliance plan & start up notification before #2 reformer at Quintana plt. was re-started in 1/2001.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC13 PERMIT
SC29E PERMIT

Description: Fail.submit accurate summ.rpt. for SRU#1 for 3rd qurtr. cal. yr. 1999(3Q99)&for SRU#1 &SRU #2 for 2Q00 &fail. to submit CMS EER for 1Q97,2Q97,4Q98 &2Q99 for fuel gas hydrogen sulfide content 3Q00 SRU#1 S02 emissions,3Q97 &1Q00 co-gen.unit NOX emiss.

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

Description: Fail. submit rpt. at least semi-annual cert. indicating whether any changes were made in opers. SRU#1 & SRU#2 emission control system when SO2 data wasn't available from CEMS.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Part 60, Subpart NNN 60.665(a)
40 CFR Part 60, Subpart NNN 60.665(d)

Description: Fail. submit notification indicating method of compliance w/ 40CFR60.662 & fail. provide records of flow rates & semi-annual rpts. as required.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC11A PERMIT

SC13A PERMIT
SC16A PERMIT
SC3A PERMIT
SC4A PERMIT
SC5A & 6A PERMIT

Description: Fail. provide records of throughput and service and emission control tanks repairs/replacements.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC11F PERMIT
SC16F PERMIT
SC4F PERMIT
SC6F PERMIT
SCF5 PERMIT

Description: Fail. utilize directed maintenance program to monitor accessible valves.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SP 8D,8E &8F PERMIT

Description: Fail. maintain record of semi-annual & yr.-to-date emissions calculations for annual & short-term emissions for vessels.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: GC1 PERMIT

Description: Fail to produce, upon request, proper records of CO emissions.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC8 PERMIT

Description: Failed to include emissions from the CO boiler and the collapse of the roof of storage vessel no. 352 in teh EIU for calendar year 1999.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of CO, VOC & PM at or below allowable emission limits for reactor heater 3-H-3 for calendar yr. 2000.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC3 PERMIT

Description: Fail. comply w/ required fuel rate limit for reactor heater 3-H-3 from 10/1999 - 6/2000 & 8/2000

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC8A PERMIT

Description: Fail. properly maintain records of fuel throughput for reactor heater 3-H-3.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC7 PERMIT

Description: Fail. report results of annual test runs to confirm accuracy of weekly sampling procedures of SC4 of TNRCC air permit #3784A for 1999 & 2000.

Classification: Moderate

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

Description: Fail. maintain emissions of VOC, NOx & CO at or below allowable emission limits for #2 reformer flare REF2FL1 for calendar yrs. 1999 & 2000 and misrepresentation of these emissions in 1/22/92 permit app..

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

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

Rqmt Prov: SC5 PERMIT

Description: Fail. maintain records of daily avg. fuel gas usage for heater QL-10.

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

Rqmt Prov: GC8 PERMIT

Description: Fail. maintain emissions of CO at or below allowable emission limits for heater QH-125 for calendar yrs. 1999 & 2000.

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

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of VOC at or below allowable emission limits for heater Q10-H-1 for calendar yr. 2000.

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

Rqmt Prov: SC6 PERMIT

Description: Fail. comply w/ required feed rate limit for heater Q10-H-1 for 12/1999.

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

Rqmt Prov: SC4 PERMIT

Description: Fail. comply w/ required hourly firing rate limit for heater 8-H-6 from 1/1 to 5/27, 6/3 to 6/18, 7/3 to 7/6 & 7/21 to 9/9, 1999; and fail. comply w/ required hourly firing rate limit for heaters 8-H-3 & 8-H-5 for 17 hrs. between 1/22 & 4/21, 1999.

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

Rqmt Prov: SC11E PERMIT

Description: Fail. manually switch CEMS monitor between stacks cogen-1 & cogen-2 every 3 months during calendar yrs. 1999 & 2000.

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

Rqmt Prov: SC1 OP

Description: Failure to produce on request records of VOC emission levels for for Coker Heater 7-H-2 for calendar year 1999 and for emission levels of VOCs, PM and CO for calendar year 2000

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

Description: misrepresented the West Plant Flare as an emergency flare instead of a process flare

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

Rqmt Prov: SC18 OP

Description: failed to complete all samples required for cooling water VOC leak detection sampling

Effective Date: 08/23/2007 ADMINORDER 2007-0131-AIR-E

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

Rqmt Prov: TCEQ 2937 / SC 1 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and gain an affirmative defense against penalties for unauthorized emissions that were released from the No. 4 Vacuum Unit during an emissions event (TCEQ STEERS No. 75676) which occurred on or about May 10, 2006.

Effective Date: 11/19/2007 ADMINORDER 2006-0468-MLM-E

Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 335, SubChapter A 335.4

Description: Failed to prevent the discharge of slop oil and wastewater to the environment, as documented during an investigation conducted on June 20, 2006. Specifically, the Investigator documented that a spill of hazardous wastewater occurred from Tank 109 into the earthen dike surrounding the tank on June 1, 2006, and the contaminated soils in the earthen dike had not been removed and properly disposed.

Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(9)
Rqmt Prov: TCEQ Water Quality Permit No. 00465 PERMIT

Description: Failed to report any noncompliance which may endanger human health, safety, or the environment within 24 hours of becoming aware of the noncompliance, as documented during an investigation conducted on June 20, 2006. Specifically, Valero did not submit notification of the overflow of slop oil and hazardous wastewater from Tank 109.

Effective Date: 04/14/2008 ADMINORDER 2007-1189-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No.: 2937 PERMIT
PSD-TX-1023M1 PERMIT

Description: This permit authorizes emissions only from those points listed in the attached table entitled "Emission Sources - Emission Caps and Individual Emission Limitations".

Effective Date: 11/17/2008 ADMINORDER 2007-1545-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(1)(H)
30 TAC Chapter 101, SubChapter F 101.211(b)(1)(I)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to submit an administratively complete final report within two weeks after the end of the activity. Specifically, the Respondent failed to individually list all compounds or mixtures of air contaminants involved in the emissions activity, their estimated total quantities, the authorized emissions limits for those contaminants, and the preconstruction authorization in the final report for Incident Number 87955.

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit 2937/PSD-TX-1023MI PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 63.38 lbs of benzene, 2,173.93 lbs of VOCs, 67.95 lbs of toluene, 19.5 lbs of xylene and 6.3 lbs of ethylbenzene during a maintenance activity involving Tank 102 that began March 6, 2007 and lasted 24 hours.

Effective Date: 08/23/2009 ADMINORDER 2007-1813-MLM-E

Classification: Major
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)

Description: Failure to comply with hazardous waste tank requirements.

Classification: Major
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 335, SubChapter A 335.4
30 TAC Chapter 335, SubChapter B 335.43(a)

Description: Failure to prevent the unauthorized discharge of untreated industrial wastewater and contact storm water from Tank 109 to the tank containment area and the discharge of oil from Tank 100 and allowing it to mix with the accumulated storm water inside the tank containment area.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: SC 18 PERMIT

Description: Failure to maintain particulate matter emissions on Complex 8 FCCU (EPN 12-CO-STK) at or below the permitted limit of one pound per 1,000 pounds coke burn-off. An emission rate of 1.08 pounds per 1,000 pounds coke burn-off was documented during a performance test conducted on August 15, 2007.

Effective Date: 09/21/2009 ADMINORDER 2009-0288-AIR-E

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 59,497 lbs of CO, 1,509.61 lbs of SO2, 849.14 lbs of PM, 136 lbs of NOx, 131.71 lbs of H2SO4 and 20.23 lbs of VOCs from the Fluid Catalytic Cracking Unit during an avoidable emissions event that began May 18, 2008 and lasted 10 hours and 48 minutes. A differential pressure indicator became plugged with catayst and mistakenly indicate an eroneous pressure reading, resulting in a reversal of hot oil and catalyst

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT
STC No. 21 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 723.15 lbs of SO2, 7.38 lbs H2S, 6.09 lbs of CO, 0.84 lbs of NOx and 8.39 lbs of VOCs from the Vacuum Unit during a foreseeable emissions event (Incident No. 112938) that began August 21, 2008 and lasted 48 minutes.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 2238 - SC No. (2)(F) OP

Description: Failed to submit an administratively complete final report for Incident No. 113325. Specifically, the Respondent failed to list the compounds released from Tail Gas Unit Incinerator No. 1 and the total quantities of air contaminants released during the event

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 2238 -SC Nos. 21 & 23 OP
Flexible Permit No. 2937 - SC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,036.1 lbs of SO2, 6.33 lbs hydrogen sulfide ("H2S"), 1.38 lbs of CO, 1.17 lbs of sulfur, 0.42 lbs of carbonyl sulfide, 0.27 lbs of NOx and 0.27 lbs of carbon disulfide from the Sulfur Recovery Unit during an avoidable emissions event (Incident No. 113325) that began August 30, 2008 and lasted 43 minutes. The unauthorized release was the result of a fuel gas valve malfunction resulting in the shutdown of the feed

Effective Date: 12/18/2009 ADMINORDER 2009-0510-AIR-E

Classification: Minor

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

Description: Failed to submit the final report for Incident No. 116693 in timely manner. Specifically, the report was due November 30, 2008 and submitted on December 1, 2008.

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 113, SubChapter C 113.120
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 Kb 60.112b(a)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133(a)(2)(ii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: [2937/PSD-TX-1023M1] Special Condition 1 PERMIT
Permit O-2250, Spec. Terms & Cond. No. 1 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 338.32 lbs

of VOCs, 21.87 lbs of benzene, 13.34 lbs of toluene, 12.24 lbs of H2S, 5.22 lbs of xylene and 1.23 lbs ethylbenzene during an avoidable emissions event (Incident No. 116871) that began November 19, 2008 and lasted 45 hours. The unauthorized release was the result of a failure to bolt or fasten covers on each access hatch to form an air-tight seal on Tank 9. Since there was no air tight seal, benzene water

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: [2937/PSD-TX-1023M1] Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,669.45 lbs of SO2, 39.78 lbs of H2S, 4.59 lbs of CO, 0.90 lbs of NOx, 0.16 lbs of VOCs and 0.04 lbs of ammonia during an emissions event (Incident No. 116693) that began November 16, 2008 and lasted 48 minutes. The unauthorized release was the result of an electronic component malfunction that caused the acid gas feed control valve to malfunction. Because the final report for this emissions event was submitted late

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	08/19/2005	(405862)
2	08/24/2005	(402929)
3	08/30/2005	(418769)
4	10/14/2005	(433213)
5	10/25/2005	(432976)
6	11/17/2005	(403617)
7	12/21/2005	(439798)
8	01/28/2006	(453260)
9	02/08/2006	(453776)
10	03/28/2006	(458315)
11	04/19/2006	(462919)
12	05/08/2006	(464657)
13	05/08/2006	(465221)
14	05/25/2006	(479708)
15	06/06/2006	(480816)
16	06/19/2006	(465775)
17	07/07/2006	(485108)
18	07/10/2006	(462991)
19	07/19/2006	(481002)
20	08/29/2006	(488424)
21	08/29/2006	(509898)
22	08/30/2006	(509065)
23	09/13/2006	(510965)
24	10/16/2006	(511059)
25	11/30/2006	(531095)
26	12/05/2006	(532536)
27	12/06/2006	(532499)
28	12/20/2006	(511278)
29	01/08/2007	(533142)
30	01/19/2007	(532903)
31	01/26/2007	(534329)
32	01/26/2007	(537711)
33	02/05/2007	(517485)
34	02/08/2007	(538991)
35	02/21/2007	(541385)
36	02/26/2007	(533896)
37	03/16/2007	(553836)
38	06/04/2007	(540935)
39	06/29/2007	(554747)

40	07/27/2007	(564471)
41	08/01/2007	(565791)
42	08/20/2007	(563339)
43	08/21/2007	(562042)
44	08/22/2007	(570744)
45	08/28/2007	(573456)
46	08/29/2007	(573753)
47	08/29/2007	(573754)
48	08/29/2007	(573755)
49	08/30/2007	(570541)
50	08/31/2007	(567701)
51	09/14/2007	(594164)
52	10/09/2007	(595753)
53	10/19/2007	(597755)
54	10/22/2007	(597742)
55	10/31/2007	(598205)
56	10/31/2007	(599527)
57	11/09/2007	(599099)
58	11/14/2007	(598476)
59	12/12/2007	(609425)
60	12/12/2007	(610539)
61	12/17/2007	(611173)
62	12/21/2007	(612065)
63	01/25/2008	(614986)
64	02/15/2008	(618558)
65	02/22/2008	(636427)
66	02/28/2008	(636485)
67	03/03/2008	(637496)
68	03/31/2008	(640957)
69	04/08/2008	(636416)
70	04/14/2008	(641040)
71	05/05/2008	(654417)
72	05/23/2008	(680306)
73	05/28/2008	(671660)
74	05/30/2008	(641327)
75	05/30/2008	(654560)
76	05/30/2008	(657246)
77	05/31/2008	(532287)
78	06/10/2008	(641355)
79	06/12/2008	(636082)
80	06/17/2008	(681285)
81	08/05/2008	(684282)
82	08/20/2008	(688327)
83	08/24/2008	(687945)
84	08/26/2008	(700018)
85	08/28/2008	(685562)
86	08/28/2008	(700302)
87	10/09/2008	(704922)
88	10/13/2008	(704797)
89	10/31/2008	(705894)
90	12/03/2008	(708988)
91	12/15/2008	(720987)
92	12/15/2008	(721366)
93	12/22/2008	(709272)
94	02/17/2009	(687011)
95	02/17/2009	(710231)
96	02/17/2009	(723902)
97	02/25/2009	(735573)
98	02/27/2009	(736841)
99	03/17/2009	(737727)

100	04/02/2009	(723632)
101	04/08/2009	(740281)
102	04/09/2009	(741904)
103	04/30/2009	(742256)
104	06/09/2009	(747146)
105	06/10/2009	(746935)
106	06/22/2009	(748756)
107	07/09/2009	(749787)
108	08/02/2009	(761871)
109	08/24/2009	(760602)
110	08/25/2009	(765005)
111	08/31/2009	(766900)
112	09/05/2009	(739607)
113	09/24/2009	(775184)
114	10/06/2009	(777079)
115	10/14/2009	(779041)
116	11/17/2009	(782605)
117	12/03/2009	(783645)
118	01/19/2010	(785428)
119	01/20/2010	(788420)
120	01/27/2010	(789406)
121	01/28/2010	(789587)
122	02/18/2010	(792451)
123	02/19/2010	(792055)
124	02/26/2010	(793930)
125	03/08/2010	(790601)
126	03/11/2010	(793941)
127	03/25/2010	(796350)
128	03/31/2010	(796557)
129	05/20/2010	(800211)
130	05/26/2010	(802591)
131	06/22/2010	(803894)
132	07/14/2010	(828156)
133	07/28/2010	(842255)
134	07/30/2010	(797009)
135	08/02/2010	(803374)
136	08/03/2010	(841450)
137	08/04/2010	(844065)

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

Date: 08/23/2006 (488424)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(i)

Description: Failure to maintain records as required by applicable federal rule.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

Description: Failure to conduct required monthly monitoring of six pumps.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
FOP O-02250, Special Condition No. 15(A) OP

Description: Failure to conduct visual inspections as required by federal rule.

Date: 08/29/2006 (509065) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
O-01231 STC No. 10A OP

Description: Failure to visually inspected initially and quarterly thereafter to ensure that all

containers are closed and gasketed properly.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.132(b)(1)
O-01231 STC 13 OP

Description: The Regulated Entity failed to keep the gauging and sampling devices vapor-tight except during gauging or sampling, citing 30 TAC § 115.132(b)(1) / FOP No. O-01231 Permit Provision No. 13 for the reporting period covering, 10/11/2005 to 10/17/2005.

Date: 08/29/2006 (509898)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
FOP No. O-02238 OP

Description: Failure to submit a complete deviation report for Title V Federal Operating Permit No. O-02238 for the semi-annual reporting periods of April 19, 2005 through October 18, 2005 and October 19, 2005 through April 18, 2006. Specifically, the deviation reports were inadequate as the probable cause was

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
FOP O-02238 Special Term & Condition 10A OP

Description: Failure to conduct visual inspections of vacuum trucks during the third quarter (July 1, 2005 through September 30, 2005) as required by applicable federal rule.

Date: 08/24/2007 (570744) CN600127468

Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 115, SubChapter D 115.322(4)
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 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
Special Condition 24E (2937/PSDTX1023M1) PERMIT
Special Term & Condition 1A (FOP O-2238) OP

Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve. According to the TCEQ Enforcement Initiation Criteria, this is a Category C violation, Subcategory 10.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
Special Condition 25E (2937/PSDTX1023M1) PERMIT
Special Term & Condition 1A (FOP O-2238) OP

Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve. According to the TCEQ Enforcement Initiation Criteria, this is a Category C violation, Subcategory 10.

Date: 08/29/2007 (573456)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.322(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
Permit No. 2937/PSD-TX-1023, SC 24(I) PERMIT

Description: Failure to conduct repairs of leaking components no later than 15 calendar days after they were found to be leaking. Specifically, twenty-two valves on the following dates: 6/13/2006, 6/14/2006, 6/17/2006, 6/21/2006, 6/23/2006 and 8/29/2006, and three pumps on the following dates: 6/13/2006, 6/23/2006 and 7/31/2006, were found to be leaking.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(ii)

Description: Failure to conduct a primary seal inspection on storage tank TK-326 at the end of its 10 year inspection cycle.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

Description: Failure to conduct an initial repair attempt within a 5-day period after a pump (tag no. E16169) located in the EP South Tank Farm Area was detected as leaking on 9/22/2006. The initial repair attempt was due no later than 09/27/2006 and was not performed until 09/28/2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)

Description: Failure to repair a pump within the 15-day period after it was discovered to be leaking on 6/26/2006. The pump, tag no. O10963, was due to be repaired no later than 7/11/2006. The pump was repaired on 7/24/2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)

Description: Failure to repair a valve within the 15-day period after it was discovered to be leaking on 6/24/2006. The valve, tag no. O10834, was due to be repaired no later than 7/9/2006. The valve was repaired on 7/12/2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.322(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

Description: Failure to properly operate or equip each open-ended line (OELs) with a cap, blind flange, plug or a second valve. Specifically, two open-ended lines located in the South Tank Farm and identified as tag nos.: 17702 and 17713 were not equipped with a cap, blind flange, plug or a second valve as required. The OELs were discovered on 8/30/2006 and 9/13/2006, respectively.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.325(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

Description: Failure to perform equipment calibration and monitoring of components according to test Method 21. Specifically, cylinder standards of 500 parts per million (ppm), 1,000 ppm, 2,000 ppm and 10,000 ppm were passed documented shelf life.

Date: 08/30/2007 (570541)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2(c)
O-01750 OP

Description: Failure to comply with EPA standards, any applicable NESHAPS promulgated by the EPA pursuant to the Federal Clean Air Act, §112, as amended;

Date: 08/26/2008 (700018) CN600127468

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 1.A. OP

Description: Failure to record daily notations of observations of the flare for at least 98% of the time.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter B 115.132(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(c)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 1.A. OP
Special Terms and Conditions No. 13 OP

Description: Failure to operate the corrugated plate interceptor (CPI) oil/water separator in such a manner as to maintain a vapor tight seal to prevent volatile organic compound (VOC) emissions from escaping to the atmosphere as per 30 TAC §115.132(b)(1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(c)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 1.A. OP

Description: Failure to conduct a first attempt repair of leaking components of the CPI oil/water separator no later than fifteen calendar days after the leak is found.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter G 116.715(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition No. 9 PERMIT
Special Terms and Conditions No. 14 OP

Description: Failure to maintain the 0.10 grain per dry standard cubic foot (gr/dscf) concentration of hydrogen sulfide (H2S), as averaged over a one-hour period, for fuel gas used in a combustion device.

Date: 08/28/2008 (687945)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct storage vessel inspections according to the frequency stipulated in provisions of applicable regulations.
This further constitutes a violation of special terms and conditions of Title V - Federal Operating Permit No. O-02250 and 5C Texas Health and Safety Code §382.085(b).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct storage vessel inspections according to the frequency stipulated in provisions of applicable regulations.
This further constitutes a violation of special terms and conditions of Title V - Federal Operating Permit No. O-02250 and 5C Texas Health and Safety Code §382.085(b).
40 CFR § 63.120(b)(1)(iv) = TK 85
40 CFR §63.120(a)(4) = TK 152

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)(1)(i)
5C THSC Chapter 382 382.085(b)

Description: Failure to monitor closed vent system at least once per year by the methods specified in 40 CFR §61.355(h) of Subpart FF.
Eight (8) activated carbon canister closed vent systems used to control vapor from oily water sewer junction boxes were not monitored during the preceding year.
This further constitutes a violation of special terms and conditions of Title V - Federal Operating Permit No. O-02250 and 5C Texas Health and Safety Code §382.085(b).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1)

5C THSC Chapter 382 382.085(b)

Description: Failure to calibrate monitoring instruments with a certified calibration gas. Specifically, Method 21 instrument calibration utilized a gas standard for 2,000 ppm with an expired shelf life. This further constitutes a violation of special terms and conditions of Title V - Federal Operating Permit No. O-02250 and 5C Texas Health and Safety Code §382.085(b).

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 63, Subpart H 63.163
5C THSC Chapter 382 382.085(b)
NSR Flex No. 2937 SC 24 (I) PA

Description: Failure to comply with applicable requirements for timely repair of leaking components. This further constitutes a violation of special terms and conditions of Title V - Federal Operating Permit No. O-02250 and 5C Texas Health and Safety Code §382.085(b).

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter D 115.322(4)
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 60.482-1
5C THSC Chapter 382 382.085(b)
NSR Flex 2937 / SC 24(E) PA

Description: Failure to properly equip and operate each open-ended line (OELs) with a cap, blind flange, plug or a second valve. This further constitutes a violation of special terms and conditions of Title V - Federal Operating Permit No. O-02250 and 5C Texas Health and Safety Code §382.085(b).
Instances noted to be related to specific violations under the regulatory standards are as follows:
30 TAC §§115.322(4) & 116.715(a), 40 CFR §60.482-6 = 7 open-ended lines

Date: 08/28/2008 (700302) CN600127468

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)
Special Condition No. 23 PA
Special Terms and Conditions No. 21 OP

Description: Failure to conduct a first attempt repair of leaking components no later than five calendar days after the leak is found, and failure to repair leaking components no later than 15 calendar days after the leak is found for fugitive components subject to 40 CFR 63 Subpart H.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.102(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(1)(i)
5C THSC Chapter 382 382.085(b)
Special Condition No. 17 PA
Special Terms and Conditions No. 21 OP
Special Terms and Conditions No. 3 OP

Description: Failure to prevent visible emissions greater than 30 percent opacity averaged

over a six-minute period in any one-hour period from rapping/soot blowing operations. Specifically, 192 rapping/soot blowing operations conducted from April 30, 2007 through March 17, 2008 exceeded 30 percent opacity for at least two six-minute periods within one hour.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(E)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 3 OP

Description: Failure to prevent visible emissions greater than 30 percent opacity averaged over a six-minute period in any 60 consecutive minutes, nor more than six hours in any 10-day period from rapping/soot blowing operations.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(1)(i)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 1D OP

Description: Failure to prevent the discharge into the atmosphere from any fluid catalytic cracking unit catalyst (FCCU) regenerator any gases that contain carbon monoxide (CO) in excess of 500 parts per million (ppm) by volume (dry basis). Specifically, five instances on January 7, 2008 and one instance on March 11, 2008 occurred where the concentration of CO at the FCCU stack exceeded the 500 ppm limit as averaged over a one-hour period.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1568(a)(1)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 1D OP

Description: Failure to prevent the discharge into the atmosphere from any Claus sulfur recovery plant any gases that contain Sulfur Dioxide (SO2) in excess of 250 parts per million (ppm) by volume (dry basis).

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1569(c)(1)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 1D OP

Description: Failure to install a car-seal or lock-and-key device on the mechanism by which the bypass device flow position is controlled when the bypass device is in the closed position such that the bypass line valve cannot be opened without breaking the seal or removing the device. Specifically, a bypass to the continuous catalytic reformer (CCR) Unit scrubber (#4 Platformer) was discovered on October 16, 2007 to have no car-seal present.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition No. 9 PERMIT
Special Terms and Conditions No. 21 OP

Description: Failure to prevent the burning in any fuel gas combustion device any fuel gas that contains hydrogen sulfide (H2S) in excess of 230 mg/dscm (0.10 gr/dscf) as per 40 CFR 60.104(a)(1).

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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 No. 14 PA
Special Terms and Conditions No. 21 OP

Description: Failure to capture and route to the Scot Tail Gas Incinerator (TGI) all gases displaced during sulfur loading operations. Specifically, during the loading of sulfur, three truck tank trailers on October 5, 2007 and fifty-seven truck tank trailers on January 10, 2008 through January 18, 2008, were not routed to the TGI at the No. 2 Sulfur Recovery Unit. This results in a violation of Special Condition No. 14 of TCEQ Air Permit No. 2937/PSD-TX-1023M1.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.300
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.562(b)
5C THSC Chapter 382 382.085(b)
Special Condition No. 6 PA
Special Terms and Conditions No. 18 OP
Special Terms and Conditions No. 21 OP

Description: Failure to capture and route to the thermal oxidizer all marine loading emissions of materials with vapor pressures greater than 0.5 pounds per square inch atmosphere (psia). Specifically, on August 18, 2007, 5,400 barrels of Naphtha were loaded uncontrolled at the No. 6 Dock.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.322(2)
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 No. 23 PA
Special Terms and Conditions No. 21 OP

Description: Failure to conduct a first attempt repair of leaking components no later than five calendar days after the leak is found, and failure to repair leaking components no later than 15 calendar days after the leak is found.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition No. 23 PA
Special Terms and Conditions No. 21 OP

Description: Failure to properly operate or equip each open-ended line (OELs) with a cap, blind flange, plug or a second valve. Specifically, thirty-nine OELs, as identified in pages 52 through 62 of 71 of the November 16, 2007 semi-annual deviation report for Federal Operating Permit (FOP) O-02238, were discovered within the East Plant Process Units.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(g)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)
5C THSC Chapter 382 382.085(b)
Special Condition No. 23 PA
Special Terms and Conditions No. 21 OP

Description: Failure to conduct a first attempt repair of leaking components no later than five calendar days after the leak is found, and failure to repair leaking components no later than 15 calendar days after the leak is found for fugitive components subject to 40 CFR 60 Subpart VV.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT G 264.117(a)(ii)
Permit Provision XII.F.(2)(3) OP

Description: Valero Refinery-East Plant failed to maintain the cover on the closed landfill, as applicable, such that the cover promotes drainage, prevents ponding, minimizes surface water infiltration, and minimizes erosion of the cover. Any desication cracks, erosion, gullying, or other damage shall be repaired upon observance pursuant to 40 CFR 264/Permit No. HW-50261, Provision XII.F.(2)(3).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.15(d)
Permit Provision II.F OP

Description: Valero Refinery-East Plant failed to document date and nature of repairs and remedial action in response to facility inspections pursuant to 40 CFR 264.15/Permit No. HW-50261, Provision II.F. During review of C-7 Landfill Inspection record, it was noted "grass needs to be mowed." However, Valero Refinery-East Plant did not document the date in which the grass was mowed on the closed landfill.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter D 305.69(c)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT G 264.112(c)
Permit Provision I.F.6. OP

Description: Valero Refinery-East Plant failed to submit a written notification of or request for a permit modification to authorize the placement of asphalt reclaim on the closed hazardous landfill cap pursuant to 40 CFR 264.112(c)/Permit No. HW-50261, Provision I.F.(6).

Date: 08/25/2009 (760602)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)
5C THSC Chapter 382 382.085(b)
FOP O-02250 General Provisions OP
NSR 2937 - SC 24 (I) PA

Description: Failure to comply with applicable requirements for timely repair of leaking fugitive components. This further constitutes a violation of special terms and conditions of Title V Federal Operating Permit No. O-02250 and 5C Texas Health and Safety Code §382.085(b).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.322(4)
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 60.482-1
5C THSC Chapter 382 382.085(b)
FOP O-02250 - General Conditions OP
NSR 2937 - SC 24 (E) PA

Description: Failure to properly equip and operate each open-ended line (OELs) with a cap, blind flange, plug or a second valve. This further constitutes a violation of special terms and conditions of Title V Federal Operating Permit No. O-02250 and 5C Texas Health and Safety Code §382.085(b).

Date: 08/31/2009 (765005) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter B 115.132(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)

5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 13 OP

Description: Failure to operate the CPI oil/water separator in such a manner as to maintain a vapor tight seal to prevent volatile organic compound (VOC) emissions from escaping to the atmosphere.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 8B OP

Description: Failure to visually inspect the individual drain systems and junction boxes initially upon unit start-up and monthly there after for indications of low water levels or other conditions that would reduce the effectiveness of water seal controls.

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, in writing, to the executive director all instances of deviations for the reporting periods of May 24, 2007 through November 23, 2007 and November 24, 2007 through May 23, 2008.

Date: 08/31/2009 (766900)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(1)(i)
5C THSC Chapter 382 382.085(b)
FOP No. O-02238, STC No. 1D OP

Description: Failure to operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.102(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(a)(1)(i)
5C THSC Chapter 382 382.085(b)
Flexible Permit 2937/PSD-TX-1023M, SC 17 PERMIT
FOP No. O-02238, STC Nos. 3 & 21 OP

Description: Failure to prevent visible emissions greater than 30 percent opacity averaged over a six-minute period in any one-hour period. Specifically, three six-minute periods were described on pages 9 through 10 in the November 17, 2008 semi-annual deviation report for Federal Operating Permit (FOP) No. O-02238 as exceeding the opacity limit. The causes of the events were not determined.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
Flexible Permit 2937/PSD-TX-1023M1, SC 1 PERMIT
FOP No. O-02238, STC No. 21 OP

Description: Failure to comply with permitted hourly coke burn limitations. Specifically, on September 20, 2008 and September 22, 2008 hourly coke burn limits were exceeded for approximately eight and seven hours, respectively.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT UUU 63.1569(a)(1)(ii)
5C THSC Chapter 382 382.085(b)
FOP No. O-02238, STC No. 1D OP

Description: Failure to install a car-seal or lock-and-key device placed on the mechanism by which the bypass device flow position is controlled when the bypass device is in the closed position, such that the bypass line valve cannot be opened without breaking the seal or removing the device. Specifically, a car-seal on bypass valve (128-HCV-117), a car-seal on the caustic scrubber bypass valve (139-T-007), and a car-seal on the diverter valve (128-V-01) were discovered missing.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
Flexible 2937/PSD-TX-1023M1, SC 15 & 16 PERMIT
FOP No. O-02238, STC No. 21 OP

Description: Failure to maintain the Sulfur Recovery Unit (SRU) No. 2 Incinerator temperature greater than 1418.73 degrees Fahrenheit as established by stack test. Specifically, on May 2, 2008 the incinerator temperature dropped below the established limit due to an unknown cause.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.300
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.562(b)
5C THSC Chapter 382 382.085(b)
Flexible Permit 2937/PSD-TX-1023M1, SC 6 PERMIT
FOP No. O-02238, STC Nos. 18 & 21 OP

Description: Failure to capture and route to the thermal oxidizer all marine loading emissions of materials with vapor pressures greater than 0.5 pounds per square inch atmosphere (psia). Specifically, on September 23, 2008, 19,120 barrels of Naptha were loaded uncontrolled at the No. 11 Dock.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.322(4)
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 GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Flexible Permit 2937/PSD-TX-1023M1,SC 24 PERMIT
FOP No. O-02238, STC 21 OP

Description: Failure to properly operate or equip each open-ended line (OELs) with a cap, blind flange, plug or a second valve. Specifically, 6 OELs, as identified on page 31 of 59 of the November 17, 2008 semi-annual deviation report for Federal Operating Permit (FOP) O-02238, were discovered within the East Plant Process Units.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.322(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP No. O-02238, STC 1.D OP

Description: Failure to conduct a first attempt repair of leaking components no later than five calendar days after the leak was found. Specifically, one valve and one pump subject to 30 Texas Administrative Code (TAC) Chapter 115 and two valves subject to 40 Code of Federal Regulations (CFR) Part 60 Subpart VV, by reference of 40 CFR Part 63 Subpart CC, were either not repaired or did not have a first attempt at repair conducted within applicable timelines.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)
Flexible 2937/PSD-TX-1023M1, SC 24 PERMIT
FOP No. O-02238, STC 21 OP

Description: Failure to repair leaking components no later than 15 calendar days after the leak is found for fugitive components subject to 30 Texas Admin. Code (TAC) Chapter 115 and 40 Code of Fed. Regs (CFR) Part 60 Subpart VV, by reference from 40 CFR Part 63 Subparts H and CC. Specifically, three pumps and four valves, identified in pages 50, 51, 53, 55, and 59 of the November 17, 2008 semi-annual deviation report for FOP No. O-02238, and two pumps, one valve, and one connector, identified in pages 35

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1568(a)(1)
5C THSC Chapter 382 382.085(b)
FOP No. O-02238, General Conditions OP

Description: Failure to prevent the discharge into the atmosphere from any Claus Sulfur Recovery Plant any gases that contain sulfur dioxide (SO2) in excess of 250 parts per million (ppm) by volume (dry basis). Specifically, on February 17, 2009, the SO2 at the incinerator stacks of the No. 2 Sulfur Recovery Unit exceeded the 250 ppm limit as averaged over a one-hour period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
Flexible 2937/PSD-TX-1023M1, SC 32 PERMIT
FOP No. O-02238, STC 21 OP

Description: Failure to comply with requirements listed in New Source Review authorization. Specifically, emissions calculations for verifying compliance with the emission caps were not performed at least once every month to demonstrate compliance with the annual rolling average requirement from March 1, 2009 throught April 18, 2009.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.330
30 TAC Chapter 115, SubChapter D 115.322(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 60.482-1(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
Flexible 2937/PSD-TX-1023M1, SC 23 PERMIT
FOP No. O-02238, STC 21 OP

Description: Failure to fulfill the fugitive monitoring requirements of applicable state and federal rules. Specifically, 69 components in the #116 Quintana Reformer Unit and 573 components in the #143 Sour Water Stripper Unit were unaccounted for and excluded from the applicable fugitive monitoring program.

Date: 09/24/2009 (775184) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Special Condition 11E PERMIT
Special Condition 7 OP

Description: Failure to operate the continuous emission monitoring system (CEMS) measuring NOx and O2 on the Cogen turbine in operation. EIC B,1

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 6 OP

Description: Failure to conduct weekly visible emissions observations. EIC B, 1

Date: 07/14/2010 (828156) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(3)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 8.B. OP

Description: Failure to conduct visual inspections as required by applicable Title 40 CFR Part 60 Subpart QQQ. Specifically, Valero Refining - Texas L.P. failed to visually inspect the junction box at the lift station that serves the Refinery Laboratory building during the semi-annual reporting period of November 24, 2008 to May 23, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(2)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions No. 8.B. OP

Description: Failure to comply with control standards of Title 40 CFR Part 60 Subpart QQQ pertaining to junction boxes. Specifically, on April 2, 2009 Valero Refining - Texas, L.P. discovered an open lid on a junction box located north of Bullet Tank TK-306 in Complex 8

Date: 08/02/2010 (803374) CN600127468

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.10(c)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)

Description: Valero - East failed to comply with manifesting requirements pursuant to 30 TAC 335.10(c) and 40 CFR 262 Appendix, referenced in 40 CFR 262.20(a).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125
40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73(b)(9)
50261 PERMIT

Description: Failure to submit the Waste Minimization Certification by January 25th for the previous calendar year.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125
50261 PERMIT

Description: Failure to comply with General Facility Conditions in Permit #50261.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125
50261 PERMIT

Description: Failure to post warning signs in English and Spanish at the post-closure care portions of the facility that shall state "Danger - Unauthorized Personnel Keep Out".

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(1)
50261 PERMIT

Description: Failure to follow the inspection schedules set forth in Part B of the permit application and as a permit attachment with Tables 1, 2 and 3.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.13(k)
30 TAC Chapter 335, SubChapter A 335.13(k)(1)
30 TAC Chapter 335, SubChapter A 335.13(k)(2)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT D 262.42

Description: Valero - East failed to comply with recordkeeping requirements for manifests pursuant to 40 CFR 262.42 and 30 TAC 335.13(k).

F. Environmental audits.

Notice of Intent Date: 05/20/2009 (759300)

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

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 10.27
Regulated Entity:	RN100214386	VALERO CORPUS CHRISTI REFINERY WEST PLANT	Classification: AVERAGE	Site Rating: 5.25

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0112G
AIR OPERATING PERMITS	PERMIT	1458
AIR OPERATING PERMITS	PERMIT	2601
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30478
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD074604166
AIR NEW SOURCE PERMITS	REGISTRATION	92246
AIR NEW SOURCE PERMITS	REGISTRATION	92722
AIR NEW SOURCE PERMITS	PERMIT	38754
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	NE0112G
AIR NEW SOURCE PERMITS	REGISTRATION	10157
AIR NEW SOURCE PERMITS	REGISTRATION	10496
AIR NEW SOURCE PERMITS	REGISTRATION	10642
AIR NEW SOURCE PERMITS	REGISTRATION	10777
AIR NEW SOURCE PERMITS	REGISTRATION	12722
AIR NEW SOURCE PERMITS	REGISTRATION	12844
AIR NEW SOURCE PERMITS	REGISTRATION	16552
AIR NEW SOURCE PERMITS	PERMIT	20740
AIR NEW SOURCE PERMITS	PERMIT	20992
AIR NEW SOURCE PERMITS	REGISTRATION	23633
AIR NEW SOURCE PERMITS	REGISTRATION	29272
AIR NEW SOURCE PERMITS	REGISTRATION	33323
AIR NEW SOURCE PERMITS	REGISTRATION	36004
AIR NEW SOURCE PERMITS	REGISTRATION	37375
AIR NEW SOURCE PERMITS	REGISTRATION	39505
AIR NEW SOURCE PERMITS	REGISTRATION	46918
AIR NEW SOURCE PERMITS	REGISTRATION	49888
AIR NEW SOURCE PERMITS	REGISTRATION	55362
AIR NEW SOURCE PERMITS	EPA ID	PSDTX324M9
AIR NEW SOURCE PERMITS	EPA ID	PSDTX324M10
AIR NEW SOURCE PERMITS	REGISTRATION	55688
AIR NEW SOURCE PERMITS	AFS NUM	4835500050
AIR NEW SOURCE PERMITS	EPA ID	PSDTX324M11
AIR NEW SOURCE PERMITS	REGISTRATION	71034
AIR NEW SOURCE PERMITS	EPA ID	PSDTX324M8
AIR NEW SOURCE PERMITS	REGISTRATION	55294
AIR NEW SOURCE PERMITS	EPA ID	PSDTX324M12
AIR NEW SOURCE PERMITS	REGISTRATION	77580
AIR NEW SOURCE PERMITS	REGISTRATION	77944
AIR NEW SOURCE PERMITS	REGISTRATION	80027
AIR NEW SOURCE PERMITS	REGISTRATION	81549
AIR NEW SOURCE PERMITS	REGISTRATION	84572
AIR NEW SOURCE PERMITS	EPA ID	PSDTX324M13
AIR NEW SOURCE PERMITS	REGISTRATION	86443
AIR NEW SOURCE PERMITS	REGISTRATION	91380
AIR NEW SOURCE PERMITS	REGISTRATION	87894
WASTEWATER	PERMIT	WQ0001909000
WASTEWATER	EPA ID	TX0063355

	WASTEWATER LICENSING	LICENSE	WQ0001909000
	STORMWATER	PERMIT	TXR05S045
	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30478
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	NE0112G

Location: 5900 UP RIVER RD, CORPUS CHRISTI, TX, 78407

TCEQ Region: REGION 14 - CORPUS CHRISTI

Date Compliance History Prepared: August 05, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 05, 2005 to August 05, 2010

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

Name: Trina Grieco Phone: (210) 403-4006

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 11/23/2005 COURTORDER

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Description: Failed to maintain sulfate emissions from the heavy oil cracker (HOC), emission point number (EPN) 121 at levels at or below 58.3 pounds per hour.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)

Description: Failure to notify the TNRCC's regional office within 24 hours after the discovery of an upset.

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

Description: Failure to meet exemption requirments for upset emissions, resulting in unauthorized emissions.

Classification: Major
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Emission CAP Limit PERMIT
Special Condition No. 54 PERMIT

Description: Failure to comply with General and Special conditions of Permit Nos. 38754 and PSD-TX-324M10. Specifically, unauthorized emissions of hydrogen sulfide, sulfur dioxide, and ammonia released during four emissions events that occurred on September 1, 2004.

Effective Date: 07/13/2007 ADMINORDER 2007-0028-IWD-E

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

Rqmt Prov: PC(2)(g) PERMIT

Description: Failure to prevent the unauthorized discharge of slop oil and wastewater to the environment.

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

Rqmt Prov: RR(7)(a) PERMIT

Description: Failure to provide notification of the unauthorized discharge of slop oil and wastewater to the environment as required by permit WQ0001909-000.

Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(19)
Rqmt Prov: PC(1)(a) PERMIT

Description: Failure to submit correct facts and information in its Permit Application (renewal) dated May 25, 2004, and failure to notify the Executive Director of the correct facts and information.

Effective Date: 04/03/2008 ADMINORDER 2007-1483-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. 38754 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 35,136.47 lbs of SO2, 613.1. lbs of VOCs, 257.95 lbs of CO, 381.45 lbs H2S, 114.11 lbs NOx, 5.67 lbs of ammonia and 141.37 lbs of hexane from the Acid Gas Flare and the Main Flare during an avoidable emissions event that began February 27, 2007 and lasted 19 hrs and 40 minutes.

See addendum for information regarding federal actions.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	08/13/2005	(404652)
2	08/13/2005	(404858)
3	08/19/2005	(404027)
4	08/19/2005	(405534)
5	08/19/2005	(583173)
6	08/26/2005	(406126)
7	08/29/2005	(406253)
8	08/31/2005	(400938)
9	08/31/2005	(406090)
10	09/19/2005	(583175)
11	09/21/2005	(431540)
12	09/21/2005	(432140)
13	11/18/2005	(583179)
14	12/15/2005	(583177)
15	12/19/2005	(439303)
16	12/21/2005	(583181)
17	01/20/2006	(451440)
18	01/24/2006	(583183)
19	02/01/2006	(435482)
20	02/21/2006	(583157)
21	03/01/2006	(450492)
22	03/17/2006	(583159)
23	03/27/2006	(459945)
24	04/24/2006	(583162)
25	05/23/2006	(583165)
26	06/18/2006	(583171)
27	06/21/2006	(583168)
28	07/07/2006	(485450)
29	07/12/2006	(485630)
30	08/07/2006	(481848)
31	08/14/2006	(482853)
32	08/16/2006	(497159)
33	08/16/2006	(497523)

34	08/18/2006	(583174)
35	08/23/2006	(483649)
36	08/31/2006	(450609)
37	08/31/2006	(511046)
38	09/18/2006	(583176)
39	10/20/2006	(483955)
40	10/20/2006	(583178)
41	11/02/2006	(517526)
42	11/17/2006	(583180)
43	12/13/2006	(532743)
44	12/18/2006	(583182)
45	12/20/2006	(482975)
46	01/05/2007	(535816)
47	01/11/2007	(535323)
48	01/19/2007	(583184)
49	01/24/2007	(537029)
50	02/01/2007	(538731)
51	02/08/2007	(539006)
52	02/16/2007	(540900)
53	02/16/2007	(583158)
54	03/08/2007	(540725)
55	03/19/2007	(583160)
56	04/20/2007	(583163)
57	05/15/2007	(557031)
58	05/21/2007	(583166)
59	05/22/2007	(557035)
60	06/19/2007	(583169)
61	06/29/2007	(560992)
62	07/03/2007	(566581)
63	07/11/2007	(557176)
64	07/11/2007	(566079)
65	07/18/2007	(583172)
66	07/27/2007	(567691)
67	08/08/2007	(514284)
68	08/08/2007	(539377)
69	08/20/2007	(811043)
70	08/28/2007	(562022)
71	09/14/2007	(565956)
72	09/23/2007	(811046)
73	10/02/2007	(514528)
74	10/09/2007	(595450)
75	10/15/2007	(608382)
76	10/19/2007	(596871)
77	10/22/2007	(608381)
78	11/06/2007	(595861)
79	11/20/2007	(811051)
80	01/02/2008	(811054)
81	01/23/2008	(612779)
82	02/21/2008	(811030)
83	02/26/2008	(612679)
84	03/19/2008	(811034)
85	04/07/2008	(641587)
86	04/08/2008	(638701)
87	04/15/2008	(646179)
88	04/18/2008	(811035)
89	05/21/2008	(811037)
90	05/22/2008	(670929)
91	06/13/2008	(682875)
92	06/18/2008	(811039)
93	07/14/2008	(811041)

94	08/21/2008	(811044)
95	08/22/2008	(646255)
96	08/25/2008	(699662)
97	08/28/2008	(641497)
98	09/18/2008	(811047)
99	10/22/2008	(811049)
100	10/22/2008	(811057)
101	10/30/2008	(706187)
102	11/24/2008	(706186)
103	11/24/2008	(811052)
104	12/16/2008	(811055)
105	12/18/2008	(709825)
106	12/22/2008	(721338)
107	12/23/2008	(682877)
108	01/09/2009	(708321)
109	01/13/2009	(722749)
110	01/15/2009	(708931)
111	02/19/2009	(811031)
112	02/26/2009	(636579)
113	02/27/2009	(701555)
114	02/27/2009	(736312)
115	03/06/2009	(686483)
116	03/12/2009	(736366)
117	03/13/2009	(737725)
118	03/23/2009	(811033)
119	03/26/2009	(704382)
120	04/02/2009	(811036)
121	04/06/2009	(740409)
122	04/14/2009	(721022)
123	05/01/2009	(742806)
124	05/26/2009	(811038)
125	05/27/2009	(747008)
126	06/04/2009	(724878)
127	06/10/2009	(747949)
128	06/12/2009	(748273)
129	06/15/2009	(748749)
130	06/15/2009	(748785)
131	06/19/2009	(811040)
132	07/20/2009	(811042)
133	08/14/2009	(737602)
134	08/14/2009	(744261)
135	08/20/2009	(811045)
136	08/29/2009	(738347)
137	09/21/2009	(811048)
138	10/08/2009	(763356)
139	10/19/2009	(811050)
140	11/12/2009	(781789)
141	11/20/2009	(782136)
142	11/23/2009	(811053)
143	11/24/2009	(811058)
144	11/30/2009	(778897)
145	12/01/2009	(783367)
146	12/04/2009	(779718)
147	12/21/2009	(811056)
148	12/23/2009	(778665)
149	12/23/2009	(786131)
150	01/15/2010	(788256)
151	01/20/2010	(788673)
152	01/22/2010	(780220)
153	01/22/2010	(789029)

154	02/03/2010	(790560)
155	02/05/2010	(791123)
156	02/18/2010	(790736)
157	02/22/2010	(811032)
158	02/23/2010	(787550)
159	02/25/2010	(793415)
160	03/11/2010	(794805)
161	03/22/2010	(833094)
162	03/29/2010	(794028)
163	03/31/2010	(796152)
164	04/13/2010	(798886)
165	04/21/2010	(833095)
166	04/27/2010	(797029)
167	05/03/2010	(792739)
168	05/12/2010	(801618)
169	05/18/2010	(800348)
170	05/20/2010	(803419)
171	05/21/2010	(833096)
172	06/15/2010	(825906)
173	06/29/2010	(826541)
174	07/14/2010	(829773)
175	07/28/2010	(841192)
176	07/30/2010	(830214)

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

Date: 06/30/2006 (583171) CN600127468
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2006 (450609) CN600127468
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.146(5)(D)
Description: Failure to submit an accurate and complete Permit Compliance Certification including or referencing the identification of all terms and conditions of the permit for which compliance was not achieved.

Date: 12/31/2006 (583184) CN600127468
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 04/23/2007 (557176) CN600127468
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.4(1)
Description: Failure to obtain commission authorization prior to an activity of collection, handling, storage, processing, or disposal of industrial solid waste.

Date: 05/15/2007 (557031) CN600127468
Self Report? NO Classification: Moderate
Citation: Permit Conditions 2.g. PERMIT
TWC Chapter 26 26.121
Description: Failure to prevent two unauthorized discharges from the wastewater system or through a permitted outfall.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(9)
Monitoring and Reporting Req., 7. PERMIT
Description: Failure to provide notification to the TCEQ in accordance with permit provisions.
Self Report? NO Classification: Moderate

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

Description: Failure to meet permit limitation for Chemical Oxygen Demand (COD) at Outfall 006 on December 7, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.124
Permit Conditions, 2.a. PERMIT

Description: Failure to sample Outfall 002 weekly when discharge occurs.

Date: 05/31/2007 (583169) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 07/10/2007 (557176) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT CC 265.1090(f)

Description: Failure to provide documentation verifying exemption status.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.191

Description: Failure to comply with assessment of existing tank system's integrity.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.194(b)

Description: Failure to comply with general operating requirements.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195

Description: Failure to comply with cathodic protection inspection and schedule.

Date: 09/30/2007 (608381) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 11/06/2007 (595861) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.191

Description: Failure to comply with assessment of existing tank system's integrity.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195

Description: Failure to comply with cathodic protection inspection and schedule.

Date: 01/31/2008 (811030) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 02/26/2008 (612679) CN600127468

Self Report? NO Classification: Minor

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

Description: Failure to submit a deviation report no later than 30 days after the end of the

each reporting period. Specifically, the deviation report for the period of August 8, 2006 through February 7, 2007, due no later than March 7, 2007, was submitted late on March 15, 2007.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(8)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct storage vessel inspections according to the frequency stipulated in provisions of applicable regulations.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(8)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct storage vessel inspections according to the frequency stipulated in provisions of applicable regulations.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(8)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646
5C THSC Chapter 382 382.085(b)

Description: Failure to equip affected openings of storage vessels with devices which close off liquid surface area from atmosphere.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
40 CFR Part 63, Subpart H 63.168
5C THSC Chapter 382 382.085(b)
Flex NSR 38754 SC 32 & 33 PA

Description: Failure to repair leaking components in a timely manner according to applicable requirements.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.322(4)
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)
5C THSC Chapter 382 382.085(b)
Flex NSR 38754 SC 32(E) PA

Description: Failure to properly equip and operate each open-ended line (OELs) with a cap, blind flange, plug or a second valve.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct monthly inspection of drain water seal controls.

Date: 02/29/2008 (811034) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 03/31/2008 (811035) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 04/30/2008 (811037) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 10/31/2008 (811052) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 11/24/2008 (706186) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Effluent Limitations and Monitoring Req. PERMIT

Description: Failure to meet permit limitations for one or more parameters on five separate Discharge Monitoring Reports (DMRs) between November, 2007, and October, 2008.

Date: 12/31/2008 (811057) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 02/28/2009 (811033) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 03/31/2009 (811036) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 09/30/2009 (738347) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(d)
5C THSC Chapter 382 382.085(b)
Permit No. 38754 SC 19 PA

Description: Failure to maintain the NOx and CO emissions limit of the respective heaters below the rate stated in the table of the special condition.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(d)
5C THSC Chapter 382 382.085(b)
Permit No. 38754 SC 25 PA

Description: Failure to maintain the SRU's SCOT tail gas incinerator exit temperature at greater than 1500 degrees Fahrenheit (F).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(d)
5C THSC Chapter 382 382.085(b)
Permit No. 38754 SC 43 PA

Description: Failure to perform emissions calculations at least once per month for the purpose of verifying compliance with the flexible permit's emissions caps.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(b)(1)
5C THSC Chapter 382 382.085(b)
FOP No. O-01458 ST&C 1K OP

Description: Failure to maintain the proper flue gas pressure drop (delta p) across the filtering modules of the Belco scrubber (EPN 121) at greater than 80 percent of the most recent acceptable performance test as directed by the EPA Alternative Monitoring for NSPS Subpart J plan dated August 19, 1999.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.322(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(c)(1)
5C THSC Chapter 382 382.085(b)
Permit No. 38754 SC 32I & SC 37 PA

Description: Failure to repair hydrocarbon leaks at components (pumps and valves) in a fugitive monitoring program within the time allotted by the applicable rule and permit SC.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.322(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Permit No. 38754 SC 32E and SC 33E PA

Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or second valve.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(2)
5C THSC Chapter 382 382.085(b)
FOP No. O-01458 ST&C No. 1K OP

Description: Failure to demonstrate compliance with hydrogen chloride (HCL) emissions and operating limits at the exhaust vent (EPN155) by maintaining a daily average of pH of the scrubbing liquid above the limit established during the respective performance tests of the Catalytic Reformer Unit (CRU) scrubber vent. The company failed on various days from August 8, 2006 to June 29, 2008, to maintain the required daily pH of the scrubber liquid.

Date: 10/31/2009 (811053) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 11/30/2009 (778897) CN600127468

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 335, SubChapter A 335.24(h)
30 TAC Chapter 335, SubChapter H 335.241(b)(2)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT F 266.70(b)(1)

Description: Failure to submit notification 90 days prior to generating, transporting, or storing recyclable materials.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.241(c)
40 CFR Chapter 261, SubChapter I, PT 261, SubPT A 261.1(c)(8)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT F 266.70(c)

Description: Failure to provide records demonstrating recyclable materials are not accumulated speculatively.

Date: 12/23/2009 (778665) CN600127468

Self Report? NO Classification: Moderate

Citation: Effluent Limitations, Outfall 006 PERMIT
TWC Chapter 26 26.121

Description: Failure to prevent the non-permitted discharge of fire-fighting water and fire-fighting foam from Outfall 006.

Self Report? NO Classification: Moderate

Citation: Effluent Limitations, Outfall 006 PERMIT
TWC Chapter 26 26.121

Description: Failure to prevent the non-permitted discharge with a sheen through Outfall 006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Eff. Limit. and Mon. Req., page 2a PERMIT

Description: Failure to meet the permitted daily maximum effluent limitations for Chemical Oxygen Demand (COD) and Oil and Grease (O & G) from Outfall 006 on October 7, 2009.

F. Environmental audits.

Notice of Intent Date: 03/05/2008 (640797)

No DOV Associated

Notice of Intent Date: 05/12/2008 (682226)

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

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 10.27
Regulated Entity:	RN100219310	VALERO REFINING HOUSTON REFINERY	Classification: AVERAGE	Site Rating: 43.8

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0130C
AIR OPERATING PERMITS	PERMIT	1381
AIR OPERATING PERMITS	PERMIT	2951
AIR NEW SOURCE PERMITS	REGISTRATION	92272
AIR NEW SOURCE PERMITS	REGISTRATION	36395
AIR NEW SOURCE PERMITS	REGISTRATION	36394
AIR NEW SOURCE PERMITS	REGISTRATION	36392
AIR NEW SOURCE PERMITS	REGISTRATION	37103
AIR NEW SOURCE PERMITS	REGISTRATION	37102
AIR NEW SOURCE PERMITS	REGISTRATION	37101
AIR NEW SOURCE PERMITS	REGISTRATION	38961
AIR NEW SOURCE PERMITS	REGISTRATION	40306
AIR NEW SOURCE PERMITS	REGISTRATION	41495
AIR NEW SOURCE PERMITS	REGISTRATION	42119
AIR NEW SOURCE PERMITS	REGISTRATION	42999
AIR NEW SOURCE PERMITS	REGISTRATION	44387
AIR NEW SOURCE PERMITS	REGISTRATION	45273
AIR NEW SOURCE PERMITS	REGISTRATION	45869
AIR NEW SOURCE PERMITS	REGISTRATION	46784
AIR NEW SOURCE PERMITS	PERMIT	47004
AIR NEW SOURCE PERMITS	REGISTRATION	47166
AIR NEW SOURCE PERMITS	REGISTRATION	48166
AIR NEW SOURCE PERMITS	REGISTRATION	50138
AIR NEW SOURCE PERMITS	REGISTRATION	50232
AIR NEW SOURCE PERMITS	PERMIT	8483A
AIR NEW SOURCE PERMITS	PERMIT	2501A
AIR NEW SOURCE PERMITS	PERMIT	7144A
AIR NEW SOURCE PERMITS	PERMIT	7158A
AIR NEW SOURCE PERMITS	REGISTRATION	71919
AIR NEW SOURCE PERMITS	REGISTRATION	33933
AIR NEW SOURCE PERMITS	REGISTRATION	34151
AIR NEW SOURCE PERMITS	REGISTRATION	34119
AIR NEW SOURCE PERMITS	REGISTRATION	34094
AIR NEW SOURCE PERMITS	REGISTRATION	33180
AIR NEW SOURCE PERMITS	REGISTRATION	33383
AIR NEW SOURCE PERMITS	REGISTRATION	28324
AIR NEW SOURCE PERMITS	PERMIT	19637
AIR NEW SOURCE PERMITS	PERMIT	19294
AIR NEW SOURCE PERMITS	REGISTRATION	10580A
AIR NEW SOURCE PERMITS	PERMIT	2507A
AIR NEW SOURCE PERMITS	PERMIT	2498A
AIR NEW SOURCE PERMITS	REGISTRATION	10471A
AIR NEW SOURCE PERMITS	REGISTRATION	13020A
AIR NEW SOURCE PERMITS	REGISTRATION	36390
AIR NEW SOURCE PERMITS	REGISTRATION	35206
AIR NEW SOURCE PERMITS	REGISTRATION	55752
AIR NEW SOURCE PERMITS	PERMIT	48982
AIR NEW SOURCE PERMITS	REGISTRATION	75514
AIR NEW SOURCE PERMITS	AFS NUM	4820100065

AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0130C
AIR NEW SOURCE PERMITS	REGISTRATION	70289
AIR NEW SOURCE PERMITS	PERMIT	71281
AIR NEW SOURCE PERMITS	REGISTRATION	50600
AIR NEW SOURCE PERMITS	REGISTRATION	54510
AIR NEW SOURCE PERMITS	REGISTRATION	56205
AIR NEW SOURCE PERMITS	REGISTRATION	54616
AIR NEW SOURCE PERMITS	REGISTRATION	71680
AIR NEW SOURCE PERMITS	REGISTRATION	54513
AIR NEW SOURCE PERMITS	REGISTRATION	73824
AIR NEW SOURCE PERMITS	REGISTRATION	73902
AIR NEW SOURCE PERMITS	REGISTRATION	73869
AIR NEW SOURCE PERMITS	REGISTRATION	74363
AIR NEW SOURCE PERMITS	REGISTRATION	76694
AIR NEW SOURCE PERMITS	REGISTRATION	78537
AIR NEW SOURCE PERMITS	REGISTRATION	78574
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1087
AIR NEW SOURCE PERMITS	PERMIT	80493
AIR NEW SOURCE PERMITS	REGISTRATION	81166
AIR NEW SOURCE PERMITS	REGISTRATION	81526
AIR NEW SOURCE PERMITS	REGISTRATION	81979
AIR NEW SOURCE PERMITS	REGISTRATION	84930
AIR NEW SOURCE PERMITS	REGISTRATION	88508
AIR NEW SOURCE PERMITS	REGISTRATION	87909
AIR NEW SOURCE PERMITS	REGISTRATION	85583
AIR NEW SOURCE PERMITS	REGISTRATION	86148
AIR NEW SOURCE PERMITS	REGISTRATION	86875
AIR NEW SOURCE PERMITS	REGISTRATION	86142
AIR NEW SOURCE PERMITS	REGISTRATION	86293
AIR NEW SOURCE PERMITS	REGISTRATION	83749
AIR NEW SOURCE PERMITS	EPA ID	PSDTX767M2
AIR NEW SOURCE PERMITS	REGISTRATION	82694
AIR NEW SOURCE PERMITS	EPA ID	PSDTX767M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX767
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD053624193
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30520
WASTEWATER	PERMIT	WQ0000535000
WASTEWATER	PERMIT	TPDES0002976
WASTEWATER	PERMIT	TX0002976
STORMWATER	PERMIT	TXR05K869
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30520
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0130C

Location: 9701 MANCHESTER ST, HOUSTON, TX, 77012
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: June 22, 2010
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: June 22, 2005 to June 22, 2010

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

Name: Jennifer Graves Phone: 956-430-6023

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site:

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

Effective Date: 11/23/2005 COURTORDER

Classification: Moderate

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

Rqmt Prov: 2501A PA

Description: Failure to comply with the allowable emission limit (SC1) detected during a reference method stack test performed on March 13, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 19637/PSD-TX-767M2, Special Condition 4 PA

Description: Failure to maintain the refinery-gas sulfur content to below the permit allowable limit of 10 grains per 100 dry standard cubic foot.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 2498A, Special Condition 4 PA

Description: Failure to comply with the permitted fuel-gas sulfur content limit of 0.1 grain per dry standard cubic foot as required in TCEQ Permit No. 2498A, Special Condition 4.

Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206

Description: Failure to comply with the operating restrictions for stationary diesel engines located in the Houston/Galveston ozone nonattaiment area by operating the firewater pumps for testing and maintenance purposes between the restricted hours of 6:00 a.m. and noon.

Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)

Description: Failure to include the date(s) of operation and the total hours of operation for each month and for the most recent 12 consecutive months, in the operating records for the firewater pumps.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
Rqmt Prov: Special Condition 2 PERMIT

Description: Failure to maintain the fuel-gas hydrogen sulfide content to below the allowable limit of 0.10 grain per dry standard cubic foot.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)

Description: The open-ended valves next to components 42154, 42115, and 4290 had no cap, blind flange, or second valve and the open-ended line between valve 42101 and 4299 was unsealed.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Part 63, Subpart CC 63.654(h)(1)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include in the August 27, 2002 and February 26, 2003 Refinery MACT Periodic Reports for the Startup, Shutdown and Malfunction Plan, all flare pilot light outages.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(i)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include all valves for which there were leaks and the total valves monitored in the periodic report required by 30 TEX. ADMIN. CODE § 101.20(2), 40 CFR § 63.182(d)(2)(i).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)(iii)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: Special Condition 4J PERMIT

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to make records of gas/hydraulic testing on new/reworked piping available upon request to a local air pollution control agency having jurisdiction over the site.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the authorized emissions limitations of 74.8 lbs/hr for volatile organic compounds (VOC), 3.7 lbs/hr for oxides of nitrogen (NOx), and 26.8 lbs/hr for carbon monoxide (CO).

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)

Description: Failure to install a continuous monitoring system to measure and record sulfur dioxide emissions from a fuel-gas combustion device.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the authorized emissions limitations of 1.36 lbs/hr for volatile organic compounds (VOC), 0.26 lbs/hr for oxides of nitrogen (NOx), and 1.34 lbs/hr for carbon monoxide (CO).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(B)

Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fludized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Rqmt Prov: SC1 PERMIT

Description: Failure to comply with the allowable emission limit detected during a reference method stack test.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:18 a.m. was 45.76%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 10:06 a.m. was 46.03%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 p.m. was 40.15%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 7:06 p.m. was 63.5%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 8:36 p.m. was 42.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 9:30 p.m. was 53.8%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 11:48 a.m. was 41.3%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 2:30 p.m. was 39.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 5:54 p.m. was 38.65%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 a.m. was 72.72%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 1:12 p.m. was 100%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent more than 20% opacity of emissions, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 [30 TEX. ADMIN. CODE Chapter 116.5(c)].

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 1 PERMIT

Description: Violation of permit special condition.

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

Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

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

Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all acid gas shall be routed to the SRU.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

Description: Failure to report the correct facility in the initial notification.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to report the correct facility in the final record.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

Description: Failure to report the correct facility in the initial notification.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)

Description: Failure to submit an opacity event notification in a timely manner after an initial maintenance notification's opacity estimate was exceeded.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

Description: Failure to submit an initial notification with the proper authorized emissions limitations.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

Description: Failure to indicate the proper authorized limits for the emissions event in the final records submitted to the BAQC.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

Description: Failure to list the correct facility for each pollutant released during this emissions event in the initial notification.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to list the proper facility in the final record from which each pollutant originated.

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(6)

Description: Failure to have the duration for the excess opacity event in the notification. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(6).

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(7)

Description: Failure to submit the correct opacity estimate in the submittal of an excess opacity event. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(7).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

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

Rqmt Prov: TCEQ Air Permit No. 2501A & 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A. For the FCC flare see additional discussion for emissions, limits, dates, and durations, for each incident.

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU. This occurred 5 times for a total duration of 4 hours and 56 minutes.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20% averaged over a 6-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)). (Section 4)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
Rqmt Prov: 40 CFR 60.104(a)(1) PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS). The FCC flare, a fuel-gas combustion device combusted fuel gas with a hydrogen sulfide (H2S) content exceeding 0.10 grain (gr) per dry standard cubic foot (dscf). The H2S content was 27.1 grs/dscf for a duration of 4 hours and 56 minutes.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No, 2501A & 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
Rqmt Prov: 40 CFR 60.104(a)(1) PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

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

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

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

Description: Failure to meet the final reporting requirements that Valero Refining - Texas L.P. identify the authorized emissions limits for the facility involved in the emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A and 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
Rqmt Prov: 40 CFR 60.104(a)(1) PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by

combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.648(c)
40 CFR Part 63, Subpart H 63.167
Rqmt Prov: 2501A PERMIT

Description: Failure to equip three open-ended valves with a second valve, plug, cap or a blind. Those valves are in organic hazardous air pollutant (HAP) service because they contain or contact a fluid that is at least 5 percent by weight of total organic HAPs and subject to MACT regulations.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.355(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.648(c)(1)
40 CFR Part 63, Subpart H 63.180(b)
Rqmt Prov: 2501A PERMIT

Description: Failure to perform fugitive monitoring, at the FCC unit, in accordance with 40 CFR 60, Appendix A, Reference Method 21.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.654(d)(1)
40 CFR Part 63, Subpart H 63.182(d)
Rqmt Prov: 2501A PERMIT

Description: Failure to report two leaking pumps as delay of repair components in the MACT Subpart CC semi-annual report dated January 27, 2004.

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

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

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

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

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

Description: Failure to meet initial notification requirements that Valero Refining - Texas L.P. submit the initial notification as soon as practicable, but not later than 24 hours after the discovery of an emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)

Description: Failure to meet final record requirements that Valero Refining - Texas L.P. submit the final record as soon as practicable, but not later than two weeks after the end of an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Permit Air Nos. 2501A and 2507A for the Fluid Catalytic Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per standard cubic foot of hydrogen sulfide at the FCC Flare (EPN 30 FL 5).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PERMIT

Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to FCC Flare (EPN 30 FL 5) instead of processing it in the sulfur recovery unit.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

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

Description: Failure to submit authorization (rule or permit number) in the final record of emissions event that occurred on February 23, 2004.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 12, 2004 and lasted for five hours and ten minutes from the MEA Regenerator and the FCC Flare, EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 12, 2004.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 19, 2004 and lasted for one hour and 14 minutes from the MEA Regenerator and the FCC Flare and one hour and 28 minutes from the Sour Water Stripper, EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 19, 2004.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)

Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(5)

Description: Failure to submit the correct time for an excess opacity event.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)

Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit Nos. 2501A and 2507A for the Fluidized Catalytic Cracking Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS) and TCEQ Air Permit No. 2501A by combusting fuel gas containing 27.1 grains per standard cubic foot of hydrogen sulfide at the FCC flare (EPN 30FL5). See additional discussion for fuel gas hydrogen sulfide limits.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to the FCC Flare (EPN 30FL5) instead of processing it in the sulfur recovery unit.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to correctly submit the final record by facility.

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

Description: The regulated entity failed to identify the common name of the facility experiencing the emissions event and the common emissions point name in the initial notifications.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common emissions point name in the final records.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for carbon monoxide, hydrogen sulfide, nitrogen oxides and sulfur dioxide.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

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

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of the air contaminants. See additional discussion for emissions, limits, and duration.

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

Description: Failure to meet the initial notification by not including a common name for the facility.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to meet the final reporting requirements by not including the common name of the facility.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC No. 2 PA

Description: The regulated entity exceeded the authorized opacity limit of 20 percent by more than the reportable quantity of 15 additional percentage points averaged over a six-minute period at the FCCU regenerator stack.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for sulfur dioxide and hydrogen sulfide.

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

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common name of the emissions point in the initial notifications.

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify the common name of the facility which incurred the emissions event in the final record.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condtion No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits and duration.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Conditions No. 4 E., 6 and 8 PERMIT

Description: Failure to equip an open ended valve in organic Hazardous Air Pollutants (HAP) service with a second valve, plug, cap or blind flange.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Conditions No. 4E. and 6 PERMIT

Description: Failure to equip an open ended valve in VOC service with a second valve, plug, cap or blind flange.

Effective Date: 08/28/2006 ADMINORDER 2006-0532-AIR-E

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

Description: Valero failed to submit a separate report for each facility involved in the emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No. 2501A, Special Condition No. 1 PERMIT
No. 2507A, Special Condition No. 1 PERMIT

Description: Failure to prevent an unplanned boiler shutdown resulting in unauthorized emissions.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)

Description: Failure to comply with the emissions event reporting requirements.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No, 2507A Special Condition No. 1 PERMIT
No. 2501A Special Condition No. 1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions.

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

Description: Failed to submit a notification for facility that experienced a reportable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Permit 2501A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Permit 2501A, Special Condition 1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A, SC6 PERMIT

Description: Failure to comply with TCEQ Air Permit No. 2507A, Special Condition No. 6.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT

Description: Failure to prevent the release of unauthorized emissions during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Permit 2501A, Special Condition 2 PERMIT

Description: Exceeded opacity limit during an avoidable emissions event.

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

Description: failed to prevent unauthorized emissions

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

Description: Failed to prevent emissions

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

Description: Failed to prevent emissions event

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

Description: Failed to submit emissions reports in a timely manner.

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

Description: Failed to comply with permitted limits

Classification: Moderate
Citation: 2A TWC Chapter 7, SubChapter A 7.051
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to prevent nuisance conditions

Effective Date: 07/13/2007 ADMINORDER 2007-0161-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 2501A, Special Condition 1 PERMIT
No. 2501A, Special Condition 10B PERMIT

Description: Failed to prevent unauthorized emissions, to operate the gas flares with a flame present at all times, and to maintain them in good working order.

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

Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/10/2007 ADMINORDER 2006-2218-AIR-E

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

Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT

Description: Valero exceeded SO2 permit emission limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions due to operator error.

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

Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to provide additional or more detailed information on the emissions event when requested by the executive director or air pollution agency with jurisdiction, within the time frame established in the request.

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

Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Valero exceeded SO2 permit limits during an avoidable emissions event.

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

Description: Valero failed to submit a final emissions event report no later than two weeks after the end of the emissions event.

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

Rqmt Prov: Permit No. 2501A, Special Condition #1 PERMIT
Permit No. 2507A, Special Condition #1 PERMIT

Description: Failure to prevent unathorized emissions through the FCC flare.

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

Rqmt Prov: Permit No. 2507A, Special Condition #6 PERMIT

Description: Failure to route acid gas to the SRU.

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

Rqmt Prov: 2501A PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 2501A, SC 1 PERMIT

Description: Failure to maintain net SO2 net groud level concentrations below the limit of 0.28 ppmv averaged over any 30-minute period.

Effective Date: 11/09/2007 ADMINORDER 2007-0604-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No. 50232 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 2501A, SC No. 1 PERMIT

Description: Valero failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 50232 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 06/19/2008 ADMINORDER 2008-0014-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: No. 71281, Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during a November 26, 2007 emissions event (Incident No. 100464).

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

Description: Failed to submit the final record for the November 26, 2007 emissions event (Incident No. 100464) within 14 days after the end of the emissions event.

Effective Date: 07/03/2008 ADMINORDER 2007-1960-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit 48982, Special Condition #12 PERMIT

Description: The Respondent is alleged to have failed to retrofit heaters 27BA1100, 27BA1103, 27BA1105, and 29BA1300 with burners meeting 0.06 pounds of nitrogen oxides (NOx) per million British thermal units by December 31, 2006.

Effective Date: 10/23/2008 ADMINORDER 2008-0712-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A, SC 1 PERMIT

Description: Valero failed to prevent unauthorized emissions of 143.16 lbs of VOC, 73.2 lbs of carbon monoxide, 10.2 lbs of oxides of nitrogen, 6.68 lbs of hydrogen sulfide, and 609.0 lbs of sulfur dioxide during an emissions event that occurred on March 24, 2008 (Incident No. 105338) and lasted for 4 hours and 0 minutes.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 104.80 lbs of VOC, 112.770 lbs of carbon monoxide, 16.08 lbs of oxides of nitrogen, 9.60 lbs of hydrogen sulfide, and 872.62 lbs of sulfur dioxide during an emissions event that occurred on March 31, 2008 and lasted for 3 hours and 35 minutes.

Effective Date: 04/05/2009 ADMINORDER 2008-1437-AIR-E

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

5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions.

Effective Date: 07/20/2009 ADMINORDER 2009-0339-AIR-E
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit the final report of a reportable emissions event in a timely manner.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Standard Permit PERMIT
Description: Failure to prevent unauthorized emissions. Specifically, 1,200.00 lbs of nitrogen oxides; 302.00 lbs of carbon monoxide; 2,083.00 lbs of sulfur dioxide; and 601.00 lbs of different organic compounds (VOCs). Loss of affirmative defense due to late reporting.

Effective Date: 05/09/2010 ADMINORDER 2009-1487-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1I(i) OP
Description: Failure to comply with the emissions limitations and operations limitations, relating to three specific sources, that were established during the initial HRVOC performance tests required by 30 TAC 115.725(a)(1).
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.142(1)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms & Conditions OP
Special Terms and Conditions 1A OP
Description: Failure to operate API Separator without leakage.
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(ii)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms & Conditions OP
Special Condition 1A OP
Description: Failure to submit a deviation report with proper rule citation information.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1 06/23/2005 (440631)
2 06/28/2005 (376330)
3 06/28/2005 (380360)
4 07/25/2005 (440632)
5 07/28/2005 (380007)
6 08/01/2005 (394168)
7 08/19/2005 (449391)
8 08/24/2005 (405569)
9 08/30/2005 (398453)
10 08/30/2005 (406150)
11 08/31/2005 (402136)
12 08/31/2005 (402447)
13 08/31/2005 (402449)

14	09/01/2005	(440633)
15	09/19/2005	(440636)
16	09/28/2005	(440634)
17	10/24/2005	(440635)
18	12/02/2005	(468112)
19	12/27/2005	(468113)
20	01/10/2006	(449982)
21	01/27/2006	(450186)
22	01/27/2006	(468114)
23	02/24/2006	(468110)
24	02/25/2006	(457037)
25	02/27/2006	(457158)
26	02/28/2006	(449830)
27	02/28/2006	(449951)
28	02/28/2006	(457238)
29	03/06/2006	(440402)
30	03/14/2006	(450135)
31	03/17/2006	(456074)
32	03/24/2006	(455235)
33	03/27/2006	(468111)
34	04/04/2006	(450259)
35	04/04/2006	(455290)
36	04/04/2006	(460600)
37	04/04/2006	(484501)
38	04/17/2006	(455285)
39	04/24/2006	(497980)
40	04/25/2006	(457910)
41	05/01/2006	(463424)
42	05/17/2006	(462534)
43	05/17/2006	(462752)
44	05/25/2006	(467406)
45	05/25/2006	(467410)
46	05/25/2006	(467411)
47	05/25/2006	(467413)
48	05/25/2006	(479192)
49	05/25/2006	(497981)
50	05/30/2006	(480185)
51	05/31/2006	(480495)
52	06/02/2006	(449745)
53	06/02/2006	(466664)
54	06/05/2006	(481197)
55	06/13/2006	(457562)
56	06/20/2006	(481339)
57	06/23/2006	(497982)
58	06/30/2006	(466897)
59	07/11/2006	(484212)
60	07/11/2006	(484217)
61	07/11/2006	(484218)
62	07/11/2006	(485211)
63	07/11/2006	(485431)
64	07/12/2006	(485707)
65	07/17/2006	(467191)
66	07/20/2006	(487229)
67	07/24/2006	(487838)
68	07/24/2006	(487951)
69	07/25/2006	(488197)
70	08/21/2006	(519997)
71	08/21/2006	(519998)
72	08/24/2006	(509977)

73	09/01/2006	(497507)
74	09/07/2006	(457421)
75	09/19/2006	(519999)
76	10/12/2006	(514788)
77	10/20/2006	(520000)
78	10/23/2006	(510591)
79	10/25/2006	(516346)
80	11/06/2006	(514699)
81	11/07/2006	(516134)
82	11/08/2006	(513557)
83	11/10/2006	(489514)
84	11/10/2006	(489909)
85	11/10/2006	(490256)
86	11/10/2006	(494149)
87	11/10/2006	(497338)
88	11/20/2006	(544242)
89	11/21/2006	(531593)
90	12/04/2006	(531849)
91	12/07/2006	(532001)
92	12/07/2006	(533208)
93	12/11/2006	(511248)
94	12/12/2006	(532173)
95	12/19/2006	(544243)
96	12/21/2006	(534112)
97	12/29/2006	(518678)
98	01/18/2007	(544244)
99	01/24/2007	(537745)
100	01/31/2007	(537333)
101	01/31/2007	(537702)
102	02/05/2007	(538081)
103	02/20/2007	(540176)
104	02/21/2007	(539856)
105	02/27/2007	(512312)
106	03/23/2007	(574871)
107	03/26/2007	(457476)
108	03/27/2007	(554074)
109	04/13/2007	(554910)
110	04/20/2007	(556275)
111	04/20/2007	(574872)
112	05/04/2007	(557971)
113	05/08/2007	(534918)
114	05/15/2007	(542295)
115	05/21/2007	(574873)
116	05/23/2007	(593171)
117	05/24/2007	(558983)
118	06/18/2007	(574874)
119	06/19/2007	(574870)
120	07/19/2007	(574875)
121	07/27/2007	(567340)
122	08/06/2007	(571198)
123	08/21/2007	(607492)
124	08/22/2007	(573220)
125	09/10/2007	(511304)
126	09/10/2007	(511307)
127	10/01/2007	(607493)
128	10/19/2007	(607494)
129	10/25/2007	(595241)
130	11/12/2007	(599655)
131	11/20/2007	(600266)

132	11/20/2007	(619387)
133	12/04/2007	(610822)
134	12/20/2007	(619388)
135	12/28/2007	(612910)
136	01/14/2008	(566943)
137	01/21/2008	(619389)
138	02/05/2008	(609016)
139	02/20/2008	(671885)
140	02/29/2008	(616621)
141	03/13/2008	(614793)
142	03/19/2008	(671886)
143	03/20/2008	(638045)
144	04/18/2008	(646376)
145	04/18/2008	(671887)
146	04/25/2008	(646406)
147	04/25/2008	(653771)
148	05/01/2008	(646378)
149	05/09/2008	(637174)
150	05/14/2008	(689811)
151	05/22/2008	(639743)
152	05/23/2008	(639669)
153	06/17/2008	(689812)
154	07/21/2008	(689813)
155	08/14/2008	(699940)
156	08/18/2008	(699945)
157	08/19/2008	(710569)
158	09/05/2008	(701193)
159	09/19/2008	(710570)
160	10/20/2008	(710571)
161	11/20/2008	(727366)
162	12/05/2008	(680116)
163	12/15/2008	(687526)
164	12/15/2008	(721478)
165	12/16/2008	(750102)
166	01/20/2009	(768253)
167	02/13/2009	(708289)
168	02/16/2009	(726844)
169	02/24/2009	(750098)
170	03/09/2009	(735657)
171	03/13/2009	(750099)
172	04/20/2009	(750100)
173	04/20/2009	(750101)
174	05/04/2009	(744200)
175	05/20/2009	(768252)
176	06/24/2009	(741061)
177	06/30/2009	(747023)
178	07/15/2009	(762174)
179	07/15/2009	(762202)
180	07/20/2009	(741127)
181	07/20/2009	(804278)
182	08/11/2009	(741091)
183	08/11/2009	(741118)
184	08/19/2009	(749699)
185	08/24/2009	(740719)
186	08/25/2009	(804279)
187	08/31/2009	(747447)
188	09/03/2009	(767802)
189	09/11/2009	(775816)
190	09/14/2009	(759275)

191	09/14/2009	(775528)
192	09/22/2009	(804280)
193	09/24/2009	(775299)
194	10/29/2009	(767520)
195	11/19/2009	(804281)
196	11/19/2009	(804282)
197	11/30/2009	(781553)
198	12/14/2009	(783520)
199	12/20/2009	(804283)
200	01/19/2010	(804284)
201	02/20/2010	(804277)
202	02/22/2010	(789352)
203	04/01/2010	(797369)
204	05/24/2010	(801063)
205	05/27/2010	(800683)
206	06/01/2010	(824942)
207	06/16/2010	(827092)
208	06/17/2010	(802806)

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

Date: 08/19/2005 (449391) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 08/31/2005 (402449)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Special Condition No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Date: 08/31/2005 (402447)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Special Condition No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Date: 12/31/2005 (468114) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 01/10/2006 (449982) CN600127468

Self Report? NO Classification: Moderate

Citation: TWC Chapter 26 26.121(a)(1)

Description: Failure to prevent the unauthorized discharge of wastewater. Unauthorized discharges (UD) occurred on 12/15/05 from the aeration basin, temporary pump for the ditch leading to outfall 008, and cooling tower #3. In addition, two UDs

were reported from cooling tower #10.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.4
Description: Failure to monitor for Carbonaceous Biochemical Oxygen Demand (CBOD) as required by the permit issued on August 25, 2005.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.7(e)
Description: Failure to complete the Discharge Monitoring Reports (DMR) correctly. Several effluent values and the frequency of analsysis were reported incorrectly on the DMRs in February 2005, March 2005, May 2005, June 2005, July 2005, August 2005, and September 2005. See attached Table 1.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to calculate loading values correctly.

Date: 05/31/2006 (497982) CN600127468

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

Date: 06/21/2006 (509977) CN600127468

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

Date: 07/31/2006 (519998) CN600127468

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

Date: 08/31/2006 (519999) CN600127468

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

Date: 09/07/2006 (457421) CN600127468

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP # O-01381, Special Condition #19 OP
FOP # O-01381, Special Condition #1A OP
NSR Permit 2501A, Special Condition 4E PA
NSR Permit 48982, Special Condition 6E PA
Description: Failure to cap open-ended valves or lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition 3B.iv.1 OP
Description: Failure to perform visible observations on stationary source engines 50GG1925 and 50GG1926.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(e)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #1A OP

Description: Failure to submit the required semi-annual report for gas fired engines per 30 TAC 117.219(e).

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)
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)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #19 OP
FOP# O-01381, Special Condition #1A OP
NSR Permit #2501A, Special Condition 10C PA

Description: Failure to limit visible emissions to a rate of less than 5 minutes over 2 consecutive hours.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #19 OP
FOP# O-01381, Special Condition #1A OP
NSR Permit #2498A, Special Condition #I PA

Description: Failure to repair leaking components within 15 days.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01831, Special Condition #19 OP
NSR #19637, Special Condition #12A & 12B PA

Description: Failure to continuously monitor for NOx and CO during the 2nd quarter of 2005.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #11B OP

Description: Failure to operate 15 existing junction boxes with tight seals during the second quarter of 2005.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #11B OP

Description: Failure to repair NSPS Subpart QQQ equipment within 15 days.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart DDDDD 63.7505(e)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #1A OP

Description: Failure to develop a Startup, Shutdown and Malfunction Plan (SSMP) for boilers.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #19 OP
NSR Permit #19637, SC #6 PA

Description: Failure to meet the NSR Permit 10 ppmvd ammonia limit for Package Boiler #1.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter H 115.729(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #1.j.(i) OP

Description: Failure to establish the monitoring and testing parameters of 30 TAC Chapter 115.725(a)(2) by the compliance deadline of December 31, 2005.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter H 115.729(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

FOP #O-01381, Special Condition #1.j.ii OP

Description: Failure to establish the written quality assurance plan of 30 TAC Chapter 115.726(a)(1) by the compliance date of December 31, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-3(a)(5)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #1A OP

Description: Failure to repair API Separator seal gaps within 15 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #19 OP
FOP# O-01381, Special Condition #1A OP
NSR Permit 2501A, Special Condition #4E PA
NSR Permit 48982, Special Condition #6E PA

Description: Failure to cap open-ended valves or lines in HAP service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition # 19 OP
FOP# O-01381, Special Condition #1A OP
NSR Permit 2501A, Special Condition #4E PA
NSR Permit 48982, Special Condition #6E PA

Description: Failure to cap open-ended valves and lines in HRVOC service.

Date: 10/12/2006 (514788)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 2501A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Date: 01/31/2007 (574870) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 03/27/2007 (457476)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
No. 2501A Special Condition #1 PERMIT

Description: Failure to submit emissions event notification in a timely manner.

Self Report? NO Classification: Minor

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

Description: Failure to report an emissions event in a timely manner.

Date: 05/23/2007 (593171)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 08/31/2007 (607493) CN600127468

Self Report? YES Classification: Moderate

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

Date: 11/20/2007 (600266)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Valero failed to submit a CAP in a timely manner.

Date: 12/31/2007 (619389) CN600127468
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 01/14/2008 (566943) CN600127468
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
Permit 2498A, Special Condition 7E PERMIT
Permit 2501A, Special Condition 4E PERMIT
Permit 48982, Special Condition 6E PERMIT
Description: Failure to cap open-ended valves/lines.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1A OP
Description: Failure to make first repair attempts to LDAR leaks.
Self Report? NO
Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
Permit 48982, Special Condition 6I PERMIT
Description: Failure to repair leaks within 15 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
Permit 2501A, Special Condition 10C PERMIT
Description: Failure to operate Flares 30FL1, 30FL2 & 30FL5 without visible emissions.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
FOP O-01381, ST&C 3B.(i) OP
Permit 2507A, Special Condition 8G PERMIT
Description: Failure to Operate the SRU Incinerator stack without visible emissions.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
FOP O-01381, ST&C 3B(i) OP
Permit 2501A, Special Condition 2 PERMIT

Description: Failure to operate the fourth stage separator of the Tail Gas incinerator without visible emissions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
FOP O-01381, ST&C 19 OP
Permit 2501A, Special Condition 20F PERMIT
Permit 48982, Special Condition 5F PERMIT

Description: Failure to paint storage tanks the required colors.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1D OP

Description: Late Submittal of operating Permit Amendment.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1(J)(ii) OP
FOP O-01381, ST&C 1A OP

Description: Failure to comply with Initial HRVOC Stack Test limits.

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 THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
Permit 2501A, Special Condition 10 B PERMIT

Description: Failure to maintain pilot lights on flares.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1A OP
FOP O-01381, ST&C 9D OP

Description: Failure to maintain emergency engine operations records.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
Permit 19637, Special Condition 1 OP

Description: Failure to comply with the permitted emissions limits for carbon monoxide.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
Permit 2501A, Special Condition 1 PERMIT

Description: Failure to comply with permitted emissions limits for nitrogen oxides.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
Permit 2507A, Special Condition 1 PERMIT

Description: Failure to comply with with SO2 permitted limits.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-3(a)(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1A OP

Description: Failure to operate the API Separator without VOC leaks.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(g)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 14D OP
FOP O-01381, ST&C 1A OP

Description: Late submittals of NOC Status Reports.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1A OP

Description: Failure to operate Tank 924 with leak free conditions.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 11B OP
FOP O-01381, ST&C 1A OP

Description: Leaking Sewer Junction Box seals.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01381, ST&C 1(J)(iv) OP
FOP O-01381, ST&C 1A OP

Description: Failure to perform daily visual inspections of water seals.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(b)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1(J)(iv) OP
FOP O-01381, ST&C 1A OP

Description: Failure to perform fuel flow gas meter calibrations.

Date: 02/04/2008 (609016) CN600127468

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Other Requirements, pg. 12, no. 2 PERMIT

Description: Failure to calculate loading values correctly. Zero was being used in the loading calculations for parameters other than chromium, cyanide, and zinc when the values were less than the Minimum Analytical Level (MAL). The permit allows zero to be used in the loading calculations for chromium, cyanide, and zinc when the values are less than the MAL. The permit does not allow a zero to be used in the loading calculations for all other parameters. Therefore, the loading was being calculated incorrectly.

Date: 08/31/2008 (710570) CN600127468

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 12/31/2008 (768253) CN600127468

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 01/31/2009 (750098) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 05/31/2009 (804278) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 06/30/2009 (750101) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 07/31/2009 (804279) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 08/21/2009 (749699) CN600127468

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.263(e)(3)
5C THSC Chapter 382 382.085(b)

Description: Failure to record and/or maintain continuous temperature measurements to demonstrate compliance.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain at least a 90% DRE during degassing operations.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter F 115.545
5C THSC Chapter 382 382.085(b)

Description: Failure to prove use of approved test methods.

Date: 08/31/2009 (747447) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 21 OP

Description: Failure to maintain firing rates below permitted levels on vacuum tower heaters 23BA301 and 23BA302.

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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Special Condition 1A OP
Special Condition 1I (iv) OP
Special Condition 21 OP
Special Condition 3E PERMIT
Special Condition 4E PERMIT

Special Condition 6E PERMIT
Special Condition 7E PERMIT

Description: Failure to seal open ended lines in VOC service.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 10A PERMIT
Special Condition 1A OP
Special Condition 21 OP

Description: Failure to maintain net heating value on flares 30FL-2 and 30FL-5 above permitted limits.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 21 OP

Description: Failure to control excess emissions.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter B 115.132(a)(2)
30 TAC Chapter 115, SubChapter B 115.142(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-3(a)(3)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Special Terms and Conditions 1A OP

Description: Failure to operate API Separator with closed hatches.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 2 PERMIT
Special Condition 21 OP

Description: Failure to maintain H2S concentration limits below permitted limits.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 OP
Special Condition 4 PERMIT

Description: Failure to maintain ROSE heater firing rates below permitted levels.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(1)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Special Condition 10A OP

Description: Failure to submit semi-annual CEMS report within 30 days after semi-annual period.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(10)(ii)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Special Condition 1A OP

Description: Failure to notify the Agency 30 days before a tank seal inspection.

Date: 08/31/2009 (804280) CN600127468

Self Report? YES Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 09/30/2009 (804281) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 10/31/2009 (804282) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 11/20/2009 (781553) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 21 OP

Description: Failure to maintain firing rates below permitted levels on vacuum tower heaters 23BA301 and 23BA302.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 10A PERMIT
Special Condition 1A OP
Special Condition 21 OP

Description: Failure to maintain net heating value on flares 30FL-2 and 30FL-5 above permitted limits.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 OP
Special Condition 4 PERMIT

Description: Failure to maintain ROSE heater firing rates below permitted levels.

Date: 12/31/2009 (804284) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 01/31/2010 (804277) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 02/28/2010 (830736) CN600127468

Self Report? YES Classification: Moderate

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

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

F. Environmental audits.

Notice of Intent Date: 09/19/2007 (598153)

No DOV Associated

Notice of Intent Date: 02/26/2009 (740048)

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

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 10.27
Regulated Entity:	RN100238385	VALERO REFINING TEXAS CITY REFINERY	Classification: AVERAGE	Site Rating: 7.6(

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	GB0073P
AIR OPERATING PERMITS	PERMIT	1253
AIR OPERATING PERMITS	PERMIT	2599
AIR OPERATING PERMITS	PERMIT	2599
WASTEWATER	PERMIT	WQ0000449000
WASTEWATER	EPA ID	TX0006009
AIR NEW SOURCE PERMITS	REGISTRATION	92271
AIR NEW SOURCE PERMITS	PERMIT	39142
AIR NEW SOURCE PERMITS	REGISTRATION	42395
AIR NEW SOURCE PERMITS	REGISTRATION	42394
AIR NEW SOURCE PERMITS	REGISTRATION	48330
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	GB0073P
AIR NEW SOURCE PERMITS	PERMIT	962
AIR NEW SOURCE PERMITS	PERMIT	8352
AIR NEW SOURCE PERMITS	REGISTRATION	53530
AIR NEW SOURCE PERMITS	EPA ID	PSDTX822
AIR NEW SOURCE PERMITS	REGISTRATION	75542
AIR NEW SOURCE PERMITS	REGISTRATION	75695
AIR NEW SOURCE PERMITS	AFS NUM	4816700007
AIR NEW SOURCE PERMITS	EPA ID	PSDTX822M2
AIR NEW SOURCE PERMITS	REGISTRATION	71076
AIR NEW SOURCE PERMITS	REGISTRATION	72517
AIR NEW SOURCE PERMITS	REGISTRATION	73799
AIR NEW SOURCE PERMITS	REGISTRATION	76530
AIR NEW SOURCE PERMITS	REGISTRATION	76967
AIR NEW SOURCE PERMITS	REGISTRATION	77806
AIR NEW SOURCE PERMITS	REGISTRATION	79850
AIR NEW SOURCE PERMITS	REGISTRATION	79881
AIR NEW SOURCE PERMITS	REGISTRATION	80059
AIR NEW SOURCE PERMITS	REGISTRATION	80581
AIR NEW SOURCE PERMITS	REGISTRATION	81005
AIR NEW SOURCE PERMITS	REGISTRATION	81523
AIR NEW SOURCE PERMITS	REGISTRATION	81621
AIR NEW SOURCE PERMITS	REGISTRATION	81695
AIR NEW SOURCE PERMITS	REGISTRATION	82055
AIR NEW SOURCE PERMITS	REGISTRATION	84258
AIR NEW SOURCE PERMITS	REGISTRATION	87844
AIR NEW SOURCE PERMITS	REGISTRATION	87694
AIR NEW SOURCE PERMITS	REGISTRATION	83921
AIR NEW SOURCE PERMITS	REGISTRATION	82462
AIR NEW SOURCE PERMITS	REGISTRATION	84166
AIR NEW SOURCE PERMITS	REGISTRATION	84575
AIR NEW SOURCE PERMITS	REGISTRATION	82434
AIR NEW SOURCE PERMITS	REGISTRATION	91499
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30011
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD000792937
WASTE WATER GENERAL PERMIT	PERMIT	TXG670007
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	GB0073P

Location: 1301 LOOP 197 S, TEXAS CITY, TX, 77590

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 12, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 12, 2005 to August 12, 2010

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

Name: Trina Grieco Phone: (210) 403-4006

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 11/23/2005 COURTORDER

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 39142, Special Condition No. 1 PA
Description: Exceeded permit limit during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 39142, Special Condition No. 1 PA
Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 39142/PSDTX822M2, SC#1 PERMIT
Description: Failed to prevent a leak in a heat exchanger (E-1338).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit #39142, SC #1 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 39142/ PSD-TX-822M2 PERMIT
Description: Valero failed to prevent a back-up pump from tripping off.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit #39142, SC #1 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA
Description: Exceeded permit limit during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit #39142, SC #1 PERMIT
Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit #39142, SC #1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failed to prevent an avoidable emissions event.

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

Description: Failed to prevent an avoidable emissions event.

Effective Date: 10/19/2006 ADMINORDER 2006-0549-IWD-E

Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Effective Date: 05/11/2007 ADMINORDER 2006-0012-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter E 117.520(c)(2)(A)(i)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to install continuous emissions monitoring systems ("CEMS") on boilers B-07 and B-11 by March 31, 2005.

Effective Date: 08/23/2007 ADMINORDER 2006-1067-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 112, SubChapter B 112.31
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit No. 39142, SC1 PERMIT

Description: As evidenced by Findings of Fact No. 12, Valero failed to prevent unauthorized emissions that exceeded the fence line H2S concentration limit during an emissions event that started on October 4, 2004.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Failure to prevent an overpressure condition resulting in unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Failure to prevent a control valve malfunction resulting in unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Failure to maintain calibration of a level indicator resulting in unauthorized emissions.

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

Description: Failure to submit final report no later than two weeks after end of emissions event.

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

Description: Failure to submit a final report no later than two weeks after the end of an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Failure to prevent a control valve malfunction resulting in unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142 SC No. 1 PA

Description: Failure to prevent a control valve malfunction resulting in unauthorized emissions

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Failure to prevent a tank overflow resulting in unauthorized emissions.

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

Description: Failure to provide preconstruction authorization number on final report.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC 1 PA

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Exceeded permit limits during an avoidable emissions event.

Effective Date: 11/19/2007 ADMINORDER 2006-0468-MLM-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. 39142, SC No. 1 PA

Description: Failed to prevent unauthorized emissions from Flare Nos. 2 and 3 (EPN EFL-02 and EFL-03) during an emissions event which occurred on October 13, 2005 in the Utilities Unit and lasted 2 hours and 15 minutes, as documented during a record review conducted on February 8, 2006. Since this emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Failed to prevent unauthorized emissions from Flare Nos. 2, 3 and 4 (EPN EFL-02, EFL-03 and EFL-04) during an emissions event which occurred on November 28, 2005 in the Utilities Unit and lasted 24 hours and 29 minutes, as documented during a record review conducted on January 25, 2006. Since this emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No. 39142, SC No. 1 PA

Description: Failed to prevent unauthorized emissions from the Incinerator Stack (EPN EG-18-1403) during an emissions event which occurred on September 20, 2005 in the Gas-Oil Hydrotreater (GOHT) Unit (PRU) and lasted 55 hours, as documented during an investigation conducted on November 29, 2005. Since this emissions event was avoidable, Valero failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142 PA

Description: Failed to prevent unauthorized emissions during a September 25, 2006 emissions event, as documented during a record review conducted on November 29, 2006. Specifically, during the September 25, 2006 emissions event the following unauthorized emissions were released from the No. 2 and No. 3 Flare over a period of fifty-five minutes: 2,101 lbs of sulfur dioxide, 328.5 lbs of volatile organic compounds, 191 lbs of carbon monoxide, and 26.4 lbs of nitrogen oxides.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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 D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Failed to prevent unauthorized emissions and failure to operate a flare with a flame present during an October 14, 2006 emissions event, as documented during a record review conducted on December 13, 2006. Specifically, on October 14, 2006 through October 15, 2006, over a period of 4 hours and 14 minutes, Flare No. 3 (EPN EFL-03) located in the Utilities Unit, emitted 1,333.4 lbs of ethylene and 1,394.5 lbs of propane. Flexible Air Permit No. 39142 does not authorize any upset emissions.

Effective Date: 06/19/2008 ADMINORDER 2007-1512-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: 39142, Special Condition No. 1 PERMIT

Description: As evidenced by Findings of Fact No. 3, Valero failed to prevent unauthorized emissions during a May 9, 2007 emissions event, in violation of Air Permit No. 39142, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to prevent an affirmative defense were not met.

Effective Date: 07/03/2008 ADMINORDER 2007-2039-AIR-E

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 39142, Special Condition No. 1 PERMIT

Description: Failed to maintain an emission rate below the maximum allowable emission limits from Boiler 27 [emission point number ("EPN EB-27")], Boiler 28 ("EPN EB-28"), No. 1 Flare Stack ("EPN EFL-01"), No. 2 Flare Stack ("EPN EFL-02"), No. 3 Flare Stack ("EPN EFL-03"), and No. 4 Flare Stack ("EPN EFL-04").

Effective Date: 12/04/2008 ADMINORDER 2008-0893-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: No. 39142, Special Condition No. 1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Effective Date: 02/08/2009 ADMINORDER 2008-1341-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 39142, Special Conditon No. 1 PERMIT

Description: Valero failed to maintain the lube oil level in the compressor mainframe reservoir.

Effective Date: 02/22/2009 ADMINORDER 2007-1234-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: #39142, SC #1 PA

Description: As evidenced by Findings of Fact No. 3, Valero failed to prevent unauthorized emissions during Incident Nos. 62478 and 62479, in violation of Air Permit No. 39142, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions were avoidable and excessive, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to prevent an affirmative defense were not met.

Effective Date: 08/23/2009 ADMINORDER 2007-1813-MLM-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Valero failed to prevent unauthorized emissions during a December 11, 2006 emissions event in the Topers Unit, No. 3 Crude Unit, Fluidized Catalytic Cracking Unit, Alkylation Unit, Utilities Unit, and the Delayed Coker Unit, in violation of Air Permit No. 39142, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC 1 PA

Description: Valero failed to prevent unauthorized emissions during a January 19, 2007 emissions event in the Fluidized Catalytic Cracking Unit, in violation of Air Permit No. 39142, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY Code § 382.085(b). Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PA

Description: Valero failed to prevent unauthorized emissions during an emissions event in the No. 1 and 2 Toppers Unit that started on January 28, 2007, in violation of Air Permit No. 39142, Special Condition No. 1, 40 CODE OF FEDERAL REGULATIONS § 60.18(b), 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 39142, SC No. 1 PERMIT

Description: Valero failed to prevent unauthorized emissions during a March 4, 2007 emissions event in the Sats Gas Unit, in violation of Air Permit No. 39142, Special Condition No. 1, 40 CODE OF FEDERAL REGULATIONS § 60.18(b), 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

Effective Date: 09/21/2009 ADMINORDER 2009-0448-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 39142, Special Conditon No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Failure to prevent Level Indicator LI-15142 on A-82 Vacuum Tower from malfunctioning.

Effective Date: 10/31/2009 ADMINORDER 2007-1413-AIR-E

Classification: Moderate
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)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: NSR 39142, SC 2A PERMIT
NSR 39142, SC 4A PERMIT
Title V O-01253, SC 1A OP
Title V O-01253, SC 22 OP

Description: Failed to maintain the net heating value of the gas being combusted by assisted flares at 300 British thermal units per standard cubic foot ("Btu/scf") or greater.

Classification: Moderate
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)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(7)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: NSR 39142, SC 2A PERMIT

NSR 39142, SC 4A PERMIT
Title V O-01253, SC 1A OP
Title V O-01253, SC 22 OP

Description: Failed to operate an assisted flare with an exit velocity of less than 60 feet per second ("ft/sec").

Classification: Moderate
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 THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: NSR 39142, SC 13C PERMIT
NSR 39142, SC 2A PERMIT
NSR 39142, SC 4A PERMIT
Title V O-01253, SC 1A OP
Title V O-01253, SC 22 OP

Description: Failed to operate flares with visible emissions not to exceed five minutes during any consecutive two hour period.

Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1566(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Title V O-01253, SC 1A OP

Description: Failed to maintain the daily-average combustion zone temperature of Reformer Heater H-REF2 above 1279.3 degrees Fahrenheit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: NSR 39142, SC 2C PERMIT
Title V O-01253, SC 1A OP
Title V O-01253, SC 22 OP

Description: Failed to prevent the discharge of sulfur dioxide ("SO2") to the atmosphere in excess of 250 parts per million ("ppm").

Effective Date: 01/28/2010 ADMINORDER 2009-1314-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 39142, Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. Valero failed to prevent a flashover on Gas Circuit Breaker #3 (GCB #3), which resulted in power loss at the refinery.

Effective Date: 08/09/2010 ADMINORDER 2010-0098-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 No. 1 PERMIT

Description: The Respondent is alleged to have failed to prevent unauthorized emissions during an emissions event that occurred on September 12, 2009 and failed to operate a flare with a flame present at all times. Specifically, the Respondent released 1,507.79 pounds of unauthorized volatile organic compounds from Flare No. 3 into the atmosphere during the thirty-five minute event (Incident No. 129326).

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	08/13/2005	(397699)
2	08/13/2005	(400189)
3	08/17/2005	(400929)
4	08/18/2005	(406027)
5	08/19/2005	(396740)
6	08/22/2005	(406017)
7	08/23/2005	(440846)
8	08/24/2005	(400925)
9	08/29/2005	(406800)
10	09/01/2005	(400337)
11	09/23/2005	(440847)
12	10/20/2005	(468457)
13	11/22/2005	(468458)
14	12/06/2005	(438942)
15	12/20/2005	(468459)
16	12/28/2005	(449585)
17	12/29/2005	(439223)
18	12/29/2005	(449459)
19	01/17/2006	(431818)
20	01/24/2006	(468460)
21	01/30/2006	(440131)
22	02/01/2006	(451967)
23	02/15/2006	(439989)
24	02/17/2006	(439355)
25	02/17/2006	(468454)
26	02/21/2006	(455248)
27	03/16/2006	(455002)
28	03/21/2006	(468455)
29	03/29/2006	(453666)
30	03/31/2006	(434168)
31	04/13/2006	(468456)
32	04/26/2006	(457610)
33	04/27/2006	(460539)
34	05/08/2006	(453710)
35	05/11/2006	(461750)
36	05/15/2006	(462815)
37	05/17/2006	(464808)
38	05/18/2006	(498220)
39	05/25/2006	(457878)
40	05/31/2006	(463733)
41	06/16/2006	(498221)
42	06/27/2006	(481343)
43	06/30/2006	(462803)
44	06/30/2006	(462898)
45	06/30/2006	(481516)
46	06/30/2006	(483867)
47	07/06/2006	(482247)
48	07/14/2006	(486365)
49	07/15/2006	(486391)
50	07/17/2006	(479861)
51	07/18/2006	(498222)
52	07/19/2006	(482178)
53	07/19/2006	(483638)
54	07/19/2006	(483715)
55	07/21/2006	(487175)
56	07/21/2006	(487390)
57	07/21/2006	(487892)
58	07/25/2006	(488179)
59	07/26/2006	(462901)

60	07/26/2006	(482594)
61	08/10/2006	(520234)
62	08/25/2006	(488734)
63	09/01/2006	(466735)
64	09/01/2006	(466736)
65	09/01/2006	(478491)
66	09/01/2006	(478556)
67	09/01/2006	(478638)
68	09/01/2006	(487342)
69	09/01/2006	(487896)
70	09/01/2006	(488020)
71	09/01/2006	(488032)
72	09/01/2006	(488134)
73	09/01/2006	(488176)
74	09/01/2006	(488191)
75	09/01/2006	(488541)
76	09/01/2006	(488559)
77	09/01/2006	(488624)
78	09/01/2006	(488633)
79	09/01/2006	(488740)
80	09/01/2006	(488979)
81	09/01/2006	(489434)
82	09/01/2006	(489467)
83	09/01/2006	(489815)
84	09/01/2006	(489837)
85	09/01/2006	(489863)
86	09/01/2006	(489866)
87	09/01/2006	(490185)
88	09/01/2006	(508690)
89	09/01/2006	(509158)
90	09/01/2006	(509713)
91	09/01/2006	(509730)
92	09/01/2006	(509756)
93	09/01/2006	(509784)
94	09/18/2006	(520235)
95	09/27/2006	(512555)
96	09/28/2006	(509876)
97	10/11/2006	(514061)
98	10/19/2006	(520236)
99	10/23/2006	(512981)
100	10/31/2006	(517239)
101	11/07/2006	(516594)
102	11/13/2006	(518837)
103	11/15/2006	(519473)
104	11/15/2006	(544546)
105	11/21/2006	(519775)
106	12/13/2006	(544547)
107	12/18/2006	(345058)
108	12/21/2006	(532369)
109	12/21/2006	(532370)
110	01/16/2007	(534075)
111	01/19/2007	(532751)
112	01/19/2007	(544548)
113	02/07/2007	(536972)
114	02/09/2007	(534096)
115	02/14/2007	(544545)
116	03/15/2007	(531898)
117	03/15/2007	(533196)
118	03/15/2007	(575352)
119	03/23/2007	(543996)

120	04/02/2007	(539574)
121	04/05/2007	(543902)
122	04/09/2007	(543124)
123	04/09/2007	(555314)
124	04/10/2007	(543795)
125	04/11/2007	(556037)
126	04/11/2007	(556038)
127	04/17/2007	(575353)
128	04/30/2007	(556603)
129	04/30/2007	(556624)
130	04/30/2007	(557962)
131	05/08/2007	(555995)
132	05/10/2007	(559617)
133	05/10/2007	(559619)
134	05/10/2007	(559620)
135	05/11/2007	(558768)
136	05/14/2007	(555999)
137	05/14/2007	(558769)
138	05/14/2007	(559618)
139	05/20/2007	(575354)
140	05/31/2007	(542320)
141	06/01/2007	(561100)
142	06/04/2007	(561098)
143	06/20/2007	(575355)
144	06/22/2007	(561101)
145	07/03/2007	(566302)
146	07/09/2007	(564575)
147	07/11/2007	(431249)
148	07/20/2007	(575356)
149	07/23/2007	(531864)
150	07/31/2007	(564508)
151	08/10/2007	(512666)
152	08/10/2007	(564206)
153	08/10/2007	(564225)
154	08/20/2007	(607555)
155	08/24/2007	(570706)
156	08/24/2007	(570707)
157	09/20/2007	(607556)
158	10/02/2007	(572268)
159	10/05/2007	(572254)
160	10/05/2007	(595008)
161	10/09/2007	(594109)
162	10/10/2007	(595720)
163	10/11/2007	(567830)
164	10/11/2007	(568141)
165	10/11/2007	(568182)
166	10/11/2007	(568234)
167	10/11/2007	(593936)
168	10/12/2007	(572190)
169	10/12/2007	(572204)
170	10/12/2007	(572244)
171	10/15/2007	(593466)
172	10/16/2007	(568501)
173	10/17/2007	(595009)
174	10/19/2007	(607557)
175	11/15/2007	(619522)
176	11/16/2007	(568445)
177	11/19/2007	(571858)
178	11/19/2007	(595089)
179	11/19/2007	(597629)

180	11/19/2007	(597934)
181	11/19/2007	(598398)
182	11/27/2007	(571671)
183	12/05/2007	(609936)
184	12/17/2007	(619523)
185	12/21/2007	(600245)
186	01/18/2008	(619524)
187	01/30/2008	(613666)
188	02/20/2008	(672044)
189	03/03/2008	(637489)
190	03/14/2008	(672045)
191	03/25/2008	(616898)
192	04/18/2008	(672046)
193	04/25/2008	(636923)
194	05/15/2008	(637714)
195	05/16/2008	(689958)
196	05/23/2008	(638602)
197	06/06/2008	(682334)
198	06/19/2008	(689959)
199	07/07/2008	(657176)
200	07/08/2008	(670867)
201	07/18/2008	(689960)
202	07/21/2008	(682766)
203	07/21/2008	(684727)
204	07/30/2008	(687563)
205	08/11/2008	(688850)
206	08/14/2008	(710740)
207	08/18/2008	(687788)
208	09/19/2008	(710741)
209	09/20/2008	(686586)
210	10/16/2008	(671077)
211	10/16/2008	(671086)
212	10/17/2008	(710742)
213	10/24/2008	(687335)
214	10/27/2008	(686049)
215	10/27/2008	(686129)
216	10/27/2008	(686138)
217	10/28/2008	(686938)
218	10/29/2008	(686783)
219	10/29/2008	(686930)
220	11/17/2008	(727485)
221	11/20/2008	(703368)
222	12/08/2008	(687448)
223	12/15/2008	(686189)
224	12/15/2008	(721180)
225	12/16/2008	(701325)
226	12/17/2008	(700705)
227	12/17/2008	(701512)
228	12/17/2008	(703349)
229	12/18/2008	(727486)
230	12/18/2008	(727487)
231	01/06/2009	(689065)
232	01/06/2009	(706089)
233	01/20/2009	(706090)
234	02/04/2009	(704245)
235	02/04/2009	(725522)
236	02/05/2009	(723030)
237	02/12/2009	(684569)
238	02/16/2009	(700894)
239	02/16/2009	(726273)

240	02/16/2009	(750275)
241	02/20/2009	(702755)
242	03/11/2009	(750276)
243	03/18/2009	(726731)
244	03/20/2009	(725138)
245	03/27/2009	(726604)
246	04/10/2009	(741302)
247	04/16/2009	(750277)
248	04/24/2009	(739887)
249	05/04/2009	(741618)
250	05/12/2009	(768371)
251	05/12/2009	(768373)
252	05/18/2009	(742104)
253	05/18/2009	(742106)
254	05/19/2009	(704309)
255	06/10/2009	(747592)
256	06/12/2009	(768372)
257	06/15/2009	(749180)
258	07/16/2009	(749643)
259	07/21/2009	(745746)
260	07/21/2009	(747426)
261	07/21/2009	(747606)
262	07/21/2009	(747870)
263	07/21/2009	(747871)
264	07/21/2009	(748463)
265	07/21/2009	(749055)
266	07/21/2009	(749736)
267	07/24/2009	(747873)
268	07/27/2009	(748462)
269	08/04/2009	(746919)
270	08/04/2009	(763276)
271	08/12/2009	(747867)
272	08/13/2009	(741161)
273	08/13/2009	(747864)
274	08/13/2009	(765709)
275	08/14/2009	(759251)
276	08/14/2009	(765330)
277	08/20/2009	(804672)
278	08/21/2009	(759999)
279	08/28/2009	(765498)
280	09/02/2009	(748460)
281	09/02/2009	(761012)
282	09/04/2009	(749814)
283	09/16/2009	(762161)
284	09/17/2009	(749687)
285	09/17/2009	(804673)
286	09/28/2009	(748457)
287	10/08/2009	(760318)
288	10/12/2009	(763115)
289	10/20/2009	(804674)
290	10/21/2009	(565970)
291	11/19/2009	(804675)
292	11/20/2009	(747602)
293	11/23/2009	(779180)
294	12/17/2009	(804676)
295	12/22/2009	(786019)
296	12/23/2009	(781696)
297	12/23/2009	(781948)
298	01/05/2010	(782111)
299	01/05/2010	(782355)

300	01/06/2010	(784275)
301	01/15/2010	(785848)
302	01/15/2010	(785874)
303	01/15/2010	(804677)
304	01/22/2010	(747282)
305	01/26/2010	(788199)
306	01/26/2010	(788690)
307	01/26/2010	(788810)
308	01/26/2010	(788823)
309	01/27/2010	(788843)
310	01/27/2010	(788914)
311	01/29/2010	(785853)
312	02/15/2010	(804671)
313	02/19/2010	(792191)
314	02/25/2010	(747260)
315	03/12/2010	(830889)
316	03/19/2010	(794550)
317	03/31/2010	(794262)
318	03/31/2010	(794855)
319	04/20/2010	(830890)
320	05/10/2010	(801088)
321	05/10/2010	(801143)
322	05/18/2010	(801800)
323	05/19/2010	(830891)
324	05/21/2010	(793343)
325	05/24/2010	(786834)
326	05/24/2010	(802297)
327	05/25/2010	(797648)
328	05/28/2010	(824427)
329	06/17/2010	(799677)
330	06/18/2010	(846271)
331	06/21/2010	(800153)
332	06/23/2010	(799678)
333	07/01/2010	(825360)
334	07/06/2010	(825288)
335	07/15/2010	(828774)
336	07/20/2010	(826313)
337	07/27/2010	(801557)
338	07/28/2010	(826312)
339	08/02/2010	(826315)
340	08/09/2010	(843653)

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

Date: 10/31/2005 (468458) CN600127468
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/2005 (468459) CN600127468
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2005 (468460) CN600127468
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 01/31/2006 (451967) CN600127468

Self Report? NO Classification: Moderate

Citation: No. 00449-000 Page 7, No. 2g PERMIT
TWC Chapter 26 26.121(a)(1)

Description: Failure to prevent unauthorized discharges of solids and oil into waters of the State.

Self Report? NO Classification: Moderate

Citation: 00449-000 Page 2, No. 1 & Page 2d, no. 1 PERMIT
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to maintain compliance with the self-monitored, permitted effluent limits for Total Suspended Solids, Oil & Grease, and Total Zinc.

Date: 02/21/2006 (455248)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 39142 PA

Description: Exceeded permit limits during an avoidable emissons event.

Date: 04/30/2006 (498220) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 06/30/2006 (481516) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
39142, SC No. 1 PA
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions from flaring.

Date: 06/30/2006 (483867) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(2)

Description: RE exceeded the NH3 emission limit of 10 ppm set forth in 30 TAC 117.206(e)(2).

Date: 09/29/2006 (509876) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
39142, SC No. 1 PA
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Exceeded permit limits during an avoidable emissions event.

Date: 01/31/2007 (544545) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 03/31/2007 (575353) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 04/04/2007 (539574) CN600127468

Self Report? NO Classification: Moderate

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

39142, SC No. 1 PA
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Exceeded permit limits during an avoidable emissions event.

Date: 04/10/2007 (543996) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
39142, SC No. 1 PA
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Exceeded permit limits during an avoidable emissions event.

Date: 06/04/2007 (561098) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
39142, SC No. 1 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to exercise good maintenance practices.

Date: 06/30/2007 (575356) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 07/31/2007 (607555) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 10/31/2007 (619522) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 01/16/2008 (567857) CN600127468

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 THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253; SC 1.A. OP

Description: failed to submit written notification of the performance test for Boiler B-26 within 15 days after the testing was conducted on December 13, 2005

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253, SC 1A OP

Description: failed to submit written notification of the continuous emissions monitoring system (CEMS) relative accuracy test audit (RATA) within 15 days after the testing was conducted

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253; SC 1.A. OP

Description: failed to maintain records of hours of operation for Engines DE-07, DE-08, DE-24, and DE-27

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Title V O-01253; SC 1.A. OP

Description: failed to maintain records of each time the engine is operated for testing and maintenance for Engines

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253: SC 1.A. OP

Description: failed to meet the CO emission limit of 3.0 g/hp-hr for Engines

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253; SC 21. OP

Description: failed to conduct monthly opacity observations for Stacks

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 THC Chapter 382, SubChapter D 382.085(b)
NSR 39142; SC 13.D. PERMIT
Title V O-01253; SC 22. OP

Description: failed to retain records of the vent stream flows to flares

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 117, SubChapter B 117.340(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253; SC 1.A. OP

Description: failed to install O2 CEMS for H-13-1421 by the deadline of March 31, 2005

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 117, SubChapter B 117.340(e)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253; SC 1.A. OP

Description: failed to install CO CEMS for H-13-1421 by the deadline of March 31, 2005 as specified in 30 TAC 117.9020(2)(A)(i)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253; SC 1.A. & 10.F. OP

Description: failed to continuously monitor CO and NOx emissions from Heater H-13-1480 on December 12, 2005

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1572(c)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253; SC 1.A. OP

Description: failed to have valid hourly average data of SO2 emissions

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01253; SC 1.A. OP

Description: failed to properly perform fugitive monitoring of components in highly-reactive volatile organic compound (HRVOC) in September 2005

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1A OP

Description: failed to maintain the firing rate limits, which were established as a surrogate parameter to the CO emission limit of 400 ppmvd, for Boilers B-7 and B-11

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1.M.(i) OP

Description: failed to meet the hourly firing rate limits for boilers and heaters
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(b)(1)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 16.D. OP

Description: failed to notify the Administrator in writing of the intention to conduct performance tests for Boilers B-27 and B-28
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1.A. OP

Description: failed to follow the operating restrictions between 6 a.m. and noon for engines
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter G 117.8040(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1.A. OP

Description: failed to conduct quarterly sampling for NOx and CO emissions from Engines DE-27 and DE-34
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1.A. OP

Description: failed to install a totalizing fuel flow meter on Engine DE-27
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
5C THSC Chapter 382 382.085(b)
NSR Permit 39142, SC 16.H. PERMIT
Title V Permit O-01253, SC 1.A. OP
Title V Permit O-01253, SC 22. OP

Description: failed to repair eight valves and one flange within 15 calendar days
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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
NSR Permit 39142, SC 16.E. PERMIT
Title V Permit O-01253, SC 1.A, OP
Title V Permit O-01253, SC 22. OP

Description: failed to equip eleven open-ended lines with a plug, a cap, or a second valve.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1.A. OP

Description: failed to conduct monthly visual or physical inspections on 28 process drains
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(c)(6)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1.A. OP

Description: failed to conduct monthly monitoring on three pumps in light liquid service
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1.A. OP

Description: failed to take manual samples for flares
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(c)(1)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1.A. OP

Description: failed to continuously monitor the Fluidized Catalytic Cracking Unit (FCCU) Coke Burn Rate
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)
NSR Permit 39142, SC 67 PERMIT
Title V Permit O-01253, SC 22 OP

Description: failed to keep records of the opacity of emissions from the fluid catalytic cracking unit (FCCU) scrubber stack G-001 on May 14, 2006
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1A OP

Description: failed to maintain a gauge/sample hatch on Tank T-321 sealed completely
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.48b(e)(2)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1A OP

Description:) failed to use the span value of 500 ppm for nitrogen oxides on the North Cogen (B-15/T-252) continuous emission monitoring system
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1576(d)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1A OP

Description: failed to keep records required by Table 21 for catalytic reforming unit
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(e)
5C THSC Chapter 382 382.085(b)

Title V Permit O-01253, SC 1A OP

Description: failed to continuously monitor H2S content in the plant fuel gas system
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1A OP

Description: failed to develop, implement, and follow a written quality assurance plan for monitoring requirements relating to HRVOV vent gas control for flares
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 QQQ 60.695(a)(1)
5C THSC Chapter 382 382.085(b)
NSR Permit 39142, SC 79 PERMIT
Title V Permit O-01253, SC 1A OP
Title V Permit O-01253, SC 22 OP

Description: failed to continuously measure and record the exhaust gas temperature of the South Plant Tail Gas Incinerator G-193 for one hour
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1569(c)(1)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1A OP

Description: failed to demonstrate continuous compliance with the work practice standards
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)
NSR Permit 39142, SC 79 PERMIT
Title V Permit O-01253, SC 22 OP

Description: failed to keep records of the flame temperature of sulfur recovery unit (SRU) thermal reactors

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)
NSR Permit 39142, SC 79 PERMIT
Title V Permit O-01253, SC 22 OP

Description: failed to keep records of the Sulfur Pit Sweep data

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)
NSR Permit 39142, SC 34 PERMIT
Title V Permit O-01253, SC 22 OP

Description: failed to maintain the pH of the FCCU caustic scrubbing solution between 8.0 and 9.0

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.107(e)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1A OP

Description: failed to include excess emissions details for the GOHT SRU/TGU and the South Plant SRU/TGU in the submittal dated April 28, 2006

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1572(c)(1)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01253, SC 1A OP

Description: failed to maintain the continuous parameter monitoring system for the GOHT Tail Gas Incinerator

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
5C THSC Chapter 382 382.085(b)

Title V Permit O-01253, SC 1A OP

Description: failed to provide notification of start of construction for Reformate Tank T-569 within 30 days following the start of the construction

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1576(d)
5C THSC Chapter 382 382.085(b)
NSR Permit 39142, SC 48 PERMIT
Title V Permit O-01253, SC 1A OP
Title V Permit O-01253, SC 22 OP

Description: failed to maintain Scrubbing Liquid pH Data or Scrubbing Liquid to Gas Flow Ratio Data for VC-50

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)
Title V Permit O-01253, General Terms OP

Description: failed to report all instances of deviations in the deviation reports

Date: 07/09/2008 (670867)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)

Description: Failure to identify the permit number in the Final Report.

Date: 08/11/2008 (688850) CN600127468

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)
5C THSC Chapter 382 382.085(b)
FOP O-01253, Special Term & Condition 1A OP
FOP O-01253, Special Term & Condition 22 OP
Permit 39142, Special Condition 5D PERMIT
Description: Failure to perform primary seal inspections to Tank 478.

Date: 12/08/2008 (687448) CN600127468
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 Kb 60.113b(a)(4)
5C THSC Chapter 382 382.085(b)
FOP O-01253 SC 30A OP
NSR 39142 SC 5 PERMIT
Description: Failure to conduct an inspection of the primary seals for the internal floating roof of tank T-301 at least every ten years.

Date: 01/06/2009 (706089)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
39142, Special Condition No. 1 PERMIT
5C THSC Chapter 382 382.085(b)
Description: Valero failed to prevent the No. 4 Flare from losing its pilots
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Description: Valero failed to operate the No. 4 Flare with a flame present at all times.

Date: 04/29/2009 (738921) CN600127468
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THSC Chapter 382 382.085(a)
Description: During the investigation on March 6, 2009, it was determined by Investigators Lawdermilk and Whelan that the dust from the Valero Refining Texas City Refinery contractor parking lot, between 16th and 17th Streets, Texas Avenue created a "nuisance" condition.

Date: 09/17/2009 (749687) CN600127468
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Valero Texas City failed to properly degas Tank 447 from 11/28/2007 through 12/03/2007.

Date: 10/31/2009 (804675) CN600127468
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 01/15/2010 (785848) CN600127468
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT
Description: Failure to prevent unauthorized emissions. Valero failed to prevent the shutdown of the Train 1 Flare Gas Recovery System during maintenance activities.

Date: 01/29/2010 (785853) CN600127468

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT

Description: Valero failed to maintain a flame on the No. 2 Flare Stack at all times.

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)

Description: Valero failed to maintain a flame on the No. 2 Flare Stack at all times.

Date: 02/25/2010 (747260) CN600127468

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(v)
5C THSC Chapter 382 382.085(b)
FOP O-01253 STC 1A OP

Description: Valero failed to update the Startup, Shutdown, Malfunction Plan (SSMP) at the reforming unit and FCCU Belco Scrubber.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
GTC OP
STC 3. A (iv) and 3. B (iv) OP

Description: Valero failed to conduct periodic monitoring of stationary vents subject to the periodic monitoring requirements.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Valero failed to cover a degreaser during monthly inspections.

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)
STC 1H OP

Description: Valero failed to take manual sample when an analyzer on flare FL-5 and failed to calibrate flow meter probe on flare FL-2.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01253 STC 30 OP
NSR 39142 SC 12D PERMIT

Description: Valero failed to operate flare flow monitors when the flow monitors at FL-3 and FL-4 were taken out of service for maintenance activities.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1564(b)(1)
5C THSC Chapter 382 382.085(b)
SC 33 PERMIT
STC 1A OP
STC SC 30 OP

Description: Valero failed to record and maintain data due to problems with Aspen systems when the FCCU scrubber (G-001) pH, flow rate, and coke burn rate data were lost due to DCS problems.

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)
SC 33 PERMIT
STC 30 OP

Description: Valero failed to operate within the required concentration limit when the FCCU scrubber concentration was not between 8.0 and 9.0 during off-line CEM times.

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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
SC 13E PERMIT
SC 14E PERMIT

Description: Valero failed to cap 399 open-ended lines at various units across the refinery. Violation Category C10.

Self Report? NO Classification: Moderate
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 VV 60.482-7(d)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
5C THSC Chapter 382 382.085(b)
SC 14H PERMIT
STC 1A OP
STC 30 OP

Description: Valero failed to comply with the first repair attempt and final repair timeline requirements for fugitive components.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)
5C THSC Chapter 382 382.085(b)
STC 1H (iv) OP

Description: Valero failed to operate Cooling Tower No. 4 (CT-4) flow meter 95% of the time.

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 28A PERMIT
STC 30 OP

Description: Valero failed to sample SRU for ammonia.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.345(f)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Valero failed to operate diesel engine DE-27 within the allowable limits when it exceeded its exemption limit of hours on a 12 month basis.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Valero failed to operate diesel engines during authorized time periods.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
SC 20 PERMIT
STC 30 OP

Description: Valero failed to operate Gasoil Hydrotreater (GOHT) Sulfur Recovery unit (SRU) incinerator within the required temperature limit (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 J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)

Description: Valero failed to operate the fuel gas system within the allowable H2S limit of 0.1 grains per dry standard cubic feet (gr/dscf).

Date: 06/23/2010 (799678) CN600127468

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
5C THSC Chapter 382 382.085(b)

Description: Valero failed to report the unplanned maintenance on Exchanger E-1328 prior to the maintenance activity.

Date: 07/01/2010 (825360)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
5C THSC Chapter 382 382.085(b)

Description: Valero failed to provide prior notification to the TCEQ of unplanned maintenance activity.

Date: 07/06/2010 (825288)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
5C THSC Chapter 382 382.085(b)

Description: Valero failed to provide prior notification to the TCEQ of unplanned maintenance activity.

F. Environmental audits.

Notice of Intent Date: 06/02/2008 (684099)

No DOV Associated

Notice of Intent Date: 08/29/2008 (704521)

No DOV Associated

Notice of Intent Date: 01/12/2009 (735551)

No DOV Associated

Notice of Intent Date: 01/24/2010 (797835)

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

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 10.27
Regulated Entity:	RN100219310	VALERO REFINING HOUSTON REFINERY	Classification: AVERAGE	Site Rating: 43

ID Number(s):			
	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0130C
	AIR OPERATING PERMITS	PERMIT	1381
	AIR OPERATING PERMITS	PERMIT	2951
	AIR NEW SOURCE PERMITS	REGISTRATION	92272
	AIR NEW SOURCE PERMITS	REGISTRATION	36395
	AIR NEW SOURCE PERMITS	REGISTRATION	36394
	AIR NEW SOURCE PERMITS	REGISTRATION	36392
	AIR NEW SOURCE PERMITS	REGISTRATION	37103
	AIR NEW SOURCE PERMITS	REGISTRATION	37102
	AIR NEW SOURCE PERMITS	REGISTRATION	37101
	AIR NEW SOURCE PERMITS	REGISTRATION	38961
	AIR NEW SOURCE PERMITS	REGISTRATION	40306
	AIR NEW SOURCE PERMITS	REGISTRATION	41495
	AIR NEW SOURCE PERMITS	REGISTRATION	42119
	AIR NEW SOURCE PERMITS	REGISTRATION	42999
	AIR NEW SOURCE PERMITS	REGISTRATION	44387
	AIR NEW SOURCE PERMITS	REGISTRATION	45273
	AIR NEW SOURCE PERMITS	REGISTRATION	45869
	AIR NEW SOURCE PERMITS	REGISTRATION	46784
	AIR NEW SOURCE PERMITS	PERMIT	47004
	AIR NEW SOURCE PERMITS	REGISTRATION	47166
	AIR NEW SOURCE PERMITS	REGISTRATION	48166
	AIR NEW SOURCE PERMITS	REGISTRATION	50138
	AIR NEW SOURCE PERMITS	REGISTRATION	50232
	AIR NEW SOURCE PERMITS	PERMIT	8483A
	AIR NEW SOURCE PERMITS	PERMIT	2501A
	AIR NEW SOURCE PERMITS	PERMIT	7144A
	AIR NEW SOURCE PERMITS	PERMIT	7158A
	AIR NEW SOURCE PERMITS	REGISTRATION	71919
	AIR NEW SOURCE PERMITS	REGISTRATION	33933
	AIR NEW SOURCE PERMITS	REGISTRATION	34151
	AIR NEW SOURCE PERMITS	REGISTRATION	34119
	AIR NEW SOURCE PERMITS	REGISTRATION	34094
	AIR NEW SOURCE PERMITS	REGISTRATION	33180
	AIR NEW SOURCE PERMITS	REGISTRATION	33383
	AIR NEW SOURCE PERMITS	REGISTRATION	28324
	AIR NEW SOURCE PERMITS	PERMIT	19637
	AIR NEW SOURCE PERMITS	PERMIT	19294
	AIR NEW SOURCE PERMITS	REGISTRATION	10580A
	AIR NEW SOURCE PERMITS	PERMIT	2507A
	AIR NEW SOURCE PERMITS	PERMIT	2498A
	AIR NEW SOURCE PERMITS	REGISTRATION	10471A
	AIR NEW SOURCE PERMITS	REGISTRATION	13020A
	AIR NEW SOURCE PERMITS	REGISTRATION	36390
	AIR NEW SOURCE PERMITS	REGISTRATION	35206
	AIR NEW SOURCE PERMITS	REGISTRATION	55752
	AIR NEW SOURCE PERMITS	PERMIT	48982
	AIR NEW SOURCE PERMITS	REGISTRATION	75514
	AIR NEW SOURCE PERMITS	AFS NUM	4820100065
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0130C

AIR NEW SOURCE PERMITS	REGISTRATION	70289
AIR NEW SOURCE PERMITS	PERMIT	71281
AIR NEW SOURCE PERMITS	REGISTRATION	50600
AIR NEW SOURCE PERMITS	REGISTRATION	54510
AIR NEW SOURCE PERMITS	REGISTRATION	56205
AIR NEW SOURCE PERMITS	REGISTRATION	54616
AIR NEW SOURCE PERMITS	REGISTRATION	71680
AIR NEW SOURCE PERMITS	REGISTRATION	54513
AIR NEW SOURCE PERMITS	REGISTRATION	73824
AIR NEW SOURCE PERMITS	REGISTRATION	73902
AIR NEW SOURCE PERMITS	REGISTRATION	73869
AIR NEW SOURCE PERMITS	REGISTRATION	74363
AIR NEW SOURCE PERMITS	REGISTRATION	76694
AIR NEW SOURCE PERMITS	REGISTRATION	78537
AIR NEW SOURCE PERMITS	REGISTRATION	78574
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1087
AIR NEW SOURCE PERMITS	PERMIT	80493
AIR NEW SOURCE PERMITS	REGISTRATION	81166
AIR NEW SOURCE PERMITS	REGISTRATION	81526
AIR NEW SOURCE PERMITS	REGISTRATION	81979
AIR NEW SOURCE PERMITS	REGISTRATION	84930
AIR NEW SOURCE PERMITS	REGISTRATION	88508
AIR NEW SOURCE PERMITS	REGISTRATION	87909
AIR NEW SOURCE PERMITS	REGISTRATION	85583
AIR NEW SOURCE PERMITS	REGISTRATION	86148
AIR NEW SOURCE PERMITS	REGISTRATION	86875
AIR NEW SOURCE PERMITS	REGISTRATION	86142
AIR NEW SOURCE PERMITS	REGISTRATION	86293
AIR NEW SOURCE PERMITS	REGISTRATION	83749
AIR NEW SOURCE PERMITS	EPA ID	P767M2
AIR NEW SOURCE PERMITS	REGISTRATION	82694
AIR NEW SOURCE PERMITS	EPA ID	P767M1
AIR NEW SOURCE PERMITS	EPA ID	P767
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD053624193
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30520
WASTEWATER	PERMIT	WQ0000535000
WASTEWATER	PERMIT	TPDES0002976
WASTEWATER	PERMIT	TX0002976
STORMWATER	PERMIT	TXR05K869
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30520
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0130C

Location: 9701 MANCHESTER ST, HOUSTON, TX, 77012

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 07, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 07, 2005 to June 07, 2010

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

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

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 11/23/2005 **COURTORDER**

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
Rqmt Prov: 2501A PA
Description: Failure to comply with the allowable emission limit (SC1) detected during a reference method stack test performed on March 13, 2002.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 19637/PSD-TX-767M2, Special Condition 4 PA
Description: Failure to maintain the refinery-gas sulfur content to below the permit allowable limit of 10 grains per 100 dry standard cubic foot.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 2498A, Special Condition 4 PA
Description: Failure to comply with the permitted fuel-gas sulfur content limit of 0.1 grain per dry standard cubic foot as required in TCEQ Permit No. 2498A, Special Condition 4.

Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206
Description: Failure to comply with the operating restrictions for stationary diesel engines located in the Houston/Galveston ozone nonattaiment area by operating the firewater pumps for testing and maintenance purposes between the restricted hours of 6:00 a.m. and noon.

Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)
Description: Failure to include the date(s) of operation and the total hours of operation for each month and for the most recent 12 consecutive months, in the operating records for the firewater pumps.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
Rqmt Prov: Special Condition 2 PERMIT
Description: Failure to maintain the fuel-gas hydrogen sulfide content to below the allowable limit of 0.10 grain per dry standard cubic foot.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)
Description: The open-ended valves next to components 42154, 42115, and 4290 had no cap, blind flange, or second valve and the open-ended line between valve 42101 and 4299 was unsealed.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Part 63, Subpart CC 63.654(h)(1)
Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include in the August 27, 2002 and February 26, 2003 Refinery MACT Periodic Reports for the Startup, Shutdown and Malfunction Plan, all flare pilot light outages.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(i)

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to include all valves for which there were leaks and the total valves monitored in the periodic report required by 30 TEX. ADMIN. CODE § 101.20(2), 40 CFR § 63.182(d)(2)(i).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)(iii)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: Special Condition 4J PERMIT

Description: During the investigation conducted on March 26, 2003, it was determined that the regulated entity failed to make records of gas/hydraulic testing on new/reworked piping available upon request to a local air pollution control agency having jurisdiction over the site.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the authorized emissions limitations of 74.8 lbs/hr for volatile organic compounds (VOC), 3.7 lbs/hr for oxides of nitrogen (NOx), and 26.8 lbs/hr for carbon monoxide (CO).

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)

Description: Failure to install a continuous monitoring system to measure and record sulfur dioxide emissions from a fuel-gas combustion device.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the authorized emissions limitations of 1.36 lbs/hr for volatile organic compounds (VOC), 0.26 lbs/hr for oxides of nitrogen (NOx), and 1.34 lbs/hr for carbon monoxide (CO).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(B)

Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fludized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
Rqmt Prov: SC1 PERMIT

Description: Failure to comply with the allowable emission limit detected during a reference method stack test.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:18 a.m. was 45.76%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 10:06 a.m. was 46.03%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 p.m. was 40.15%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 7:06 p.m. was 63.5%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 8:36 p.m. was 42.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 9:30 p.m. was 53.8%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The

average opacity starting at 11:48 a.m. was 41.3%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 2:30 p.m. was 39.7%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 5:54 p.m. was 38.65%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 6:00 a.m. was 72.72%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent opacity of emissions in excess of 20%, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. The average opacity starting at 1:12 p.m. was 100%. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to prevent more than 20% opacity of emissions, from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001), averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 [30 TEX. ADMIN. CODE Chapter 116.5(c)].

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

Rqmt Prov: 1 PERMIT

Description: Violation of permit special condition.

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

Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

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

Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

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

Description: Failure to meet the initial reporting requirements involving Valeros Refining - Texas, L.P. (VHR) authorized limits.

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

Description: Failure to meet the reporting requirements that Valero Refining-Texas L.P. submit the proper authorized emissions limits in the final record for a facility involved in an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2507A.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all acid gas shall be routed to the SRU.

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

Description: Failure to report the correct facility in the initial notification.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to report the correct facility in the final record.

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

Description: Failure to report the correct facility in the initial notification.

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

Description: Failure to submit an opacity event notification in a timely manner after an initial maintenance notification's opacity estimate was exceeded.

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

Description: Failure to submit an initial notification with the proper authorized emissions limitations.

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

Description: Failure to indicate the proper authorized limits for the emissions event in the final records submitted to the BAQC.

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

Description: Failure to list the correct facility for each pollutant released during this emissions event in the initial notification.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to list the proper facility in the final record from which each pollutant originated.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the authorized limits in the Maximum Allowable Emissions Rates Table.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: The regulated entity (RE) allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) to exceed 20 percent averaged over a six-minute period. This is violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(6)

Description: Failure to have the duration for the excess opacity event in the notification. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(6).

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(7)

Description: Failure to submit the correct opacity estimate in the submittal of an excess opacity event. This is a violation of 30 TEX. ADMIN. CODE Chapter 101.201(E)(7).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20 percent averaged over a six-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A & 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A. For the FCC flare see additional discussion for emissions, limits, dates, and durations, for each incident.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, which specifies that all refinery acid gas shall be routed to the SRU. This occurred 5 times for a total duration of 4 hours and 56 minutes.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to keep the allowed opacity of emissions from the Fluidized Catalytic Cracking Unit (FCCU) Stack (Emission Point Number 42CB2001) from exceeding 20% averaged over a 6-minute period. This is a violation of TCEQ Air Permit No. 2501A, Special Condition No. 2 (30 TEX. ADMIN. CODE Chapter 116.115(c)). (Section 4)

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
Rqmt Prov: 40 CFR 60.104(a)(1) PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS). The FCC flare, a fuel-gas combustion device combusted fuel gas with a hydrogen sulfide (H2S) content exceeding 0.10 grain (gr) per dry standard cubic foot (dscf). The H2S content was 27.1 grs/dscf for a duration of 4 hours and 56 minutes.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No, 2501A & 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

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

Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
Rqmt Prov: 40 CFR 60.104(a)(1) PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

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

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

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

Description: Failure to meet the final reporting requirements that Valero Refining - Texas L.P. identify the authorized emissions limits for the facility involved in the emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to a flare instead of the sulfur recovery unit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A and 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
Rqmt Prov: 40 CFR 60.104(a)(1) PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per dry standard cubic foot of hydrogen sulfide at the FCC Flare EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.648(c)
40 CFR Part 63, Subpart H 63.167

Rqmt Prov: 2501A PERMIT

Description: Failure to equip three open-ended valves with a second valve, plug, cap or a blind. Those valves are in organic hazardous air pollutant (HAP) service because they contain or contact a fluid that is at least 5 percent by weight of total organic HAPs and subject to MACT regulations.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.355(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.648(c)(1)
40 CFR Part 63, Subpart H 63.180(b)

Rqmt Prov: 2501A PERMIT

Description: Failure to perform fugitive monitoring, at the FCC unit, in accordance with 40 CFR 60, Appendix A, Reference Method 21.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart CC 63.654(d)(1)
40 CFR Part 63, Subpart H 63.182(d)

Rqmt Prov: 2501A PERMIT

Description: Failure to report two leaking pumps as delay of repair components in the MACT Subpart CC semi-annual report dated January 27, 2004.

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

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

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

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event.

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to meet the final reporting requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

Description: Failure to meet the initial notification requirements that Valero Refining - Texas L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of air contaminants. See additional discussion for emissions, limits, and duration.

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the correct facility which incurred the emissions event.

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

Description: Failure to meet initial notification requirements that Valero Refining - Texas L.P. submit the initial notification as soon as practicable, but not later than 24 hours after the discovery of an emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)

Description: Failure to meet final record requirements that Valero Refining - Texas L.P. submit the final record as soon as practicable, but not later than two weeks after the end of an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Permit Air Nos. 2501A and 2507A for the Fluid Catalytic Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Description: Failure to comply with applicable New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grains per standard cubic foot of hydrogen sulfide at the FCC Flare (EPN 30 FL 5).

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PERMIT

Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to FCC Flare (EPN 30 FL 5) instead of processing it in the sulfur recovery unit.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Regenerator Stack.

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

Description: Failure to submit authorization (rule or permit number) in the final record of emissions event that occurred on February 23, 2004.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 12, 2004 and lasted for five hours and ten minutes from the MEA Regenerator and the FCC Flare, EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

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

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 12, 2004.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC § 101.222 for an emissions event that occurred on May 19, 2004 and lasted for one hour and 14 minutes from the MEA Regenerator and the FCC Flare and one hour and 28 minutes from the Sour Water Stripper, EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with the appropriate New Source Performance Standards (NSPS) by combusting fuel gas containing over 0.1 grain per standard cubic foot of Hydrogen Sulfide at the FCC Flare, EPN 30FL5.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the permit requirement to route refinery acid gas and sour water stripper overhead to the SRU during an emissions event that occurred on May 19, 2004.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to obtain a permit amendment prior to varying from permit application representations and causing a change in the character of emissions.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)

Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(5)

Description: Failure to submit the correct time for an excess opacity event.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)(4)

Description: Failure to correctly identify the facility and emissions point common name in the notification of an excess opacity event.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

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

Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit Nos. 2501A and 2507A for the Fluidized Catalytic Cracking Unit Flare. See Additional Discussion for details on emissions, limits and duration for this emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to comply with applicable New Source Performance Standards (NSPS) and TCEQ Air Permit No. 2501A by combusting fuel gas containing 27.1 grains per standard cubic foot of hydrogen sulfide at the FCC flare (EPN 30FL5). See additional discussion for fuel gas hydrogen sulfide limits.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to comply with the requirements of TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing acid gas to the FCC Flare (EPN 30FL5) instead of processing it in the sulfur recovery unit.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
Description: Failure to correctly submit the final record by facility.

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

Description: The regulated entity failed to identify the common name of the facility experiencing the emissions event and the common emissions point name in the initial notifications.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common emissions point name in the final records.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for carbon monoxide, hydrogen sulfide, nitrogen oxides and sulfur dioxide.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits, and duration.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2507A PA

Description: Failure to follow TCEQ Air Permit No. 2507A, Special Condition No. 4, by routing refinery acid gas to a flare instead of the sulfur recovery unit.

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

Description: Failure to adhere to permit representations and conditions, such that the changes resulted in a change in the method of control, the character and the emission rate of the air contaminants. See additional discussion for emissions, limits, and duration.

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

Description: Failure to meet the initial notification by not including a common name for the facility.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)

Description: Failure to meet the final reporting requirements by not including the common name of the facility.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PA

Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: SC No. 2 PA

Description: The regulated entity exceeded the authorized opacity limit of 20 percent by more than the reportable quantity of 15 additional percentage points averaged over a six-minute period at the FCCU regenerator stack.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A PA
TCEQ Air Permit No. 2507A PA

Description: The regulated entity failed to comply with the allowable limits of TCEQ Air Permit No. 2501A and 2507A for sulfur dioxide and hydrogen sulfide.

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

Description: The regulated entity failed to include the common name of the facility experiencing the emissions event and the common name of the emissions point in the initial notifications.

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

Description: Failure to meet the initial notification requirements that Valero Refining - Texas, L.P. submit the compound descriptive type of all individually known emissions released during this emissions event that exceeded a reportable quantity.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify the common name of the facility which incurred the emissions event in the final record.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condtion No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 2 PERMIT

Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack

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

30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A PERMIT
TCEQ Air Permit No. 2507A PERMIT

Description: Failure to keep the emissions within the Maximum Allowable Emissions Rate Table limits specified in TCEQ Air Permit No. 2501A and TCEQ Air Permit No. 2507A for the FCC flare. See additional discussion for emissions, limits and duration.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Conditions No. 4 E., 6 and 8 PERMIT

Description: Failure to equip an open ended valve in organic Hazardous Air Pollutants (HAP) service with a second valve, plug, cap or blind flange.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Conditions No. 4E. and 6 PERMIT

Description: Failure to equip an open ended valve in VOC service with a second valve, plug, cap or blind flange.

Effective Date: 08/28/2006 **ADMINORDER 2006-0532-AIR-E**

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

Description: Valero failed to submit a separate report for each facility involved in the emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No. 2501A, Special Condition No. 1 PERMIT
No. 2507A, Special Condition No. 1 PERMIT

Description: Failure to prevent an unplanned boiler shutdown resulting in unauthorized emissions.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)

Description: Failure to comply with the emissions event reporting requirements.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No, 2507A Special Condition No. 1 PERMIT
No. 2501A Special Condition No. 1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions.

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

Description: Failed to submit a notification for facility that experienced a reportable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Permit 2501A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Permit 2501A, Special Condition 1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2507A, SC6 PERMIT

Description: Failure to comply with TCEQ Air Permit No. 2507A, Special Condition No. 6.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT

Description: Failure to prevent the release of unauthorized emissions during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Permit 2501A, Special Condition 2 PERMIT

Description: Exceeded opacity limit during an avoidable emissions event.

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

Description: failed to prevent unauthorized emissions

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

Description: Failed to prevent emissions

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

Description: Failed to prevent emissions event

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

Description: Failed to submit emissions reports in a timely manner.

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

Description: Failed to comply with permitted limits

Classification: Moderate
Citation: 2A TWC Chapter 7, SubChapter A 7.051
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failed to prevent nuisance conditions

Effective Date: 07/13/2007 **ADMINORDER 2007-0161-AIR-E**

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 2501A, Special Condition 1 PERMIT
No. 2501A, Special Condition 10B PERMIT

Description: Failed to prevent unauthorized emissions, to operate the gas flares with a flame present at all times, and to maintain them in good working order.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/10/2007 **ADMINORDER 2006-2218-AIR-E**

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: TCEQ Air Permit No. 2501A, SC1 PERMIT

Description: Valero exceeded SO2 permit emission limits during an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions due to operator error.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to provide additional or more detailed information on the emissions event when requested by the executive director or air pollution agency with jurisdiction, within the time frame established in the request.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: No. 2501A, Special Condition 1 PERMIT

Description: Valero exceeded SO2 permit limits during an avoidable emissions event.

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

Description: Valero failed to submit a final emissions event report no later than two weeks after the end of the emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 2501A, Special Condition #1 PERMIT
Permit No. 2507A, Special Condition #1 PERMIT

Description: Failure to prevent unathorized emissions through the FCC flare.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 2507A, Special Condition #6 PERMIT

Description: Failure to route acid gas to the SRU.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 2501A PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 2501A, SC 1 PERMIT

Description: Failure to maintain net SO2 net groud level concentrations below the limit of 0.28 ppmv averaged over any 30-minute period.

Effective Date: 11/09/2007 **ADMINORDER 2007-0604-AIR-E**

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No. 50232 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: No. 2501A, SC No. 1 PERMIT

Description: Valero failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 50232 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 06/19/2008 **ADMINORDER 2008-0014-AIR-E**

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

Rqmt Prov: No. 71281, Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during a November 26, 2007 emissions event (Incident No. 100464).

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

Description: Failed to submit the final record for the November 26, 2007 emissions event (Incident No. 100464) within 14 days after the end of the emissions event.

Effective Date: 07/03/2008 **ADMINORDER 2007-1960-AIR-E**

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

Rqmt Prov: Permit 48982, Special Condition #12 PERMIT

Description: The Respondent is alleged to have failed to retrofit heaters 27BA1100, 27BA1103, 27BA1105, and 29BA1300 with burners meeting 0.06 pounds of nitrogen oxides (NOx) per million British thermal units by December 31, 2006.

Effective Date: 10/23/2008 **ADMINORDER 2008-0712-AIR-E**

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

Rqmt Prov: TCEQ Air Permit No. 2501A, SC 1 PERMIT

Description: Valero failed to prevent unauthorized emissions of 143.16 lbs of VOC, 73.2 lbs of carbon monoxide, 10.2 lbs of oxides of nitrogen, 6.68 lbs of hydrogen sulfide, and 609.0 lbs of sulfur dioxide during an emissions event that occurred on March 24, 2008 (Incident No. 105338) and lasted for 4 hours and 0 minutes.

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 104.80 lbs of VOC, 112.770 lbs of carbon monoxide, 16.08 lbs of oxides of nitrogen, 9.60 lbs of hydrogen sulfide, and 872.62 lbs of sulfur dioxide during an emissions event that occurred on March 31, 2008 and lasted for 3 hours and 35 minutes.

Effective Date: 04/05/2009 **ADMINORDER 2008-1437-AIR-E**

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 07/20/2009 **ADMINORDER 2009-0339-AIR-E**

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

Description: Failure to submit the final report of a reportable emissions event in a timely manner.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Standard Permit PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, 1,200.00 lbs of nitrogen oxides; 302.00 lbs of carbon monoxide; 2,083.00 lbs of sulfur dioxide; and 601.00 lbs of different organic compounds (VOCs). Loss of affirmative defense due to late reporting.

Effective Date: 05/09/2010 **ADMINORDER 2009-1487-AIR-E**

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1I(i) OP

Description: Failure to comply with the emissions limitations and operations limitations, relating to three specific sources, that were established during the initial HRVOC performance tests required by 30 TAC 115.725(a)(1).

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.142(1)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart QQQ 60.693-2(a)(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms & Conditions OP
Special Terms and Conditions 1A OP

Description: Failure to operate API Separator without leakage.

Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(ii)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Terms & Conditions OP
Special Condition 1A OP

Description: Failure to submit a deviation report with proper rule citation information.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	06/23/2005	(440631)
2	06/28/2005	(376330)
3	06/28/2005	(380360)
4	07/25/2005	(440632)
5	07/28/2005	(380007)
6	08/01/2005	(394168)
7	08/19/2005	(449391)
8	08/24/2005	(405569)
9	08/30/2005	(398453)
10	08/30/2005	(406150)
11	08/31/2005	(402136)
12	08/31/2005	(402447)
13	08/31/2005	(402449)
14	09/01/2005	(440633)
15	09/19/2005	(440636)
16	09/28/2005	(440634)
17	10/24/2005	(440635)
18	12/02/2005	(468112)
19	12/27/2005	(468113)
20	01/10/2006	(449982)
21	01/27/2006	(450186)
22	01/27/2006	(468114)

23	02/24/2006	(468110)
24	02/25/2006	(457037)
25	02/27/2006	(457158)
26	02/28/2006	(449830)
27	02/28/2006	(449951)
28	02/28/2006	(457238)
29	03/06/2006	(440402)
30	03/14/2006	(450135)
31	03/17/2006	(456074)
32	03/24/2006	(455235)
33	03/27/2006	(468111)
34	04/04/2006	(450259)
35	04/04/2006	(455290)
36	04/04/2006	(460600)
37	04/04/2006	(484501)
38	04/17/2006	(455285)
39	04/24/2006	(497980)
40	04/25/2006	(457910)
41	05/01/2006	(463424)
42	05/17/2006	(462534)
43	05/17/2006	(462752)
44	05/25/2006	(467406)
45	05/25/2006	(467410)
46	05/25/2006	(467411)
47	05/25/2006	(467413)
48	05/25/2006	(479192)
49	05/25/2006	(497981)
50	05/30/2006	(480185)
51	05/31/2006	(480495)
52	06/02/2006	(449745)
53	06/02/2006	(466664)
54	06/05/2006	(481197)
55	06/13/2006	(457562)
56	06/20/2006	(481339)
57	06/23/2006	(497982)
58	06/30/2006	(466897)
59	07/11/2006	(484212)
60	07/11/2006	(484217)
61	07/11/2006	(484218)
62	07/11/2006	(485211)
63	07/11/2006	(485431)
64	07/12/2006	(485707)
65	07/17/2006	(467191)
66	07/20/2006	(487229)
67	07/24/2006	(487838)
68	07/24/2006	(487951)
69	07/25/2006	(488197)
70	08/21/2006	(519997)
71	08/21/2006	(519998)
72	08/24/2006	(509977)
73	09/01/2006	(497507)
74	09/07/2006	(457421)
75	09/19/2006	(519999)
76	10/12/2006	(514788)
77	10/20/2006	(520000)
78	10/23/2006	(510591)
79	10/25/2006	(516346)
80	11/06/2006	(514699)
81	11/07/2006	(516134)

82	11/08/2006	(513557)
83	11/10/2006	(489514)
84	11/10/2006	(489909)
85	11/10/2006	(490256)
86	11/10/2006	(494149)
87	11/10/2006	(497338)
88	11/20/2006	(544242)
89	11/21/2006	(531593)
90	12/04/2006	(531849)
91	12/07/2006	(532001)
92	12/07/2006	(533208)
93	12/11/2006	(511248)
94	12/12/2006	(532173)
95	12/19/2006	(544243)
96	12/21/2006	(534112)
97	12/29/2006	(518678)
98	01/18/2007	(544244)
99	01/24/2007	(537745)
100	01/31/2007	(537333)
101	01/31/2007	(537702)
102	02/05/2007	(538081)
103	02/20/2007	(540176)
104	02/21/2007	(539856)
105	02/27/2007	(512312)
106	03/23/2007	(574871)
107	03/26/2007	(457476)
108	03/27/2007	(554074)
109	04/13/2007	(554910)
110	04/20/2007	(556275)
111	04/20/2007	(574872)
112	05/04/2007	(557971)
113	05/08/2007	(534918)
114	05/15/2007	(542295)
115	05/21/2007	(574873)
116	05/23/2007	(593171)
117	05/24/2007	(558983)
118	06/18/2007	(574874)
119	06/19/2007	(574870)
120	07/19/2007	(574875)
121	07/27/2007	(567340)
122	08/06/2007	(571198)
123	08/21/2007	(607492)
124	08/22/2007	(573220)
125	09/10/2007	(511304)
126	09/10/2007	(511307)
127	10/01/2007	(607493)
128	10/19/2007	(607494)
129	10/25/2007	(595241)
130	11/12/2007	(599655)
131	11/20/2007	(600266)
132	11/20/2007	(619387)
133	12/04/2007	(610822)
134	12/20/2007	(619388)
135	12/28/2007	(612910)
136	01/14/2008	(566943)
137	01/21/2008	(619389)
138	02/05/2008	(609016)
139	02/20/2008	(671885)
140	02/29/2008	(616621)

141	03/13/2008	(614793)
142	03/19/2008	(671886)
143	03/20/2008	(638045)
144	04/18/2008	(646376)
145	04/18/2008	(671887)
146	04/25/2008	(646406)
147	04/25/2008	(653771)
148	05/01/2008	(646378)
149	05/09/2008	(637174)
150	05/14/2008	(689811)
151	05/22/2008	(639743)
152	05/23/2008	(639669)
153	06/17/2008	(689812)
154	07/21/2008	(689813)
155	08/14/2008	(699940)
156	08/18/2008	(699945)
157	08/19/2008	(710569)
158	09/05/2008	(701193)
159	09/19/2008	(710570)
160	10/20/2008	(710571)
161	11/20/2008	(727366)
162	12/05/2008	(680116)
163	12/15/2008	(687526)
164	12/15/2008	(721478)
165	12/16/2008	(750102)
166	01/20/2009	(768253)
167	02/13/2009	(708289)
168	02/16/2009	(726844)
169	02/24/2009	(750098)
170	03/09/2009	(735657)
171	03/13/2009	(750099)
172	04/20/2009	(750100)
173	04/20/2009	(750101)
174	05/04/2009	(744200)
175	05/20/2009	(768252)
176	06/24/2009	(741061)
177	06/30/2009	(747023)
178	07/15/2009	(762174)
179	07/15/2009	(762202)
180	07/20/2009	(741127)
181	07/20/2009	(804278)
182	08/11/2009	(741091)
183	08/11/2009	(741118)
184	08/19/2009	(749699)
185	08/24/2009	(740719)
186	08/25/2009	(804279)
187	08/31/2009	(747447)
188	09/03/2009	(767802)
189	09/11/2009	(775816)
190	09/14/2009	(759275)
191	09/14/2009	(775528)
192	09/22/2009	(804280)
193	09/24/2009	(775299)
194	10/29/2009	(767520)
195	11/19/2009	(804281)
196	11/19/2009	(804282)
197	11/30/2009	(781553)
198	12/14/2009	(783520)
199	12/20/2009	(804283)

200	01/19/2010	(804284)
201	02/20/2010	(804277)
202	02/22/2010	(789352)
203	04/01/2010	(797369)
204	05/24/2010	(801063)
205	05/27/2010	(800683)
206	06/01/2010	(824942)

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

Date: 08/19/2005 (449391)

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

Date: 08/31/2005 (402449)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Special Condition No. 2 PERMIT
Description: Failure to maintain opacity of emissions less than 20% at the FCCU Stack.

Date: 08/31/2005 (402447)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Special Condition No. 2 PERMIT
Description: Failure to maintain opacity of emissions less than 20% at the FCCU stack.

Date: 12/31/2005 (468114)

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

Date: 01/10/2006 (449982)

Self Report? NO Classification: Moderate
Citation: TWC Chapter 26 26.121(a)(1)
Description: Failure to prevent the unauthorized discharge of wastewater. Unauthorized discharges (UD) occurred on 12/15/05 from the aeration basin, temporary pump for the ditch leading to outfall 008, and cooling tower #3. In addition, two UDs were reported from cooling tower #10.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.4
Description: Failure to monitor for Carbonaceous Biochemical Oxygen Demand (CBOD) as required by the permit issued on August 25, 2005.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.7(e)
Description: Failure to complete the Discharge Monitoring Reports (DMR) correctly. Several effluent values and the frequency of analasysis were reported incorrectly on the DMRs in February 2005, March 2005, May 2005, June 2005, July 2005, August 2005, and September 2005. See attached Table 1.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to calculate loading values correctly.

Date: 05/31/2006 (497982)

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

Date: 06/21/2006 (509977)

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

Date: 07/31/2006 (519998)

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

Date: 08/31/2006 (519999)

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

Date: 09/07/2006 (457421)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP # O-01381, Special Condition #19 OP
FOP # O-01381, Special Condition #1A OP
NSR Permit 2501A, Special Condition 4E PA
NSR Permit 48982, Special Condition 6E PA
Description: Failure to cap open-ended valves or lines.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition 3B.iv.1 OP
Description: Failure to perform visible observations on stationary source engines 50GG1925 and 50GG1926.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(e)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #1A OP
Description: Failure to submit the required semi-annual report for gas fired engines per 30 TAC 117.219(e).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)
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)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #19 OP
FOP# O-01381, Special Condition #1A OP
NSR Permit #2501A, Special Condition 10C PA
Description: Failure to limit visible emissions to a rate of less than 5 minutes over 2 consecutive hours.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #19 OP
FOP# O-01381, Special Condition #1A OP
NSR Permit #2498A, Special Condition #I PA

Description: Failure to repair leaking components within 15 days.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01831, Special Condition #19 OP
NSR #19637, Special Condition #12A & 12B PA

Description: Failure to continuously monitor for NOx and CO during the 2nd quarter of 2005.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #11B OP

Description: Failure to operate 15 existing junction boxes with tight seals during the second quarter of 2005.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #11B OP

Description: Failure to repair NSPS Subpart QQQ equipment within 15 days.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart DDDDD 63.7505(e)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #1A OP

Description: Failure to develop a Startup, Shutdown and Malfunction Plan (SSMP) for boilers.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #19 OP
NSR Permit #19637, SC #6 PA

Description: Failure to meet the NSR Permit 10 ppmvd ammonia limit for Package Boiler #1.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.729(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #1.j.(i) OP

Description: Failure to establish the monitoring and testing parameters of 30 TAC Chapter 115.725(a)(2) by the compliance deadline of December 31, 2005.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.729(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01381, Special Condition #1.j.ii OP

Description: Failure to establish the written quality assurance plan of 30 TAC Chapter 115.726(a)(1) by the compliance date of December 31, 2005.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-3(a)(5)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #1A OP

Description: Failure to repair API Separator seal gaps within 15 days.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition #19 OP
FOP# O-01381, Special Condition #1A OP
NSR Permit 2501A, Special Condition #4E PA
NSR Permit 48982, Special Condition #6E PA

Description: Failure to cap open-ended valves or lines in HAP service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP# O-01381, Special Condition # 19 OP
FOP# O-01381, Special Condition #1A OP
NSR Permit 2501A, Special Condition #4E PA
NSR Permit 48982, Special Condition #6E PA

Description: Failure to cap open-ended valves and lines in HRVOC service.

Date: 10/12/2006 (514788)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 2501A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Date: 01/31/2007 (574870)

Self Report? YES Classification: Moderate

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

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

Date: 03/27/2007 (457476)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
No. 2501A Special Condition #1 PERMIT

Description: Failure to submit emissions event notification in a timely manner.

Self Report? NO Classification: Minor

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

Description: Failure to report an emissions event in a timely manner.

Date: 05/23/2007 (593171)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 08/31/2007 (607493)

Self Report? YES Classification: Moderate

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

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

Date: 11/20/2007 (600266)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Valero failed to submit a CAP in a timely manner.

Date: 12/31/2007 (619389)

Self Report? YES Classification: Moderate

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

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

Date: 01/14/2008 (566943)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
Permit 2498A, Speciaol Condition 7E PERMIT
Permit 2501A, Special Condition 4E PERMIT
Permit 48982, Special Condition 6E PERMIT

Description: Failure to cap open-ended valves/lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1A OP

Description: Failure to make first repair attempts to LDAR leaks.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
Permit 48982, Special Condition 6I PERMIT

Description: Failure to repair leaks within 15 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
Permit 2501A, Special Condition 10C PERMIT

Description: Failure to operate Flares 30FL1, 30FL2 & 30FL5 without visible emissions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
FOP O-01381, ST&C 3B.(i) OP
Permit 2507A, Special Condition 8G PERMIT

Description: Failure to Operate the SRU Incinerator stack without visible emissions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
FOP O-01381, ST&C 3B(i) OP
Permit 2501A, Special Condition 2 PERMIT

Description: Failure to operate the fourth stage separator of the Tail Gas incinerator without visible emissions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
FOP O-01381, ST&C 19 OP

Permit 2501A, Special Condition 20F PERMIT
Permit 48982, Special Condition 5F PERMIT

Description: Failure to paint storage tanks the required colors.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1D OP

Description: Late Submittal of operating Permit Amendment.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1(J)(ii) OP
FOP O-01381, ST&C 1A OP

Description: Failure to comply with Initial HRVOC Stack Test limits.
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 THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
FOP O-01381, ST&C 1A OP
Permit 2501A, Special Condition 10 B PERMIT

Description: Failure to maintain pilot lights on flares.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1A OP
FOP O-01381, ST&C 9D OP

Description: Failure to maintain emergency engine operations records.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
Permit 19637, Special Condition 1 OP

Description: Failure to comply with the permitted emissions limits for carbon monoxide.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
Permit 2501A, Special Condition 1 PERMIT

Description: Failure to comply with permitted emissions limits for nitrogen oxides.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 19 OP
Permit 2507A, Special Condition 1 PERMIT

Description: Failure to comply with with SO2 permitted limits.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-3(a)(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1A OP

Description: Failure to operate the API Separator without VOC leaks.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(g)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 14D OP
FOP O-01381, ST&C 1A OP

Description: Late submittals of NOC Status Reports.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1A OP

Description: Failure to operate Tank 924 with leak free conditions.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 11B OP
FOP O-01381, ST&C 1A OP

Description: Leaking Sewer Junction Box seals.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01381, ST&C 1(J)(iv) OP
FOP O-01381, ST&C 1A OP

Description: Failure to perform daily visual inspections of water seals.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(b)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01381, ST&C 1(J)(iv) OP
FOP O-01381, ST&C 1A OP

Description: Failure to perform fuel flow gas meter calibrations.

Date: 02/04/2008 (609016)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Other Requirements, pg. 12, no. 2 PERMIT

Description: Failure to calculate loading values correctly. Zero was being used in the loading calculations for parameters other than chromium, cyanide, and zinc when the values were less than the Minimum Analytical Level (MAL). The permit allows zero to be used in the loading calculations for chromium, cyanide, and zinc when the values are less than the MAL. The permit does not allow a zero to be used in the loading calculations for all other parameters. Therefore, the loading was being calculated incor

Date: 08/31/2008 (710570)

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 12/31/2008 (768253)

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 01/31/2009 (750098)

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 05/31/2009 (802806) CN600127468

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 06/30/2009 (802806) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 07/31/2009 (802806) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 08/21/2009 (749699)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.263(e)(3)
5C THSC Chapter 382 382.085(b)

Description: Failure to record and/or maintain continuous temperature measurements to demonstrate compliance.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter F 115.541(a)(1)(B)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain at least a 90% DRE during degassing operations.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter F 115.545
5C THSC Chapter 382 382.085(b)

Description: Failure to prove use of approved test methods.

Date: 08/31/2009 (747447)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 21 OP

Description: Failure to maintain firing rates below permitted levels on vacuum tower heaters 23BA301 and 23BA302.

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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Special Condition 1A OP
Special Condition 1I (iv) OP
Special Condition 21 OP
Special Condition 3E PERMIT
Special Condition 4E PERMIT
Special Condition 6E PERMIT
Special Condition 7E PERMIT

Description: Failure to seal open ended lines in VOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 10A PERMIT
Special Condition 1A OP
Special Condition 21 OP

Description: Failure to maintain net heating value on flares 30FL-2 and 30FL-5 above permitted limits.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 21 OP

Description: Failure to control excess emissions.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter B 115.132(a)(2)
30 TAC Chapter 115, SubChapter B 115.142(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-3(a)(3)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Special Terms and Conditions 1A OP

Description: Failure to operate API Separator with closed hatches.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 2 PERMIT
Special Condition 21 OP

Description: Failure to maintain H2S concentration limits below permitted limits.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 OP
Special Condition 4 PERMIT

Description: Failure to maintain ROSE heater firing rates below permitted levels.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(1)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Special Condition 10A OP

Description: Failure to submit semi-annual CEMS report within 30 days after semi-annual period.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(10)(ii)
5C THSC Chapter 382 382.085(b)
General Terms & Conditions OP
Special Condition 1A OP

Description: Failure to notify the Agency 30 days before a tank seal inspection.

Date: 08/31/2009 (802806) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 09/30/2009 (802806) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 10/31/2009 (802806) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 11/20/2009 (781553)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 21 OP

Description: Failure to maintain firing rates below permitted levels on vacuum tower heaters 23BA301 and 23BA302.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 10A PERMIT
Special Condition 1A OP
Special Condition 21 OP

Description: Failure to maintain net heating value on flares 30FL-2 and 30FL-5 above permitted limits.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 21 OP
Special Condition 4 PERMIT

Description: Failure to maintain ROSE heater firing rates below permitted levels.

Date: 12/31/2009 (802806) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 01/31/2010 (802806) CN600127468

Self Report? YES Classification: Moderate

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

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

Date: 02/28/2010 (802806) CN600127468

Self Report? YES Classification: Moderate

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

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

F. Environmental audits.

Notice of Intent Date: 09/19/2007 (598153)

No DOV Associated

Notice of Intent Date: 02/26/2009 (740048)

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

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600124861	Diamond Shamrock Refining Company, L.P.	Classification: AVERAGE	Rating: 4.00
Regulated Entity:	RN100210517	DIAMOND SHAMROCK MCKEE PLANT	Classification: AVERAGE	Site Rating: 7.05

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	MR0008T
AIR OPERATING PERMITS	PERMIT	1555
WASTE WATER GENERAL PERMIT	PERMIT	TXG670095
WASTEWATER	PERMIT	WQ0003927000
WASTEWATER	PERMIT	TPDES0115851
WASTEWATER	PERMIT	TX0115851
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1710004
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD059685339
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30871
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50229
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50229
AIR NEW SOURCE PERMITS	AFS NUM	4834100031
AIR NEW SOURCE PERMITS	REGISTRATION	92528
AIR NEW SOURCE PERMITS	REGISTRATION	92147
AIR NEW SOURCE PERMITS	REGISTRATION	92059
AIR NEW SOURCE PERMITS	REGISTRATION	13435
AIR NEW SOURCE PERMITS	PERMIT	42
AIR NEW SOURCE PERMITS	PERMIT	9708
AIR NEW SOURCE PERMITS	REGISTRATION	10152
AIR NEW SOURCE PERMITS	PERMIT	10727
AIR NEW SOURCE PERMITS	REGISTRATION	13095
AIR NEW SOURCE PERMITS	REGISTRATION	39988
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	MR0008T
AIR NEW SOURCE PERMITS	REGISTRATION	91836
AIR NEW SOURCE PERMITS	REGISTRATION	86866
AIR NEW SOURCE PERMITS	REGISTRATION	32958
AIR NEW SOURCE PERMITS	REGISTRATION	75538
AIR NEW SOURCE PERMITS	REGISTRATION	70214
AIR NEW SOURCE PERMITS	REGISTRATION	71692
AIR NEW SOURCE PERMITS	REGISTRATION	71696
AIR NEW SOURCE PERMITS	REGISTRATION	77646
AIR NEW SOURCE PERMITS	EPA ID	PSDTX861M2
AIR NEW SOURCE PERMITS	REGISTRATION	85548
AIR NEW SOURCE PERMITS	REGISTRATION	91312
AIR NEW SOURCE PERMITS	REGISTRATION	87455
AIR NEW SOURCE PERMITS	REGISTRATION	83688
UNDERGROUND INJECTION CONTROL	PERMIT	WDW192
UNDERGROUND INJECTION CONTROL	PERMIT	WDW332
UNDERGROUND INJECTION CONTROL	PERMIT	WDW225
UNDERGROUND INJECTION CONTROL	PERMIT	WDW226
UNDERGROUND INJECTION CONTROL	PERMIT	WDW333
UNDERGROUND INJECTION CONTROL	PERMIT	WDW020
UNDERGROUND INJECTION CONTROL	PERMIT	WDW102
STORMWATER	PERMIT	TXR05P771

ON SITE SEWAGE FACILITY	PERMIT	1710271
ON SITE SEWAGE FACILITY	PERMIT	1710272
ON SITE SEWAGE FACILITY	PERMIT	1710285
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30871
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50229
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50229
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	MR0008T

Location: 6701 FM 119, MOORE COUNTY, TX

TCEQ Region: REGION 01 - AMARILLO

Date Compliance History Prepared: May 25, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 25, 2005 to May 25, 2010

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

Name: Trina Grieco Phone: (210) 403-4006

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 08/07/2005 ADMINORDER 2004-1645-MLM-E

Classification: Major

Citation: 2D TWC Chapter 27, SubChapter A 27.011

30 TAC Chapter 331, SubChapter A 331.7(a)

30 TAC Chapter 335, SubChapter A 335.2(g)

30 TAC Chapter 335, SubChapter B 335.43

40 CFR Chapter 270, SubChapter I, PT 270, SubPT A 270.1

Rqmt Prov: VI A-Waste Streams Prohibited from Inj. OP

Description: Failed to prevent the unauthorized injection of characteristically hazardous waste containing benzene into non-hazardous storage tanks and then into non-hazardous waste disposal wells in violation of permit provision VI A for permits numbered WDW-020, WDW-225, and WDW-226.

Effective Date: 11/23/2005 COURTORDER

Classification: Moderate

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

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

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

Rqmt Prov: MAERT OP

Description: Failed to maintain emission rate below the allowable limit and failed to obtain authorization

for emission events that occurred October 13 and 24, and December 11, 2003, and March 19, July 29, and August 29, 2004.

Classification: Moderate

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

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

Description: Failed to provide written initial notification to the TCEQ within 24 hours of emission events that occurred on October 13 and 24, 2003, and August 29, 2004.

Classification: Minor

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

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

Description: Failed to submit a final report within 2 weeks of the end date for emission events which occurred October 13 and 24, 2003.

Classification: Minor

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

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

Description: Failed to include all required information on the final reports for emission events which occurred October 24, 2003 and August 29, 2004.

Classification: Minor

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

Description: Failure to include estimated quantities on the initial notification for an emissions event

Classification: Minor

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

Description: Failure to submit final report for an emissions event within 2 weeks

Classification: Moderate

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

Description: Failure to meet the maximum allowable emission rates for Permit No. 9914

Classification: Minor

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

Description: Failure to submit initial notification within 24 hours for an emissions event

Classification: Minor

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

Description: Failure to submit final report for an emissions event within 2 weeks

Classification: Minor

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

Description: Failure to include in the final report all individually listed compounds which were released during an emissions event

Classification: Moderate

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

Description: Failure to comply with the maximum allowable emission rates for Permit No. 9914

Classification: Minor

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

Description: Failure to submit initial notification within 24 hours of discovery of an emissions event

Classification: Minor

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

Description: Failure to include all individually listed air contaminants in the final report for an emissions event

Classification: Moderate

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

Description: Failure to meet the maximum allowable emission rates of Permit No. 9914

Classification: Moderate

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

Description: Failure to obtain authorization for emissions from a 4" transfer line on Tank 503

Effective Date: 03/23/2006 ADMINORDER 2005-1111-AIR-E

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

Description: Failure to include all of the required information in the final reports submitted for the emission event reporting.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.117(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 9708/PSD-TX-861M2 OP

Description: Failure to control emissions to the atmosphere by emitting unauthorized air contamination during an emission event (Incident No. 54540) on February 26, 2005.

Effective Date: 06/26/2006 ADMINORDER 2006-0131-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: Permit 9708 & PSD-TX-861M2, GC No. 1 PERMIT

Description: Failed to prevent unauthorized emissions of 1030.65 lbs of sulfur dioxide and 11.15 pounds of hydrogen sulfide from the Main Refinery Flare (EPN FL-1) during an avoidable emissions event at Complex 3, which began on October 11, 2005 and lasted for eighteen hours and forty seven minutes.

Effective Date: 11/09/2007 ADMINORDER 2006-1774-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT

Description: failure to comply with conditions of Permit No. 9708/PSD-TX-861M2 during emissions event which took place May 8-10, 2006

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)

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

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

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 9708/PSD-TX-861M2 PERMIT

Description: Failure to comply with Permit No. 9708/PSD-TX-861M2 during an emissions event (which did not meet all affirmative defense criteria).

Effective Date: 12/20/2007 ADMINORDER 2007-0676-AIR-E

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

Description: Failed to include all facility common names in the initial notification and final emissions event reports for Incident No. 85519. Specifically, common names for the Main Refinery Flare and No. 2 Crude/Vacuum Unit Fugitives were included, but those for three Vacuum Compressors and two Refinery Light Ends ("RLE") Compressors were not.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Flexible Permit 9708, Table F-2 PERMIT
Permit No. 9708, S.C. 9B PERMIT

Description: Failed to prevent unauthorized emissions and to operate a flare, emission point number ("EPN") FL-1, with a pilot flame present at all times.

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

Description: Failed to include all facility common names in the initial notification and final emissions event report for Incident No. 85520. Specifically, common names for several facilities were included, but those for the #1 Deisobutanizer and the BB Treater were not.

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

Rqmt Prov: Permit 9780, Table F-2 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Rqmt Prov: Permit No. 9708, Table F-2 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Description: Failed to include all required information in the initial and final emissions event reports.

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

Rqmt Prov: Flexible Permit No. 9708, Table F-2 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 03/08/2008 ADMINORDER 2007-1096-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to submit additional information regarding Incident 87720 within the established timeframe.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)

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

Description: Failed to submit the final emissions event report for Incident 87720 within two weeks after the end of the event.

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

Rqmt Prov: Permit 9708 Table F-2 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 04/05/2009 ADMINORDER 2007-0314-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Part 60, Subpart J 60.105(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to record the Fluid Catalytic Cracking Unit (FCCU) coke burn-off rate and hours of operation. Specifically, on August 2, 2005, Diamond Shamrock failed to record the FCCU coke burn-off rate and hours of operation.

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

Rqmt Prov: Special Condition 8(B) PERMIT

Description: Failed to operate the Main Refinery Flare (EPN FL-1) with a pilot flame present at all times and with an automatic re-ignition system. Specifically, the flare¿s pilot flame was absent, and not automatically relit, on May 14, 2005, May 16, 2005, May 17, 2005, July 6, 2005, and November 22, 2005.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.663(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to operate the Main Refinery Flare (EPN FL-1) with a flow indicator that provides a record of vent stream flow to the flare at least once every hour. Specifically, the hourly flow to the flare was not recorded on November 6, 2004, June 14, 2005, July 13, 2005, and August 11, 2005.

Effective Date: 06/01/2009 ADMINORDER 2008-0738-AIR-E

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

Description: Failed to include the compound descriptive type of all compounds released during the emissions event (Incident No. 102872) on the final emissions event report. Specifically, the Respondent reported 367 lbs of VOCs without knowing if any of the contaminants with a reportable quantity of 100 exceeded the 10 lbs above which the contaminant has to be identified.

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: Flexible Permit 9708 SC 2 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/31/2009 ADMINORDER 2008-0384-AIR-E

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(J)
5C THSC Chapter 382 382.085(b)

Description: Failed to include the common name of the facilities, compound descriptive type and estimated quantities of all compounds released, and the cause of the emissions event (Incident No. 96231) in the final emissions event report.

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: Flex Permit 9708/PSD-TX-861M2, SC 2 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, 1,541 pounds ("lbs") of volatile organic compounds ("VOCs"), including 13 lbs of the hazardous air pollutant benzene, were released from the 60 M 1 Storage Tank, emission point number ("EPN") S-218, in the Fluid Catalytic Cracking Unit ("FCCU") during an emissions event (Incident No. 96231) that occurred on August 20, 2007 and lasted 24 hours. These emissions are not authorized by the permit. Since these emissions were avoidable, the dem

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

Description: Failed to identify the compound descriptive type of all compounds released during an emissions event (Incident No. 97187) on the final emissions event report.

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: Flex Permit 9708/PSD-TX-861M2, SC 2 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, 699.81 lbs of carbon monoxide, 1.79 lbs of hydrogen sulfide ("H2S"), 97.95 lbs of nitrogen oxide, 165.07 lbs of sulfur dioxide ("SO2"), and 704.5 lbs of VOCs were released from the flare, EPN FL-3, and the 15% opacity limit exceeded from the stack vent, EPN V-20, in the Complex 1 Unit during an emissions event (Incident No. 97187) that occurred on September 9, 2007 and lasted two hours and 26 minutes. Since these emissions were avoidable,

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: Flex Permit 9708/PSD-TX-861M2, SC 10 PERMIT

Description: Failed to operate combustion sources with fuel at or below the maximum H2S concentration limit of 0.10 grain per dry standard cubic feet (162 parts per million), resulting in unauthorized emissions of SO2, on July 13, 2007.

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: Flex Permit 9708/PSD-TX-861M2, SC 16 PERMIT

Description: Failed to operate Sulfur Recovery Unit ("SRU") 1 with a minimum firebox temperature of 1200 degrees Fahrenheit on September 22 and October 19, 2007 and SRU 2 on November 2, 2007.

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: Flex Permit 9708/PSD-TX-861M2, SC 25 PERMIT

Description: Failed to operate the FCCU stack at or below the maximum opacity limit of 15 percent 17 times in June 2007, 15 times in August 2007, twice in September 2007, 10 times in October 2007, and once in November 2007.

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: Flex Permit 9708/PSD-TX-861M2, SC 9.B. PERMIT

Description: Failed to operate flares with a pilot flame present at all times. Specifically, there was no flame present on the Wastewater Flare on September 21 and 28, 2007, the FCCU Flare twice on June 18, 2007, and the Hydrocracker Unit Flare twice on June 26, 2007.

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: Flex Permit 9708/PSD-TX-861M2, SC 9.C. PERMIT

Description: Failed to operate the FCCU flare with no visible emissions on September 7, 9, and 10, 2007.

Effective Date: 10/04/2009 ADMINORDER 2009-0300-AIR-E

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

Description: Failed to include the compound descriptive type of individually listed compounds in the final emissions event report and to submit it within two weeks after the end of the event (Incident No. 114211). Specifically, the report contained the amount of particulate matter ("PM") emitted, but did not specify that it was catalyst fines. It also was required to be submitted by September 30, 2008, but was not submitted until October 9, 2008.

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

Rqmt Prov: NSR Permit 9708 and PSD-TX-861M2 PERMIT
NSR Permit 9708 and PSD-TX-861M2, SC 2 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, 7.2 pounds of catalyst fines, a type of PM, were released from the Electrostatic Precipitator Stack, emission point number ("EPN") V-20, in the Complex 1 Unit during an emissions event (Incident No. 114211) that occurred on September 16, 2008 and lasted 24 minutes with 36.70 percent opacity.

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

Description: Failed to submit the initial emissions event report within 24 hours after discovery of the event. Specifically, the event was discovered on October 12, 2008 at 9:30 p.m., but the initial notification was not submitted until October 15, 2008 at 7:30 p.m.

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit No. 9708/PSD-TX-861M2 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, 355.2 pounds of volatile organic compounds, including 112.2 pounds of hazardous air pollutants, were released from the #1 Reformer, EPN 1REF, in the Complex Unit during an emissions event (Incident No. 115445) that occurred on October 12, 2008 and lasted 15 hours.

Effective Date: 11/13/2009 ADMINORDER 2007-1544-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Flexible Permit 9708, S.C. 9.B. PERMIT

Description: Failed to operate the flares with a constant pilot flame.

Classification: Moderate

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

Rqmt Prov: Flexible Permit 9708, S.C. 16 PERMIT

Description: Failed to maintain the minimum firebox temperature of 1200 degrees Fahrenheit at the No. 2 Sulphur Recovery Unit ("SRU") incinerator vents 13 times between August 29, 2005 and February 14, 2007.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Part 63, Subpart A 63.11(b)(4)
40 CFR Part 63, Subpart CC 63.643(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Flexible Permit No. 9708, S.C. 9.C. PERMIT

Description: Failed to operate the Main Refinery Flare without visible emissions lasting longer than five minutes during any two consecutive hours 19 times between January 19, 2005 and December 30, 2006.

Classification: Moderate

Citation: 40 CFR Part 63, Subpart GGGGG 63.7903(d)(3)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to inspect two frac tanks anually in 2005 and 2006.

Classification: Moderate

Citation: 40 CFR Part 63, Subpart GGGGG 63.7921(c)(1)
40 CFR Part 63, Subpart GGGGG 63.7921(c)(2)
40 CFR Part 63, Subpart GGGGG 63.7950(e)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to include the required information in the Notification of Compliance Status report submitted November 8, 2006. Although the report was submitted, it did not contain any of the information required by the rule cites.

Classification: Moderate

Citation: 40 CFR Part 63, Subpart GGGGG 63.7935(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to operate and maintain any affected source, including air pollution control equipment, in a manner consistent with safety and good air pollution control practices.

Classification: Moderate

Citation: 40 CFR Part 63, Subpart LLLLL 63.8692(b)
5C THC Chapter 382, SubChapter D 382.085(a)

Description: Failed to submit initial notification within 120 days after April 29, 2003 (August 28, 2003) for affected units in operation prior to April 29, 2003. The notification was submitted on November 24, 2003.

Classification: Moderate

Citation: 40 CFR Part 63, Subpart LLLLL 63.8693(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to submit the initial semi-annual compliance report by July 31, 2006. The report was submitted on January 29, 2007 and covered both the initial semi-annual reporting period, and the subsequent semi-annual reporting period (May 1 to December 31, 2006).

Classification: Moderate

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

Description: Failed to submit initial notification of an emissions event (Incident No. 94302) within 24 hours after discovery of the event. Specifically, the event was discovered on July 16, 2007 at 5:00 p.m., but was not reported until July 19, 2007 at 7:21 p.m.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Flexible Permit No. 9708, S.C. 2 PERMIT
Description: Failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Flex Permit 9708 and PSD-TX-861M S.C. 2 PERMIT
Description: Failed to prevent unauthorized emissions.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	06/03/2005	(394664)
2	06/07/2005	(453773)
3	06/10/2005	(379079)
4	06/10/2005	(430657)
5	07/06/2005	(398777)
6	07/06/2005	(398782)
7	07/11/2005	(447145)
8	07/22/2005	(400328)
9	07/26/2005	(397864)
10	08/19/2005	(447146)
11	09/12/2005	(431439)
12	09/12/2005	(431445)
13	09/12/2005	(447147)
14	09/20/2005	(431995)
15	10/05/2005	(433468)
16	10/05/2005	(433476)
17	10/05/2005	(433480)
18	10/05/2005	(491410)
19	11/15/2005	(433770)
20	11/15/2005	(491411)
21	11/22/2005	(438219)
22	11/22/2005	(438224)
23	11/22/2005	(438231)
24	12/14/2005	(434276)
25	12/15/2005	(491412)
26	01/05/2006	(437778)
27	01/05/2006	(437779)
28	01/06/2006	(439635)
29	01/13/2006	(491413)
30	01/30/2006	(434022)
31	01/30/2006	(438525)
32	02/02/2006	(454165)
33	02/07/2006	(491408)
34	02/24/2006	(434827)
35	02/24/2006	(434941)
36	03/07/2006	(491409)
37	04/07/2006	(505767)
38	04/11/2006	(461707)
39	04/12/2006	(461731)
40	04/19/2006	(463085)

41	04/19/2006	(463093)
42	04/19/2006	(463113)
43	04/19/2006	(463117)
44	04/19/2006	(463122)
45	05/01/2006	(463546)
46	05/04/2006	(463490)
47	05/05/2006	(505768)
48	05/30/2006	(480407)
49	05/31/2006	(480794)
50	06/05/2006	(505769)
51	06/22/2006	(480967)
52	06/27/2006	(481025)
53	06/30/2006	(481177)
54	07/13/2006	(486447)
55	07/13/2006	(486456)
56	07/17/2006	(528026)
57	07/26/2006	(488656)
58	07/26/2006	(488930)
59	07/27/2006	(489065)
60	07/27/2006	(489074)
61	08/24/2006	(528027)
62	08/29/2006	(510486)
63	08/29/2006	(510494)
64	09/07/2006	(488389)
65	09/11/2006	(511697)
66	09/11/2006	(511821)
67	09/12/2006	(512020)
68	09/15/2006	(488452)
69	09/20/2006	(372800)
70	09/22/2006	(512784)
71	09/22/2006	(513104)
72	09/25/2006	(488931)
73	09/25/2006	(528028)
74	10/06/2006	(488938)
75	10/06/2006	(551570)
76	10/11/2006	(515781)
77	10/12/2006	(489193)
78	10/13/2006	(515941)
79	10/13/2006	(515995)
80	10/13/2006	(516008)
81	10/13/2006	(516058)
82	10/31/2006	(515056)
83	10/31/2006	(515083)
84	10/31/2006	(515085)
85	10/31/2006	(515088)
86	10/31/2006	(515097)
87	10/31/2006	(517795)
88	11/03/2006	(518264)
89	11/03/2006	(518280)
90	11/08/2006	(518742)
91	11/09/2006	(551571)
92	11/20/2006	(519567)
93	12/05/2006	(532888)
94	12/05/2006	(532897)
95	12/05/2006	(532900)
96	12/05/2006	(551572)
97	12/08/2006	(533121)
98	12/08/2006	(533139)
99	12/08/2006	(533445)

100	12/11/2006	(532830)
101	12/12/2006	(533646)
102	12/13/2006	(533581)
103	12/18/2006	(518681)
104	12/28/2006	(515100)
105	01/08/2007	(535677)
106	01/08/2007	(535737)
107	01/08/2007	(535755)
108	01/11/2007	(551573)
109	01/29/2007	(533808)
110	02/11/2007	(551569)
111	02/20/2007	(452450)
112	02/28/2007	(542019)
113	02/28/2007	(542056)
114	03/06/2007	(542521)
115	03/06/2007	(542534)
116	03/06/2007	(542543)
117	03/08/2007	(542581)
118	03/09/2007	(588603)
119	03/27/2007	(555204)
120	04/05/2007	(588604)
121	04/09/2007	(541306)
122	04/10/2007	(555984)
123	04/12/2007	(556468)
124	04/12/2007	(556613)
125	04/12/2007	(556625)
126	04/12/2007	(556627)
127	04/12/2007	(556631)
128	04/12/2007	(556634)
129	04/13/2007	(556486)
130	04/13/2007	(556973)
131	05/08/2007	(559054)
132	05/14/2007	(537450)
133	05/16/2007	(560245)
134	05/22/2007	(558995)
135	06/18/2007	(559063)
136	06/20/2007	(588605)
137	06/20/2007	(588606)
138	06/27/2007	(563476)
139	07/18/2007	(567991)
140	07/20/2007	(559001)
141	07/23/2007	(588607)
142	07/24/2007	(568035)
143	07/26/2007	(568738)
144	07/26/2007	(568758)
145	07/31/2007	(569792)
146	07/31/2007	(569877)
147	08/03/2007	(570758)
148	08/20/2007	(605525)
149	08/29/2007	(564391)
150	08/29/2007	(571885)
151	09/04/2007	(574211)
152	09/04/2007	(574398)
153	09/06/2007	(593562)
154	09/06/2007	(593573)
155	09/06/2007	(593586)
156	09/10/2007	(572656)
157	09/11/2007	(593865)
158	09/21/2007	(605526)

159	09/27/2007	(596055)
160	10/11/2007	(605527)
161	10/24/2007	(598861)
162	10/25/2007	(598954)
163	10/25/2007	(599120)
164	10/26/2007	(597573)
165	10/26/2007	(597880)
166	10/29/2007	(597941)
167	11/06/2007	(599312)
168	11/06/2007	(599558)
169	11/20/2007	(598333)
170	11/30/2007	(610557)
171	12/17/2007	(630167)
172	12/17/2007	(630168)
173	12/19/2007	(611641)
174	12/19/2007	(611646)
175	01/03/2008	(630169)
176	01/09/2008	(611638)
177	01/31/2008	(616381)
178	01/31/2008	(616393)
179	01/31/2008	(616398)
180	01/31/2008	(616610)
181	01/31/2008	(616613)
182	01/31/2008	(616618)
183	02/08/2008	(617496)
184	02/08/2008	(617501)
185	02/08/2008	(617507)
186	02/13/2008	(617998)
187	02/13/2008	(618031)
188	02/14/2008	(617189)
189	02/14/2008	(617318)
190	02/14/2008	(617342)
191	02/14/2008	(617437)
192	02/15/2008	(612688)
193	02/20/2008	(618387)
194	02/20/2008	(618391)
195	02/20/2008	(618394)
196	02/20/2008	(618400)
197	02/20/2008	(618402)
198	03/13/2008	(638732)
199	03/18/2008	(618803)
200	04/15/2008	(641006)
201	04/17/2008	(653264)
202	05/30/2008	(695546)
203	05/30/2008	(695547)
204	05/30/2008	(695548)
205	05/30/2008	(695549)
206	06/17/2008	(683001)
207	06/17/2008	(683012)
208	07/01/2008	(695550)
209	07/02/2008	(684662)
210	07/15/2008	(695551)
211	07/20/2008	(334071)
212	09/11/2008	(700819)
213	09/12/2008	(702770)
214	09/15/2008	(700539)
215	09/15/2008	(702765)
216	09/18/2008	(700737)
217	10/08/2008	(704830)

218	10/09/2008	(717085)
219	10/09/2008	(717086)
220	10/17/2008	(705769)
221	10/17/2008	(705775)
222	10/17/2008	(705781)
223	10/17/2008	(705787)
224	11/10/2008	(717087)
225	11/21/2008	(708521)
226	11/21/2008	(708548)
227	11/21/2008	(708603)
228	12/15/2008	(710174)
229	12/16/2008	(755777)
230	12/16/2008	(755778)
231	12/17/2008	(721045)
232	12/18/2008	(721139)
233	12/22/2008	(721734)
234	12/22/2008	(721770)
235	12/22/2008	(721805)
236	12/22/2008	(721850)
237	12/22/2008	(721917)
238	01/12/2009	(722626)
239	01/12/2009	(722797)
240	01/12/2009	(723376)
241	01/26/2009	(732469)
242	01/28/2009	(724669)
243	01/29/2009	(724743)
244	01/29/2009	(724838)
245	02/02/2009	(755774)
246	02/06/2009	(724918)
247	02/06/2009	(724921)
248	02/06/2009	(725025)
249	02/06/2009	(725029)
250	02/06/2009	(725034)
251	02/08/2009	(725042)
252	02/09/2009	(725420)
253	02/19/2009	(722773)
254	02/19/2009	(735611)
255	03/03/2009	(755775)
256	04/03/2009	(755776)
257	04/29/2009	(744045)
258	05/01/2009	(772784)
259	05/08/2009	(724295)
260	05/09/2009	(744000)
261	05/12/2009	(745290)
262	05/18/2009	(745994)
263	05/20/2009	(744437)
264	06/02/2009	(772785)
265	06/22/2009	(749679)
266	07/16/2009	(749438)
267	07/17/2009	(762606)
268	07/20/2009	(818441)
269	07/22/2009	(763145)
270	07/28/2009	(763639)
271	08/04/2009	(818442)
272	08/26/2009	(767290)
273	08/26/2009	(767350)
274	09/04/2009	(818443)
275	09/10/2009	(767651)
276	09/10/2009	(767652)

277	09/10/2009	(767668)
278	09/11/2009	(775945)
279	10/07/2009	(777362)
280	10/07/2009	(777368)
281	10/09/2009	(818444)
282	11/05/2009	(818445)
283	11/16/2009	(782609)
284	11/24/2009	(782887)
285	11/24/2009	(782917)
286	12/02/2009	(784081)
287	12/02/2009	(784101)
288	12/02/2009	(784102)
289	12/08/2009	(818446)
290	01/14/2010	(818447)
291	01/25/2010	(789299)
292	01/27/2010	(787505)
293	01/28/2010	(787272)
294	01/28/2010	(789005)
295	02/04/2010	(788915)
296	02/05/2010	(818440)
297	02/07/2010	(790483)
298	02/17/2010	(791885)
299	02/17/2010	(791888)
300	02/17/2010	(791897)
301	02/17/2010	(791903)
302	02/17/2010	(791915)
303	02/17/2010	(792278)
304	02/19/2010	(791552)
305	02/19/2010	(791585)
306	02/26/2010	(792430)
307	03/08/2010	(792864)
308	03/19/2010	(794570)
309	03/26/2010	(796195)
310	03/26/2010	(796845)
311	04/12/2010	(762506)
312	04/27/2010	(793000)
313	05/12/2010	(802180)
314	05/20/2010	(785739)

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

Date: 07/26/2005 (397864) CN600124861
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Description: The facility failed to comply with the provisions of the flexible permit No. 9708 by failure to have the Wastewater flare's pilot flame lit at all times.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Description: The facility failed to comply with the provisions of the flexible permit No. 9708 by failure to operate the No. 2 SRU incinerator with the temperatures above 1200 degrees Fahrenheit.

Date: 05/05/2006 (463490) CN600124861
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure of FCCU to comply with opacity limits of Permit No. 9708/PSD-TX-861M2

Date: 06/23/2006(480967)

Self Report? NO Classification: Moderate

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

Description: Failure to comply with special condition 24 of Permit No. 9708/PSD-TX-861M2 during an excess opacity event that occurred on March 23, 2006

Date: 06/28/2006 (481025)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)

Description: Failure to provide notification of an excess opacity event within 24 hours of discovery

Self Report? NO Classification: Moderate

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

Description: Failure to comply with the opacity limit of permit no. 9708/PSD-TX-861M2 for V-20

Date: 09/25/2006 (488931) CN600124861

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)

Description: Failure to submit notification of an excess opacity event within 24 hours

Self Report? NO Classification: Moderate

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

Description: Failure to comply with permitted opacity limit during an excess opacity event that did not meet the affirmative defense criteria

Date: 12/18/2006 (518681)

Self Report? NO Classification: Moderate

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

Description: failure to comply with permitted opacity limits for FCCU stack during excess opacity event which did not meet affirmative defense criteria

Date: 02/28/2007 (542056) CN600124861

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)
MSGP Part III 7 (b) PERMIT

Description: Failure to conduct Annual Comprehensive Site Compliance Evaluations as permit required.

Date: 04/30/2007 (588605) CN600124861

Self Report? YES Classification: Moderate

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

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

Date: 07/25/2007 (568035)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(e)

Description: failure to submit notification of an excess opacity event within 24 hours of discovery

Self Report? NO Classification: Moderate

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

Description: failure to comply with permitted opacity limits for FCCU stack during excess opacity event which did not meet one of the affirmative defense criteria

Date: 08/29/2007 (571885) CN600124861

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Description: The review of the deviation reports, submitted on January 3, 2007 and July 2, 2007, indicated that Diamond Shamrock did not provide the required information for the non-reportable events at this facility in those deviation reports. The company was required to provide the deviation period, the cause, and the corrective action taken for each incident.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 111.111(a)(4), 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)

Description: The review of the deviation report submitted on January 3, 2007 indicated that the company failed to conduct initial verification to ensure accuracy and completeness of the permit application.
The facility is in violation of the provisions of Chapter 122.132(a).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)

Description: The facility is in violation of the requirements of 30 TAC Chapter 101 Chapter 101.201(b)(2).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Description: The facility is in violation of the requirements of 30 TAC Chapter 122.143(4).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Description: The facility is in violation of the requirements of 30 TAC Chapter 122.143(4).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

Description: The facility is in violation of the requirements of 30 TAC Chapter 122.143(4).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 60, Subpart Kb 60.115b(b)(2)

Description: The facility is in violation of 40 CFR Subpart Kb, 60.115b(b)(2).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 60, Subpart H 60.82(a)

Description: The facility is in violation of 40 CFR Subpart H, 60.82(a).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 61, Subpart FF 61.357(d)(7)

Description: The facility is in violation of the requirements of 40 CFR 61, 61.357(d)(7).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

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

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate

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

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 60, Subpart A 60.7(c)

Description: The facility is in violation of the requirements of 40 CFR 60, 60.7(c).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 61, Subpart FF 61.346(b)(5)
40 CFR Part 63, Subpart CC 63.647(a)

Description: The facility is in violation of the provisions of 40 CFR 63.647(a) and 61.346(b)(5).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The facility failed to comply with the provisions of 30 TAC Chapter 116.715(a) and Texas Health and Safety Code 382.085(b).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 61, Subpart FF 61.354(d)

Description: The facility is in violation of the provisions of 40 CFR 61.354(d).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 60, Subpart A 60.7(f)

Description: The facility is in violation of the provisions of 40 CFR 60.7(f).

Date: 08/29/2007 (573564)

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 63, Subpart CC 63.646(a)

Description: The facility is in violation of provisions of 40 CFR 63 Subpart CC, 60. 646(a).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 63, Subpart CC 63.654(h)(1)

Description: The facility is in violation of the requirements of 40 CFR 63, 63.654(h)(1).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 63, Subpart UUU 63.1564(a)(3)

Description: The facility is in violation of requirements of 40 CFR, 63.1364(a)(3).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 63, Subpart UUU 63.1565(a)(3)

Description: The facility is in violation of the requirements of 40 CFR 63, 63.1565(a)(3).

Self Report? NO Classification: Moderate
Citation: 40 CFR Part 63, Subpart UUU 63.1568(a)(3)

Description: The facility is in violation of the requirements of 40 CFR 63, 63.1568(a)(3).

Self Report? NO Classification: Moderate

Citation: 40 CFR Part 63, Subpart UUU 63.1568(c)(1)
Description: The facility is in violation of the requirements of 40 CFR 63, 63.1568(c)(1).
Self Report? NO Classification: Moderate
Citation: 40 CFR Part 63, Subpart LLLLL 63.8684(a)
Description: The facility is in violation of the requirements of 40 CFR 63, 63.8684(a).
Self Report? NO Classification: Moderate
Citation: 40 CFR Part 63, Subpart LLLLL 63.8688(b)(4)
Description: The facility is in violation of the monitoring requirements of 40 CFR 63, 63.8688(b)(4).
Self Report? NO Classification: Moderate
Citation: 40 CFR Part 63, Subpart LLLLL 63.8692(d)
Description: The facility is in violation of the requirements of 40 CFR 63, 63.8692(d).

Date: 03/18/2008 (618803) CN600124861
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility failed to comply with the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility failed to comply with the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility failed to comply with the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility failed to comply with the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility failed to comply with the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.647(a)
Description: The facility is in violation of the provisions of §63.647(a) and §61.346(b)(5).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)
Description: The facility is in violation of the provisions of §101.201(b)(2) for the non-reportable events.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility failed to comply with the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility failed to comply with the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(ii)
Description: The facility failed to comply with the provisions of 40 CFR 60 §60.104(a)(2)(ii).
Self Report? NO Classification: Minor
Citation:
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.697(b)(1)
Description: The facility is in violation of the requirements of 40 CFR 60 Subpart QQQ, §60.697(b)(1).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility failed to comply with the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)(iii)
Description: The facility is in violation of the requirements of §60.105(a)(4)(iii).
Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(6)(ii)
Description: The facility is in violation of the provisions of 40 CFR 60 Subpart Kb, §60.113b(b)(6)(ii).

Date: 09/19/2008 (700737)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
9708/PSD-TX-861M2 PERMIT
Description: failure to comply with permitted opacity limits for FCCU stack during excess opacity event which did not meet the affirmative defense criteria

Date: 05/08/2009 (724295) CN600124861
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: This facility is subject to requirements of the special conditions of the flexible permit No. 9708. The special condition No. 18 (approved on December 8, 2008) specifies the minimum sulfur recovery efficiency of 99.8% for No. 2 SRU. The review of information provided indicated that the minimum SRU efficiency was not achieved on 6/4/2008. The facility is in violation of the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: This facility is subject to requirements of the special conditions of the flexible permit No. 9708. The special condition No. 24 (approved on December 8, 2008) specifies the maximum sulfur dioxide concentration of 300 ppm (on hourly average) from the FCCU regeneration stack. The review of information provided indicated that the SO2 concentration limit was exceeded on 5/20/2008. The facility is in violation of the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
Description: The facility is in violation of the provisions of §60.18(f)(2).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT UUU 63.1569(a)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1565(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(3)
40 CFR Part 63, Subpart UUU 63.1564(a)(3)
40 CFR Part 63, Subpart UUU 63.1565(a)(3)
Description: The facility is in violation of the provisions of §63.1564(a)(3), §63.1569(a)(3), §63.1567(a)(3), §63.1565(a)(3), and 63.1565(c)(2).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Description: The facility is in violation of the provisions of 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(viii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1570(d)
Description: The facility is in violation of the provisions of §63.6(e)(3) and §63.1570(d).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter C 122.217(a)(3)
Description: The facility is in violation of the provisions of 30 TAC 122, §122.217(a)(3).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)
Description: The facility is in violation of the provisions §106.264(7).

Date: 05/19/2009 (745994)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
Description: Failure to provide additional or more detailed information regarding an emissions event within the time established in the request.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
Description: Failure to include on the final report of an emissions event the compound descriptive type of all compounds released

Date: 03/11/2010 (794810) CN600124861
Self Report? NO Classification: Moderate
Citation: 40 CFR Part 60, Subpart H 60.82(a)
5C THSC Chapter 382 382.085(b)
Description: The provisions of §60.82(a) of Subpart H provide the sulfur dioxide emission limits from the sulfuric acid plants. The SO2 emission from the affected facility is limited to 4 lbs./ton of sulfuric acid (H2SO4) production. This limit was exceeded on 8/2/2007 and 1/25/2008. The facility is in violation of the provisions of §60.82(a) and §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.11(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.106(b)(4)
5C THSC Chapter 382 382.085(b)
Description: The facility is in violation of requirements of 40 CFR 60, Subpart J, §60.11(b), §382.085(b), and §60.106(b)(4).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(3)
5C THSC Chapter 382 382.085(b)
Description: The facility is subject to fuel gas monitoring provisions of Subpart J. The facility is conducting a quarterly Hydrogen sulfide concentration monitoring for the vapor combustor (FL-7) for compliance with the provisions of §60.105(a)(3). The review of information indicated that no monitoring was conducted for the fourth quarter 2007. The facility is in violation of provisions of 40 CFR 60, Subpart J, §60.105(a)(3) and §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
5C THSC Chapter 382 382.085(b)
Description: The facility is in violation of requirements of 40 CFR 60 Subpart VV, §60.482-2(a)(1) and §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)
5C THSC Chapter 382 382.085(b)
Description: The facility is in violation of requirements of 40 CFR 60 Subpart VV, §60.482-6(a) and §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)(i)
5C THSC Chapter 382 382.085(b)
Description: The facility is in violation of requirements of 40 CFR 60 Subpart VV, §60.482-7(a)(2)(i) and §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
5C THSC Chapter 382 382.085(b)
Description: The facility is in violation of the provisions of 40 CFR 60 Subpart QQQ, §60.692-2(a)(2) and §382.085(b).
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)
5C THSC Chapter 382 382.085(b)
Description: The provisions of §60.692-2(a)(3) state that "Each drain out of active service shall be checked by visual or physical inspection initially and weekly thereafter for indications of low water levels or other problems that could result in VOC emissions." The semi-annul report, submitted on January 29, 2009 indicated that

weekly inspections were not conducted on 163 cases for the affected drains. The facility is in violation of the 40 CFR 60 Subpart QQQ, §60.692-2(a)(3) and §382.085(b).

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(4)
5C THSC Chapter 382 382.085(b)

Description: The provisions of §60.692-2(a)(4) state that "If an owner or operator elects to install a tightly sealed cap or plug over a drain that is out of service, inspections shall be conducted initially and semi-annually to ensure caps or plugs are in place and properly installed. The semi-annual report, submitted on January 29, 2009 indicated that semi-annual inspections were missed on 8 cases for affected units. The facility is in violation of 40 CFR 60 Subpart QQQ, §60.692-2(a)(4) and §382.085(b).

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(5)
5C THSC Chapter 382 382.085(b)

Description: The facility is in violation of the provisions of 40 CFR 60 Subpart QQQ, §60.692-2(a)(5) and §382.085(b).

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)

Description: The provisions of §61.354(d) state that "For carbon canisters, the device shall be monitored daily." The review of information provided indicated that daily carbon canister monitoring was not performed on 4/26/2008. The facility is in violation of the provisions of 40 CFR 61 Subpart FF, §61.354(d) and §382.085(b).

Date: 05/20/2010 (785739) CN600124861

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)
5C THSC Chapter 382 382.085(b)

Description: The review of the deviation report, submitted on July 29, 2009 indicated that the 12-hour rolling average of sulfur dioxide concentrations exceeded the allowable 250 ppm for SRU No. 1 on three (3) occasions on 3/22/2009, 3/25/2009, and 5/17/2009. The facility is in violation of the provisions of 40 CFR 60 Subpart J, §60.104(a)(2) and Texas Health and Safety Code §382.085(b).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(7)(A)
5C THSC Chapter 382 382.085(b)
Special condition No. 3(B) OP

Description: The visible emissions were observed from the water treatment lime silo opacity collection system and from the water treatment soda ash opacity collection system on 34 occasions. The facility is in violation of the provisions of 30 TAC, §111.111(a)(7)(A), §382.085(b), and special condition No. 3(B) of the Federal Operating Permit No. O-1555.

Self Report? NO Classification: Moderate

Citation: 40 CFR Part 60, Subpart H 60.82(a)
5C THSC Chapter 382 382.085(b)

Description: This facility is subject to the provisions of the 40 CFR 60 Subpart H. The provisions of §60.82(a) of Subpart H provide the sulfur dioxide emission limits from the sulfuric acid plants. The SO2 emission from the affected facility is limited to 4 lbs./ton of sulfuric acid (H2SO4) production. This limit was exceeded on 6/5/2009 and on 12/20/2009 (due to low caustic level which decreased the pH). The facility is in violation of the provisions of 40 CFR 60 Subpart H, §60.82(a) and §382.085(b).

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)
5C THSC Chapter 382 382.085(b)

Description: The review of the deviation report, submitted on July 29, 2009 and the deviation report, submitted on January 29, 2010 indicated that the company identified total of 68 open-ended valves were documented during the period January 1 through December 31, 2009. The facility is in violation of requirements of 40 CFR 60 Subpart VV, §60.482-6(a) and §382.085(b).

Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(i)
5C THSC Chapter 382 382.085(b)

Description: The review of the deviation report, submitted on July 29, 2009 (Event No. 2, page 1 of 16) indicated that a total of 178 valves were not monitored for two quarters during the period January 1 through June 29, 2009. The facility is in violation of requirements of 40 CFR 60 Subpart VV, §60.482-7(c)(1)(i) and §382.085(b).

Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(2)(i)
5C THSC Chapter 382 382.085(b)

Description: The review of the deviation report, submitted on January 29, 2010 indicated that a total of 96 new valves were not monitored within 30 days during the period 5/4/2009 through 9/22/2009. The facility is in violation of requirements of 40 CFR 60 Subpart VV, §60.482-7(a)(2)(i) and §382.085(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special condition No. 29(B) PA

Description: The review of the deviation report, submitted on January 29, 2010indicated that corrective action was not taken within 24 hours following an indication that the FCCU's continuous emission monitoring system exceeded the allowable calibration drift greater than two times the allowable limits on 11/14/2009 and 11/15/2009. The facility is in violation of the provisions of the special condition No. 29(B) of the permit No. 9708, 30 TAC §116.715(a) and Texas Health and Safety Code §382.085(b).

Self Report? NO Classification: Moderate
Citation: 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)

Description: The review of the deviation report, submitted on July 29, 2009 indicated that flames were not present in Wastewater Flare (FL-6) on 6/4/2009. The facility is in violation of the provisions of 40 CFR 60 Subpart A, §60.18(c)(2), 40 CFR 63 Subpart A, §63.11(b)(5), and §382.085(b).

Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.650(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Q 63.428(c)(1)
5C THSC Chapter 382 382.085(b)

Description: The review of the deviation report, submitted on January 29, 2010 indicated that VCU temperature data was not available on 10/8/2009 and 12/9/2009 (due to strip chart paper jam and the system running out of ink). The facility is in violation of the provisions of 40 CFR 63 Subpart CC, §63.650(a), 40 CFR 63 Subpart R, §63.428(c)(1), and §382.085(b).

Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1576(e)
5C THSC Chapter 382 382.085(b)

Description: The review of the deviation report, submitted on July 29, 2009 indicated that although inspections were conducted for several units, including FCCU Flare, SRU No. 1, SRU No. 2, and the HCU Flare, the records demonstrating that the inspections were conducted were not available. The facility is in violation of the provisions of 40 CFR 63 Subpart UUU, §63.1576(e) and §382.085(b).

F. Environmental audits.

Notice of Intent Date: 05/05/2008 (671277)

No DOV Associated

Notice of Intent Date: 08/29/2008 (739445)

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

Compliance History Report

Customer/Respondent/Owner-Operator:	CN601420748	The Premcor Refining Group Inc.	Classification: AVERAGE	Rating: 6.98
Regulated Entity:	RN102584026	VALERO PORT ARTHUR REFINERY	Classification: AVERAGE	Site Rating: 15.91

ID Number(s):

AIR OPERATING PERMITS	PERMIT	2228
AIR OPERATING PERMITS	PERMIT	2229
AIR OPERATING PERMITS	PERMIT	2227
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0042B
AIR OPERATING PERMITS	PERMIT	1498
AIR OPERATING PERMITS	PERMIT	2227
AIR OPERATING PERMITS	PERMIT	2228
AIR OPERATING PERMITS	PERMIT	2229
AIR NEW SOURCE PERMITS	REGISTRATION	92175
AIR NEW SOURCE PERMITS	REGISTRATION	91727
AIR NEW SOURCE PERMITS	REGISTRATION	91911
AIR NEW SOURCE PERMITS	PERMIT	17038
AIR NEW SOURCE PERMITS	PERMIT	6825A
AIR NEW SOURCE PERMITS	PERMIT	12454A
AIR NEW SOURCE PERMITS	PERMIT	12553A
AIR NEW SOURCE PERMITS	PERMIT	13635A
AIR NEW SOURCE PERMITS	PERMIT	13698A
AIR NEW SOURCE PERMITS	REGISTRATION	28778
AIR NEW SOURCE PERMITS	REGISTRATION	45737
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0042B
AIR NEW SOURCE PERMITS	AFS NUM	4824500004
AIR NEW SOURCE PERMITS	PERMIT	N65
AIR NEW SOURCE PERMITS	PERMIT	80812
AIR NEW SOURCE PERMITS	REGISTRATION	84905
AIR NEW SOURCE PERMITS	PERMIT	86757
AIR NEW SOURCE PERMITS	REGISTRATION	87773
AIR NEW SOURCE PERMITS	REGISTRATION	84929
AIR NEW SOURCE PERMITS	REGISTRATION	87917
AIR NEW SOURCE PERMITS	REGISTRATION	91500
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD008090409
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30004
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50350
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30004
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	JE0042B

Location: 1801 S GULFWAY DR, PORT ARTHUR, TX, 77640

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: April 21, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: April 19, 2005 to April 19, 2010

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

Name: Raymond Marlow, P.G. Phone: 409-899-8785

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No

3. If Yes, who is the current owner/operator? N/A
4. if Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 12/20/2007 **ADMINORDER 2007-0385-AIR-E**

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT
O-02229, General Terms and Conditions OP
O-02229, Special Condition 15A OP
Description: Failure to maintain emission rates below the allowable emission limits.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1568(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, Special Condition 1A PERMIT
6825A/PSD-TX-49, Special Condition 3B PERMIT
Description: Failure to maintain the SO2 concentration below the maximum allowable limit.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to prevent unauthorized emissions on 2/21/06.
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failed to prevent unauthorized emissions on 4/19/06.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Description: Failed to prevent unauthorized emissions on 6/29/06.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Description: Failed to prevent unauthorized emissions on 7/21/06.

Effective Date: 01/12/2008 **ADMINORDER 2007-0149-AIR-E**

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT

O-02229, General Terms and Conditions OP

O-02229, Special Condition 15A OP

Description: Failure to maintain emission rates below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT
O-02229, General Terms and Conditions OP
O-02229, Special Condition 15A OP

Description: Failure to maintain emission rates below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT
O-02229, General Terms and Conditions OP
O-02229, Special Condition 15A OP

Description: Failure to maintain emission rates below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT

O-02229, General Terms and Conditions OP
O-02229, Special Condition 15A OP

Description: Failure to maintain emission rates below the allowable emission limits.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT
O-02229, General Terms and Conditions OP
O-02229, Special Condition 15A OP

Description: Failure to maintain emission rates below the allowable emission limits.

Effective Date: 02/25/2008 **ADMINORDER 2007-0956-AIR-E**

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit 6825A PERMIT

Description: Failed to prevent unauthorized emissions as documented during an investigation conducted on March 20, 2007. Specifically, during an emission event on February 1, 2007, over a period of 8 minutes, EPN E-23-FLARE emitted emitted 1,779.85 lbs of SO2, 93.87 lbs of CO, 19.34 lbs of H2S.emissions event resulted when the Hot Maintenance Drop Out (HMDO) drum overhead vapor line was inadvertently isolated downstream of the Diesel Hydrotreater (DHT)-246 off gas tie-in, instead of being isolated upstream.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49 PERMIT

Description: Failed to prevent unauthorized emissions, as documented during an investigation conducted February 16, 2007 through March 28, 2007. Specifically, during an emission event on January 16, 2007, EPN E-01-SCOT emitted 1,921.66 lbs of SO2, 63.8 lbs of CO, 0.39 lbs of PM, and 16.47 lbs of H2S for 2 hours and 53 minutes. EPN E-02-SCOT emitted 168.72 lbs of SO2 and 10.15 lbs of CO for 2 hours and 5 minutes. EPN E-03-SCOT emitted 4,979.19 lbs of SO2 and 711.23 lbs of CO for 4 hours and 12 minutes.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49 PERMIT

Description: Failed to prevent unauthorized emissions, as documented during an investigation conducted February 16, 2007 through March 28, 2007. Specifically, during an emission event on January 31, 2007, over a period of 1 hour and 30 minutes, EPN FLARE 103 emitted 1,102.77 lbs of SO2, 58.53 lbs of CO, 11.97 lbs of H2S, 8.1 lbs of nitrogen oxides ("NOx"), 3.27 lbs of PM, and 153.09 lbs VOC. The permit does not authorize any upset emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.0518(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to prevent unauthorized emissions, as documented during an investigation conducted on April 23, 2007. Specifically, during an emission event from March 27, 2007 through March 30, 2007, over a period of 63 hours and 12 minutes, 3 pressure release valves in the Wastewater Treating Unit (EPN F-WWTU-8742) emitted 150.19 lbs of H2S and 971.41 lbs VOC. Upset emissions from F-WWTU-8742 are not authorized.

Effective Date: 04/14/2008 **ADMINORDER 2007-1358-AIR-E**

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

30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49 PERMIT

Description: Failed to maintain compliance below the maximum allowable emission rate limits

Classification: Moderate

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

Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 12/04/2008 **ADMINORDER 2008-0435-AIR-E**

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 2.F OP

Description: Failed to report an emissions event within 24 hours of discovery.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP
STC 18 OP

Description: Failed to maintain the Flare 22 [Emission Point No. ("EPN") F-22-Flare] emission rates below the allowable emission limits.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP
O-01498, STC 18 OP
O-02229, GENERAL CONDITIONS OP
O-02229, STC15 OP

Description: Failed to maintain emission rates below the allowable emission limits for Flare 103B (EPN F-103-Flare, Tank 151 (EPN T-151), and Flare 23 (EPN E-23-Flare).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(c)
5C THSC Chapter 382 382.085(b)

Description: Failed to timely report a shutdown that occurred at the Gulfining Unit (EPN GFU-244) that started on October 5, 2007, at 6:00 a.m., and ended October 10, 2007, at 12:00 a.m.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6825A / PSD-TX-49, Special Condition 5A PERMIT
O-01498, General Terms and Conditions OP
O-01498, STC No.18 OP

Description: Failed to maintain Flare 19 (EPN E-19-Flare) emission rates below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6825A / PSD-TX-49, Special Condition 5A PERMIT
O-01498, General Terms and Conditions OP
O-01498, STC No. 18 OP

Description: Failed to maintain emission rates below the allowable emission limits at the SCOT-1 Tail Gas Incinerator (EPN E-01-SCOT).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6825A / PSD-TX-49, Special Condition 5A PERMIT
O-01498, General Terms and Conditions OP
O-01498, STC No. 18 OP

Description: Failed to maintain the Flare 23 (EPN F-23-Flare] emission rates below the allowable emission limits.

Effective Date: 01/30/2009 **ADMINORDER 2007-1455-AIR-E**

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: O-01498, General Terms and Conditions OP

Description: Failure to properly report an emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT
O-01498, General Terms and Conditions OP
O-01498, Special Condition 18A OP

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: 7600A, Special Condition 1 PERMIT
O-01498, General Terms and Conditions OP
O-01498, Special Condition 18A OP

Description: Failure to properly operate Tank 283 and Tank 284.

Effective Date: 02/22/2009 **ADMINORDER 2008-0742-AIR-E**

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a final report in a timely manner.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, SPECIAL CONDITION 5A PERMIT
O-01498, SPECIAL CONDITION 18 OP

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

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 6825A / PSD-TX-49, Special Condition 5A PERMIT
O-01498, General Terms and Conditions OP

Description: Failure to maintain emission rates below the allowable emission limits.

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

Description: Failure to properly report an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
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)
Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT
O-01498, General Terms and Conditions OP

Description: Failure to maintain emission rates below the allowable emission limits

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, Special Condition 5A PERMIT
O-01498, General Terms and Conditions OP

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

Effective Date: 06/01/2009 **ADMINORDER 2008-1043-AIR-E**

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP

Description: Failed to prevent the release of unauthorized contaminants into the atmosphere.

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP

Description: Failed to prevent the release of unauthorized contaminants into the atmosphere.

Effective Date: 08/31/2009 **ADMINORDER 2009-0151-AIR-E**

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP

Description: Failed to prevent unauthorized emissions during Incident No. 108928.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP

Description: Failed to prevent unauthorized emissions during Incident No. 111065.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP

Description: Failed to prevent unauthorized emissions during Incident No. 113023.

Effective Date: 09/23/2009 **COURTORDER**

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about April 4, 2003, referred to as investigation no. 28570. The investigation describes the violations in narrative form and identifies the violations by tracking numbers 44442, 44448, 44454, 44459, 44462, 44472, 44477, 44496, 44498, 44512, 44517, 44519, 44532, 44535, 44550, 44557 . . . .

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

Description: Failure to maintain emission rate below allowable limit.

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

Description: Failure to maintain emission rate below allowable limit.

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

Description: Failure to maintain emission rate below allowable limit.

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

Description: Failure to maintain emission rate below allowable limit.

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

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Standard Exemption No. 88 PA

Description: Failure to satisfy the condition of a standard exemption.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Standard Exemption 88 PA

Description: Failure to meet the conditions of a standard exemption.

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

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Standard Exemption 88 PA

Description: Failure to meet the conditions of a standard exemption.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Standard Exemption 88 PA

Description: Failure to meet the conditions of a standard exemption.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 5215A, SC1 PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Pemit 6825A, SC19 PERMIT
PSD-TX-49, SC 19 PERMIT

Description: Failure to comply with requirements of a permit.

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

30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit, 6825A SC 5B PERMIT
PSD-TX-49, SC5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Standard Exemption No. 88 PA

Description: Failure to satisfy the condition of a standard exemption.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Standard Exemption No. 88 PA

Description: Failure to meet the conditions of a standard exemption.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5 PERMIT
Standard Exemption No. 88 PA

Description: Failure to maintain emission rate below allowable limit and meet the conditions of a standard exemption.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Permit 6825A, SC 5B PERMIT
PSD-TX-49, SC 5B PERMIT

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to prevent unauthorized emissions.

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

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

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain emission rate below allowable limit.

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

Description: Failure to maintain emission rate below allowable limit.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report an upset within 24 hours of the event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for an emissions event.

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

Description: Failure to report all information required for an emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for an emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for an emissions event.
Failure to report all information required for emissions event.
Failure to report all information required for emissions event.
Failure to report all information required for emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report all information required for an emissions event.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)

Description: Failure to report all information required for an emissions event.

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about August 12, 1998. By an August 31, 1998 letter to the Defendants, The TCEQ listed the violations observed during the investigation. A copy of the August 12, 1998 investigation, without attachments, is attached as Appendix A and incorporated herein for all purposes . . . .

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about March 12, 1999. By a March 22, 1999 letter to the Defendants, the TCEQ listed the violations observed during the investigation. A copy of the March 22, 1999, letter to the Defendants is attached as Appendix C and incorporated herein for all purposes.

Classification: Moderate
Citation: 5C THC Chapter 382, SubChapter A 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about June 17, 1999. The TCEQ describes the violation observed during the investigation in a July 9, 1999, Enforcement Action Referral. A copy of the July 9, 1999, Enforcement Action Referral, without attachments, is attached as Appendix D and incorporated herein for all purposes.

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in investigations conducted at the Port Arthur, Texas refinery on or about June 14, 1999 and August 4, 1999. By June 30, 1999 and August 24, 1999, letters to the Defendants, the TCEQ listed the violations observed during the two investigations. A copy of the June 14, 1999 investigation, without attachments, is attached as Appendix E and incorporated . . . .

Classification: Minor

Citation: 5C THSC Chapter 382 382.085
Rqmt Prov: SC39A PERMIT

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about July 20, 2000. By a September 7, 2000, letter to the Defendants, the TCEQ listed the violations observed during the investigation. A copy of the July 20, 2000 investigation, without attachments, is attached as Appendix I and incorporated herein for all purposes . . .

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085
Rqmt Prov: NA PERMIT

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in investigations conducted at the Port Arthur, Texas refinery on or about November 3, 2000, and March 26, 2001. By April 21, 2001 letter to the Defendants, the TCEQ listed the violations observed during the investigation. A copy of the November 3, 2000 investigation, without attachments, is attached as Appendix K and incorporated herein for all purposes . .

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about April 3, 2001. By April 24, 2001 letter to the Defendants, the TCEQ listed the violation observed during the investigation. A copy of the April 3, 2001 investigation, without attachments, is attached as Appendix N and incorporated herein for all purposes . . . .

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about November 12, 2003, referred to as investigation no. 258663. The investigation describes the violation in narrative form and identifies the violation by tracking number 150854 in the investigation. A copy of investigation no. 258663, without attachments . . . .

Classification: Minor
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about April 20, 2004 referred to as investigation no. 270296. The investigation describes the violations in narrative form and identifies the violations by tracking numbers 161061 and 161062 in the investigation. A copy of investigation no. 270296, without attachments . . . .

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit 6825A Special Condtion 5B PA
PSD-TX-49 Special Condtion 5B PA

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

Classification: Minor
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about January 20, 2005, referred to as investigation no. 276009. The investigation describes the violations in narrative form and identifies the violations by tracking numbers 188937, 188938, 188940, 188941, 188942, 188943, 188944, 188945, 188946, 188947, 188948, 188949, 188950, and . . . .

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 25A PERMIT

Description: Failure to prevent visible emissions at the Atmospheric Vacuum Unit (AVU)-146 H-101 Heater.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT

Description: Failure to maintain an emission rate below the emission cap's hourly contribution limit.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the regional office of a reportable emissions event, which began on April 14, 2004 (STEERS Incident 37961).

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

Description: Failure to properly identify authorized emissions limits for an emissions event, which began on April 14, 2004 (STEERS Incident 37961).

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT

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

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the regional office of a reportable emissions event, which began on April 14, 2004 (STEERS Incident 37962).

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

Description: Failure to properly identify authorized emissions limits for an emissions event, which began on April 14, 2004 (STEERS Incident 37962).

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT

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

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

Description: Failure to properly notify the regional office of a reportable emissions event, which began on April 14, 2004 (STEERS Incident 38022).

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

Description: Failure to properly identify authorized emissions limits for an emissions event, which began on April 14, 2004 (STEERS Incident 38022).

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT

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

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

Description: Failure to properly notify the regional office of a reportable emissions event, which began on April 14, 2004 (STEERS Incident 38026).

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT

Description: Failure to maintain an emission rate below the emission cap's hourly contribution limit.

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about January 24, 2005, referred to as investigation no. 346253. The investigation describes the violations in narrative form and identifies the violations by tracking numbers 190534, 190543, 190551, and 190558 in the investigation. A copy of investigation no. 346253, without attachments . . .

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit 6825A, PSD-TX-49, SC 5A PA

Description: Failure to prevent unauthorized emissions from the Atmospheric Vacuum Unit (AVU) 146 during incident No. 32824.

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

Description: Failure to report an emission event (Incident No. 33539) within 24 hours

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit 6825A, PSD-TX-49, SC 17C PA
Permit 6825A, PSD-TX-49, SC 5A PA

Description: Failure to prevent unauthorized emissions from the Scot 1 Incinerator during incident No. 33539 and failure to continuously monitor from hydrocarbon layer thickness by electronic gauge.

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation conducted at the Port Arthur, Texas refinery on or about April 8, 2005, referred to as investigation no. 348169. The investigation describes the violations in narrative form and identifies the violation by tracking numbers 208879 in the investigation. A copy of investigation no. 348169, without attachments, is attached as Appendix U . . . .

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation the Port Arthur, Texas refinery on or about June 30, 2005, referred to as investigation no. 396901. The investigation describes the violations in narrative form and identifies the violations by tracking numbers 210570 and 210577 in the investigation. A copy of investigation no. 396901, without attachments, is attached as Appendix V . . . .

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49 PERMIT

Description: Failure to prevent unauthorized emissions during Incident Nos. 40540, 40543, 51468, and 53830.

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation the Port Arthur, Texas refinery on or about July 27, 2005, referred to as investigation no. 402102. The investigation describes the violations in narrative form and identifies the violations by tracking numbers 212393 and 212460 in the investigation. A copy of investigation no. 402102, without attachments, is attached as Appendix X and incorpo

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49 PERMIT

Description: Failure to prevent unauthorized emissions during Incident Nos. 51075, 51078, 51081, 51084, and 51087.

Classification: Minor
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation the Port Arthur, Texas refinery on or about July 26, 2005, referred to as investigation no. 403310. The investigation describes the violations in narrative form and identifies the violations by tracking numbers 213083, 213088, and 213090 in the investigation. A copy of investigation no. 403310, without attachments . . . .

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.211(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit an initial notification for an emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT

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

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation the Port Arthur, Texas refinery on or about August 8, 2005, referred to as investigation no. 337449. The investigation describes the violations in narrative form and identifies the violations by tracking numbers 214475 and 214478 in the investigation. A copy of investigation no. 337449, without attachments, is attached as Appendix Y . . . .

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain the CO 9 Boiler bypass valve to prevent unauthorized emissions during normal operation from April 2004 to the end of February 2005. B13

Classification: Moderate
Citation: 5C THSC Chapter 382 382.085

Description: Defendants violated Section 382.085 of the TCAA, and regulations promulgated and permits issued to implement the TCAA, as documented in an investigation the Port Arthur, Texas refinery on or about August 29, 2005, referred to as investigation no. 418593. The investigation describes the violations in narrative form and identifies the violations by tracking number 218082 in the investigation. A copy of investigation no. 418593, without attachments, is attached as Appendix Z and . . . .

Effective Date: 03/20/2010 **ADMINORDER 2009-0511-AIR-E**

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 6825A/PSD-TX-49 PERMIT
O-01498 OP

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

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP

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

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 6825A/PSD-TX-49, SC 5A PERMIT
O-01498, GENERAL CONDITIONS OP

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

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	04/19/2005	(349573)
2	05/06/2005	(276009)
3	05/17/2005	(377749)
4	05/17/2005	(377823)
5	05/20/2005	(347935)
6	05/24/2005	(374676)
7	05/31/2005	(377794)
8	05/31/2005	(393164)
9	06/07/2005	(392990)
10	06/07/2005	(394209)
11	06/13/2005	(377488)
12	06/13/2005	(377635)
13	06/13/2005	(377763)
14	06/17/2005	(395060)
15	07/05/2005	(380293)
16	07/05/2005	(393742)
17	07/26/2005	(400317)
18	08/01/2005	(393808)
19	08/04/2005	(401782)
20	08/04/2005	(402168)
21	08/13/2005	(402114)
22	08/14/2005	(380729)
23	08/16/2005	(337449)
24	08/16/2005	(348169)
25	08/16/2005	(396901)
26	08/16/2005	(402102)
27	08/16/2005	(403310)
28	08/25/2005	(401169)
29	08/31/2005	(338345)
30	08/31/2005	(401994)
31	10/13/2005	(431867)
32	11/03/2005	(434493)
33	11/04/2005	(404608)
34	11/04/2005	(418674)
35	11/04/2005	(432099)
36	11/04/2005	(432307)
37	11/15/2005	(435657)
38	12/02/2005	(418593)
39	01/18/2006	(438806)
40	02/03/2006	(440029)

41	02/06/2006	(437321)
42	02/21/2006	(455655)
43	02/23/2006	(455193)
44	03/28/2006	(450081)
45	03/31/2006	(455509)
46	04/12/2006	(461051)
47	04/28/2006	(454769)
48	05/03/2006	(464161)
49	05/11/2006	(464702)
50	05/30/2006	(466254)
51	06/16/2006	(482132)
52	07/14/2006	(464803)
53	07/28/2006	(483694)
54	08/30/2006	(482855)
55	08/31/2006	(454753)
56	08/31/2006	(466054)
57	10/10/2006	(512174)
58	11/06/2006	(515244)
59	11/15/2006	(515161)
60	11/18/2006	(517423)
61	12/19/2006	(512175)
62	12/28/2006	(273484)
63	12/28/2006	(395082)
64	01/04/2007	(533453)
65	01/25/2007	(512183)
66	01/25/2007	(531282)
67	01/25/2007	(531842)
68	01/25/2007	(535004)
69	02/01/2007	(538514)
70	02/02/2007	(538412)
71	02/02/2007	(538987)
72	02/02/2007	(539009)
73	02/14/2007	(537911)
74	04/21/2007	(537071)
75	04/21/2007	(539391)
76	04/21/2007	(541913)
77	04/26/2007	(542530)
78	05/14/2007	(558406)
79	05/17/2007	(554503)
80	05/17/2007	(554971)
81	05/17/2007	(555573)
82	05/17/2007	(555595)
83	05/31/2007	(561603)
84	06/01/2007	(558971)
85	06/13/2007	(557367)
86	06/20/2007	(561471)
87	07/06/2007	(563007)
88	07/26/2007	(559734)
89	07/26/2007	(567176)
90	08/22/2007	(571648)
91	08/28/2007	(568208)
92	08/31/2007	(570927)
93	08/31/2007	(574001)
94	09/17/2007	(594355)
95	10/24/2007	(594169)
96	11/20/2007	(597292)
97	11/26/2007	(597187)
98	11/28/2007	(600706)
99	11/28/2007	(609718)

100	12/18/2007	(609958)
101	01/04/2008	(613529)
102	01/13/2008	(609850)
103	01/14/2008	(609022)
104	01/14/2008	(611965)
105	01/15/2008	(610932)
106	02/06/2008	(617409)
107	02/07/2008	(614107)
108	02/07/2008	(617548)
109	02/13/2008	(613169)
110	02/27/2008	(617570)
111	03/06/2008	(615451)
112	03/30/2008	(640081)
113	04/01/2008	(615917)
114	04/15/2008	(636257)
115	04/22/2008	(640467)
116	04/29/2008	(653905)
117	05/07/2008	(640491)
118	05/13/2008	(637346)
119	05/13/2008	(639601)
120	05/13/2008	(653456)
121	05/16/2008	(641333)
122	05/28/2008	(640609)
123	06/12/2008	(671631)
124	06/17/2008	(683429)
125	06/26/2008	(680362)
126	12/04/2008	(709108)
127	01/15/2009	(721121)
128	01/27/2009	(709880)
129	02/10/2009	(722221)
130	02/18/2009	(723247)
131	02/18/2009	(726815)
132	03/03/2009	(736950)
133	03/05/2009	(737300)
134	03/10/2009	(726477)
135	03/20/2009	(739247)
136	04/02/2009	(741291)
137	06/03/2009	(743772)
138	06/17/2009	(744886)
139	06/29/2009	(760309)
140	06/30/2009	(742290)
141	07/16/2009	(761577)
142	07/16/2009	(761582)
143	07/30/2009	(760486)
144	08/26/2009	(763057)
145	08/28/2009	(761367)
146	08/31/2009	(762200)
147	10/05/2009	(775315)
148	10/07/2009	(775036)
149	10/13/2009	(766946)
150	10/13/2009	(767695)
151	10/13/2009	(767705)
152	10/13/2009	(767708)
153	10/14/2009	(767494)
154	10/14/2009	(779064)
155	11/06/2009	(764488)
156	11/18/2009	(779374)
157	12/09/2009	(784945)
158	12/11/2009	(783903)

159	12/21/2009	(781035)
160	12/22/2009	(785832)
161	12/23/2009	(783033)
162	12/23/2009	(785403)
163	12/23/2009	(785755)
164	01/28/2010	(785027)
165	01/29/2010	(786198)
166	02/01/2010	(788081)
167	02/01/2010	(788274)
168	03/19/2010	(795261)
169	04/12/2010	(790271)
170	04/14/2010	(796429)

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

Date: 08/26/2005 (401169)

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 THC Chapter 382, SubChapter A 382.085(b)
FOP O-2227 General Terms and Conditions OP

Description: Failure to report all instances of all deviations.

Date: 08/31/2006 (482855)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02228 Special Condition 13H OP

Description: Failure to maintain proper documentation as listed in the Semiannual Deviation Report for FOP O-02228 dated May 25, 2005 to November 25, 2005 and November 26, 2005 to May 25, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
Flex Permit 6825A/PSD-TX-49 SC 37C PERMIT
O-02229, Special Condition 15 OP

Description: Failure to maintain proper documentation of CEMS data as listed in the Semiannual Deviation Report for FOP O-02229 dated January 16, 2004 to July 16, 2004.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
Flex Permit 6825A/PSD-TX-49, SC 24A PERMIT
O-02229, Special Condition 15 OP

Description: Failure to maintain Incinerator Firebox Temperature as listed in the Semiannual Deviation Report for FOP O-02229 dated January 16, 2004 to July 16, 2004.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02229, Special Condition 1D OP

Description: Failure to submit a semiannual report in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain a 250 ppm SO2 emission limit at the sulfur recovery plant as listed in the Semiannual Deviation Report for FOP O-02229 dated January 16, 2005 to July 16, 2005.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02229, Special Condition 3 OP

Description: Failure to conduct a daily notation in the flare operation log as listed in the Semiannual Deviation Report for FOP O-02229 dated July 16, 2004 to January 15, 2005.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49, Special Condition 20C PERMIT
O-02229, Special Condition 15 OP

Description: Failure to properly operate the H2S degasser for FOP O-02229 dated January 16, 2005 to July 16, 2005.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 64, SubChapter C, PT 64 64.7(c)
5C THC Chapter 382, SubChapter D 382.085(b)
6825A/PSD-TX-49, Special Condition 37C PERMIT
O-02229, Special Condition 14A OP
O-02229, Special Condition 15 OP

Description: Failure to complete a 15 minute cycle of CEMS data as listed in the Semiannual Deviation Report for FOP O-02229 dated January 16, 2005 to July 16, 2005.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02229, Special Condition 1E OP

Description: Failure to record bypass valve position at least once per hour as listed in the Semiannual Deviation Report for FOP O-02229 dated January 16, 2005 to July 16, 2005.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9
5C THC Chapter 382, SubChapter D 382.085(b)
6825A/PSD-TX-49, Special Condition 28I PERMIT
O-02229, Special Condition 15 OP

Description: Failure to place on a shutdown list within 15 days of documenting a leak as listed in the Semiannual Deviation Report for FOP O-02229 dated July 16, 2005 to January 16, 2006.

Date: 06/14/2007 (557367)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02229, SC 1A OP

Description: Failure to record the time of day in the flare log.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.100
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(f)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THC Chapter 382, SubChapter D 382.085(b)
6825A/PSD-TX-49, SC 4B PERMIT
O-02229, SC 15 OP
O-02229, SC 1A OP

Description: Failure to continuously monitor the flare.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825/PSD-TX-49, SC 24A PERMIT
O-02229, SC 15 OP
O-02229, SC 1A OP

Description: Failure to record incinerator temperature.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49, SC 20C PERMIT
O-02229, SC 15 OP
O-02229, SC 1A OP

Description: Failure to properly degas liquid sulfur.

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 THC Chapter 382, SubChapter D 382.085(b)
O-02229, General Conditions OP

Description: Failure to report a deviation.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 61, Subpart FF 61.356(f)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02227, SC 1A OP

Description: Failure to maintain records for a control device.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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 THC Chapter 382, SubChapter D 382.085(b)
6825A/PSD-TX-49, SC 3A and 28E PERMIT
O-02229, SC 15 OP

Description: Failure to seal an open line.

Date: 11/27/2007 (597187)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 113, SubChapter C 113.300
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.563(a)(4)(i)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02227, SC 1D OP

Description: Failure to obtain documentation of a vapor tightness pressure test.

Date: 02/07/2008 (614107) CN601420748

Self Report? NO Classification: Minor

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

Description: Failure to include time of day in daily flare log as listed in two Semiannual Deviation Reports for FOP O-02229.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49 PERMIT
O-02229 OP

Description: Failure to monitor pilot flame on a continuous basis as listed in three Semiannual Deviation Reports for FOP O-02229.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49 PERMIT
O-02229 OP

Description: Failure to conduct soft coke moisture sampling on a weekly basis as listed in the Semiannual Deviation Report for FOP O-02229 dated January 16, 2006 until July 15, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(1)
5C THSC Chapter 382 382.085(b)
O-02229 OP

Description: Failure to maintain performance level certification as listed in the Semiannual Deviation Report for FOP O-02229 dated January 16, 2006 until July 15, 2006.

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-02229 OP

Description: Failure to report a deviation in a timely manner as listed in the Semiannual Deviation Report for FOP O-02229 dated January 16, 2006 until July 15, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49 PERMIT
O-02229 OP

Description: Failure to cap an open-ended line as listed in two Semiannual Deviation Reports for FOP O-02229 dated July 15, 2006 until January 15, 2007 and January 16, 2007 until July 16, 2007.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-75 PERMIT
O-02229 OP

Description: Failure to obtain a permit for air contaminants as listed in two Semiannual Deviation Report for FOP O-02229 dated July 15, 2006 until January 15, 2007.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49 PERMIT
O-02229 OP

Description: Failure to maintain sulfur removal efficiency as listed in the Semiannual Deviation Report for O-02229 dated January 16, 2007 until July 16, 2007.

Date: 05/28/2008 (640886) CN601420748

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter 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 AA 63.648(a)
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 28E PERMIT
O-01498, SC 18 OP

Description: Failure to cap open-ended lines as listed in two Semiannual Deviation Reports for FOP O-01498 dated January 8, 2007 to July 8, 2007 and July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.354(3)
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)
6825A/PSD-TX-49, SC 28J PERMIT
O-01498, SC 18 OP

Description: Failure to conduct VOC leak repairs as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007.

Self Report? NO Classification: Minor

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

Description: Failure to record the time of day and if the flare was smoking as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007 and July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49, SC 4B PERMIT
O-01498, SC 18 OP

Description: Failure to monitor pilot flame on a continuous basis as listed in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007 and July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 2B PERMIT
6825A/PSD-TX-49, SC 5A PERMIT
O-01498, SC 18 OP

Description: Failure to maintain a tank seal in a closed position as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007 and July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49, SC 17C PERMIT
O-01498, SC 18 OP

Description: Failure to monitor a tank for hydrocarbon thickness as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007.

Self Report? NO Classification: Moderate

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

6825A/PSD-TX-49, SC 18 PERMIT
O-01498, SC 18 OP

Description: Failure to maintain a minimum retention time at a tank as shown in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49, SC 12B PERMIT
O-1498, SC 18 OP

Description: Failure to maintain the proper Wet Gas Scrubber pH as listed in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.690
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 1A(5) PERMIT
O-01498, SC 18 OP

Description: Failure to apply federal rules to a modified unit as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007 and July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49, SC 35F PERMIT
O-01498, SC 18 OP

Description: Failure to submit a performance testing report in a timely manner as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49, SC 37F PERMIT
O-01498, SC 18 OP

Description: Failure to maintain a CEMS downtime of less than 5% as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(c)(1)
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 3B PERMIT
O-01498, SC 18 OP

Description: Failure to maintain a weekly chloride level as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007 and July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 3A PERMIT
O-01498, SC 18 OP

Description: Failure to maintain conduct tank seal measurments as reported in a Semiannual Deviation Report for FOP O-01498 dated January 8, 2007 to July 8, 2007.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 12B PERMIT
O-01498, SC 18 OP

Description: Failure to continuously monitor the pH at the FCCU Regenerator Scrubber (aka Wet Gas Scrubber) as reported in a Semiannual Deviation Report for FOP O-01498 dated July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
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)
6825A/PSD-TX-49, SC 29A PERMIT
O-01498, SC 18 OP

Description: Failure to record a H2S leak as reported in a Semiannual Deviation Report for FOP O-01498 dated July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347(a)(1)
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 2B PERMIT
O-01498, SC 18 OP

Description: Failure to maintain a closed-vent system as reported in a Semiannual Deviation Report for FOP O-01498 dated July 8, 2007 to January 7, 2008.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(a)(1)
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 2B PERMIT
O-01498, SC 18 OP

Description: Failure to maintain a closed-vent system as reported in a Semiannual Deviation Report for FOP O-01498 dated July 8, 2007 to January 7, 2008.

Date: 01/15/2009 (721121) CN601420748

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.300
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.563(a)(4)(i)
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 11B(2) PERMIT
O-02227, SC 12 OP
O-02227, SC 13 OP
O-02227, SC 1D OP

Description: Failure to obtain documentation of a vapor tightness pressure test as reported in the Semiannual Deviation Report for FOP O-02227 covering June 12, 2007 until December 11, 2007.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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)
40 CFR Part 60, Subpart VV 60.482-6
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, SC 28E PERMIT
O-02227, SC 13 OP

Description: Failure to maintain all open-ended lines with a plug, cap, flange or second valve as reported in the Semiannual Deviation Report for FOP O-02227 covering June 12, 2007 until December 11, 2007 and December 12, 2007 until June 12, 2008.

Date: 02/18/2009 (723247)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648
5C THSC Chapter 382 382.085(b)
6825A/PSD-TX-49, Special Condition 3A PERMIT
O-02228, Special Condition 13 OP

Description: Failure to maintain all open-ended lines with a plug, cap, flange or second valve as reported in the Semiannual Deviation Report for FOP O-02228 covering May 25, 2007 until November 23, 2007 and November 24, 2007 until May 26, 2008.

Date: 06/18/2009 (744886)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
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)
6825A/PSD-TX-49, 4B PERMIT
O-02229, SC 1A OP

Description: Failure to monitor a pilot flame on a continuous basis.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
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)
6825A/PSD-TX-49, SC 28E PERMIT
O-02229, SC 15 OP

Description: Failure to cap open-ended lines.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
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)
6825A/PSD-TX-49, SC 37F PERMIT
O-02229, SC 15 OP
O-02229, SC 1A OP

Description: Failure to maintain a CEMS downtime of less than 5%.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
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)
6825A/PSD-TX-49, SC 52D PERMIT
O-02229, SC 15 OP

Description: Failure to maintain minimum coke moisture content.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
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)
6825A/PSD-TX-49, SC 20B PERMIT
O-02229, SC 15 OP
O-02229, SC 1A OP

Description: Failure to properly degas sulfur.

Date: 07/30/2009 (760486)

Self Report? NO Classification: Minor

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

Description: Failure to record the time of day and if the flare was smoking.

Self Report? NO Classification: Minor

Citation: /PSD-TX-49, SC 4B PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
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 18 OP

Description: Failure to monitor pilot flame on a continuous basis.

Self Report? NO Classification: Minor

Citation: /PSD-TX-49, SC 12B PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
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 18 OP

Description: Failure to continuously monitor the pH at the FCCU Regenerator Scrubber (aka Wet Gas Scrubber).

Self Report? NO Classification: Minor

Citation: /PSD-TX-49, SC 28E PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter 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 AA 63.648(a)
5C THSC Chapter 382 382.085(b)
SC 18 OP

Description: Failure to cap open-ended lines. C10

Self Report? NO Classification: Moderate

Citation: /PSD-TX-49, SC 15 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
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 18 OP

Description: Failure to maintain a minimum sulfur recovery efficiency of 99.8% at SRU 543.

Self Report? NO Classification: Moderate

Citation: /PSD-TX-49, SC 28H PERMIT
/PSD-TX-49, SC 3A PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
SC 18 OP

Description: Failure to tag a leaking component.

Date: 11/20/2009 (779374)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 13 OP
Special Condition 15A OP
Special Condition 46E PERMIT
Special Condition 5A PERMIT

Description: Failure to install a cap, blind flange, plug, or second valve on thirteen open-ended lines in the Marine Loading Unit as reported in the Deviation Reports for FOP O-02227 covering the reporting periods of June 12, 2008, to December 11, 2008, and December 12, 2008, to June 11, 2009.

Date: 01/29/2010 (785027)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 1A OP

Description: Failure to install a cap, blind flange, plug, or second valve on thirteen open-ended lines in the Wastewater Treatment Unit 8742 as reported in the deviation reports for FOP O-02228 covering the reporting periods of May 25, 2008, to November 23, 2008, and November 24, 2008, to May 25, 2009.

F. Environmental audits.

Notice of Intent Date: 11/07/2007

No DOV Associated

Notice of Intent Date: 11/27/2007

No DOV Associated

Notice of Intent Date: 01/10/2008

No DOV Associated

Notice of Intent Date: 04/23/2008

No DOV Associated

Notice of Intent Date: 07/21/2008

No DOV Associated

Notice of Intent Date: 08/21/2009

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	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	
THE PREMCOR REFINING	§	
GROUP INC.,	§	
DIAMOND SHAMROCK	§	
REFINING COMPANY, L.P., AND	§	**TEXAS COMMISSION ON**
VALERO REFINING-TEXAS, L.P.,	§	
RN102584026; RN100210517;	§	
RN100219310; RN100211663;	§	
RN100214386; AND	§	
RN100238385	§	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2010-0909-MLM-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 The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P. ("the Respondents") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondents appear before the Commission and together stipulate that:

1. The Respondents own and operate refineries (collectively the "Plants") at:

   a. 1801 South Gulfway Drive in Port Arthur, Jefferson County, Texas (the "Port Arthur Refinery");

   b. 6701 Farm-to-Market Road 119 in Moore County, Texas (the "McKee Plant");

   c. 9701 Manchester Street in Houston, Harris County, Texas (the "Houston Refinery");

   d. 1300 Cantwell Lane in Nueces County, Texas (the "Corpus Christi Refinery East Plant");

e. 5900 Up River Road in Corpus Christi, Nueces County, Texas (the "Corpus Christi Refinery West Plant"); and

f. 1301 Loop 197 South in Texas City, Galveston County, Texas (the "Texas City Refinery").

2. The Plants consist of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12). The Respondents have discharged industrial waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.

3. The Commission and the Respondents agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondents are subject to the Commission's jurisdiction.

4. The Respondents received notices of the violations alleged in Section II ("Allegations") on or about April 17, May 25, June 1, June 2, June 22, July 19, August 4, and August 7, 2010.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondents of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Two Hundred Ninety-Two Thousand Two Hundred Ninety-One Dollars ($292,291) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondents have paid One Hundred Sixty-Five Thousand Seven Hundred Eighty-One Dollars ($165,781) of the administrative penalty and Fifty-Eight Thousand Four Hundred Fifty-Six Dollars ($58,456) is deferred contingent upon the Respondents' 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 Respondents fail to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondents to pay all or part of the deferred penalty. Sixty-Eight Thousand Fifty-Four Dollars ($68,054) shall be conditionally offset by the Respondents' completion of Supplemental Environmental Projects ("SEPs").

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 Respondents 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 Respondents have implemented the following corrective measures:

a. At the Port Arthur Refinery, revised the emissions event reporting procedures and trained the appropriate personnel on May 25, 2010.

b. At the McKee Plant:

i. Developed tracking spreadsheets by June 1, 2009 that identified drains which need to be inspected weekly or monthly, and repaired within 24 hours. The spreadsheets also contain documentation that inspections have been conducted and repairs have been made;

ii. Repaired 70 leaking drains by June 1, 2009; and

iii. Updated the Startup, Shutdown, and Malfunction Plan ("SSMP") by July 8, 2009.

c. At the Houston Refinery:

i. Performed the required stack testing of Temporary Boiler No. 1 on November 2, 2007;

ii. Upon discovery of the non-compliant emission rates on November 2, 2007, Temporary Boiler No. 1 was permanently removed from service;

iii. Returned to compliance with the permitted effluent limitations of Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000535000 by April 30, 2010;

iv. Conducted lab sample testing and implemented a new method of analyzing free cyanide by April 30, 2010; and

v. Submitted corrected discharge monitoring reports ("DMRs") for the period of April 2009 through February 2010 and developed and implemented a procedure to correctly calculate the effluent loading by June 24, 2010.

d. At the Corpus Christi Refinery East Plant, by February 19, 2010, in order to prevent a reoccurence of emissions events similar to Incident No. 135957:

i. Modified the operation of the coalescer level control valve so that it closes when a certain liquid level is reached, even if the valve is placed in manual override; and

ii. Updated operating procedures to note the modification of the valve.

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 Respondents have 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 Plants, the Respondents are alleged to have:

1. Failed to prevent unauthorized emissions at the Port Arthur Refinery, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), and 122.143(4), Flexible Air Permit Nos. 6825A, PSD-TX-49, and N65, Special Conditions ("SC") 1, Federal Operating Permit ("FOP") No. O-01498, General Terms and Conditions and Special Terms and Conditions ("STC") 18 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 2, 2010. Specifically, on January 15, 2010 during an emissions event, Incident No. 134571, 2.06 pounds ("lbs") of ammonia, 113.86 lbs of butane, 284.03 lbs of carbon monoxide ("CO"), 28.78 lbs of hydrogen sulfide ("H2S"), 297.64 lbs of isobutane, 39.32 lbs of nitrogen oxide ("NOx"), 16.05 lbs of particulate matter, 2.44 lbs of pentane, 330.32 lbs of propane, and 2,652.75 lbs of sulfur dioxide ("SO2") vented to the atmosphere from Flare 103B (emission point number ("EPN") E-103B-Flare) for 1 hour and 23 minutes. Since the emissions event was not reported within 24 hours, the demonstrations in 30 TEX. ADMIN. CODE §101.222 necessary to present an affirmative defense were not met.

2. Failed to submit an initial report within 24 hours for Incident No. 134571 at the Port Arthur Refinery, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(A) and (B) and 122.143(4), FOP No. O-01498, STC 2F and General Terms and Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 2, 2010. Specifically, the incident occurred on January 15, 2010 at 5:51 p.m., but was not reported until January 18, 2010 at 9:20 a.m.

3. Failed to prevent unauthorized emissions at the McKee Plant, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit Nos. 9708 and PSD-TX-861M2, SC 2, as documented during an investigation conducted February 16 through 25, 2010. Specifically, unauthorized emissions of 159 lbs of CO, 7 lbs of H2S, 22 lbs of NOx, 620 lbs of SO2, and 285 lbs of volatile organic compounds ("VOC") were released from the Main Refinery Flare (EPN FL-1), in the Refinery Light Ends Unit during an emissions event (Incident No. 134197) that occurred on January 8, 2010 and lasted three hours and 34 minutes. Since there was not enough information provided by the Respondents to demonstrate that this event

could not have been prevented, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

4. Failed to obtain authorization to operate a 450 horsepower compressor engine in the No. 1 Crude Unit at the McKee Plant, in violation of 30 TEX. ADMIN. CODE § 106.512(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O-01555, STC 15, as documented during an investigation conducted February 16 through 25, 2010. Specifically, Form PI-7 was required to be submitted within ten days after construction began but has not been submitted.

5. Failed to conduct initial and weekly inspections of inactive drains for indications of low water levels or other problems that could result in VOC emissions (inspections are required initially upon taking the drain out of service and weekly thereafter) at the McKee Plant, in violation of 40 CODE OF FEDERAL REGULATIONS ("CFR") § 60.692-2(a)(3), 30 TEX. ADMIN. CODE § 101.20(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O-01555, STC 5B, as documented during an investigation conducted February 16 through 25, 2010. Specifically, there were 78 instances of inactive drains not inspected, overlooked, or not identified in the inspection program, as reported in the January 1 to June 30, 2009 semi-annual deviation report.

6. Failed to conduct initial and monthly inspections of active drains for indications of low water levels or other problems that could result in VOC emissions (inspections are required initially upon the drain being put into service and monthly thereafter) at the McKee Plant, in violation of 40 CFR § 60.692-2(a)(2), 30 TEX. ADMIN. CODE § 101.20(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O-01555, STC 5B, as documented during an investigation conducted February 16 through 25, 2010. Specifically, there were 13 instances of active drains not inspected, overlooked, or not identified in the inspection program, as reported in the January 1 to June 30, 2009 semi-annual deviation report.

7. Failed to repair 70 drains within 24 hours after determining that low water levels or missing or improperly installed caps and plugs were identified (indicating that pollutants are being released) at the McKee Plant, as reported in the January 1 to June 30, 2009 semi-annual deviation report, in violation of 40 CFR § 60.692-2(a)(5), 30 TEX. ADMIN. CODE § 101.20(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O-01555, STC 5B, as documented during an investigation conducted February 16 through 25, 2010.

8. Failed to record the date and time of the audio, visual, and olfactory ("AVO") inspections for leaks in pipes, pumps, valves, and compressors in H2S, SO2, and ammonia service at the McKee Plant, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit Nos. 9708 and PSD-TX-861M2, STC 19D (formerly 23D), as documented during an investigation conducted February 16 through 25, 2010. Specifically, a table was provided after the investigation that reflects that inspections are conducted, but there were eight shifts during which no information was recorded to demonstrate an inspection was conducted, and no entries included the time of the inspection.

9. Failed to ensure that the pilot flame monitor is detecting the pilot flame for the Main Flare (EPN FL-1), the Fluid Catalytic Cracking Unit Flare (EPN FL-3), and the Hydrocarbon Unit Flare (EPN FL-4) intermittently between January 16, 2008 and January 12, 2010 at the McKee Plant, in violation of 40 CFR §§ 60.18(f)(2) and 63.11(b)(5), 30 TEX. ADMIN. CODE § 101.20(1) and (2), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 16 through 25, 2010. Specifically, semi-annual reports submitted on September 12, 2008, March 4, 2009, September 11, 2009, and March 12, 2010 include tables that document the monitor intermittently failed to detect a flame, but the flame was either visually confirmed or the flame did not require re-ignition, which indicates the flame was present.

10. Failed to update the SSMP within 45 days after the April 2, 2009 malfunctions occurred at the Reheat Exchanger in the No. 2 Sulfur Recovery Unit, in order to include detailed procedures for operating and maintaining the source during similar malfunctions as well as a corrective action program at the McKee Plant, in violation of 40 CFR § 63.6(e)(3)(viii), 30 TEX. ADMIN. CODE § 101.20(2), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted February 16 through 25, 2010.

11. Failed to prevent unauthorized emissions at the McKee Plant, 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. 9708 and PSD-TX-861M2, STC 2, as documented during an investigation conducted on May 10, 2010. Specifically, unauthorized emissions of 12,090.50 lbs of SO2 and 302.30 lbs of sulfuric acid were released from the Sulfuric Acid Plant Stack (EPN V-29), in the Complex 3, Acid Plant Unit during an emissions event (Incident No. 134548) that occurred on January 15, 2010 and lasted seven hours and 10 minutes. Since this event could have been prevented if the operator had not made an incorrect assumption that the analyzer was malfunctioning and had noticed that sludge acid was being overfed, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

12. Failed to comply with the 3.53 lbs per hour ("lbs/hr") NOx emission rate for Temporary Boiler No. 1 at the Houston Refinery, in violation of FOP No. O1381, STC No. 19, Standard Permit Registration No. 81979, General Conditions, 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on April 27, 2010. Specifically, during a November 2, 2007 stack test, the NOx emissions rate from Temporary Boiler No. 1 was 4.57 lbs/hr.

13. Failed to perform stack testing within 90 days after the installation of Temporary Boiler No. 1 at the Houston Refinery, in violation of FOP No. O1381, STC No. 19, Standard Permit Registration No. 81979, SC (5)(B)(v), 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on April 27, 2010. Specifically, Temporary Boiler No. 1 was

installed on June 19, 2007; however, stack testing was not conducted until 136 days later on November 2, 2007.

14. Failed to comply with the permitted effluent limitations at the Houston Refinery, in violation of TEX. WATER CODE § 26.121(a), 30 TEX. ADMIN. CODE § 305.125(1), and TPDES Permit No. WQ0000535000, Final Phase Effluent Limitations and Monitoring Requirements No. 1 for Outfall 001, as documented during an investigation conducted on March 25, 2010 and shown in the following table:

EFFLUENT VIOLATION TABLE		
	Free Cyanide Daily Avg. Loading	Free Cyanide Daily Max. Loading
Months	Limit = 0.211 lbs/day	Limit = 0.4463 lbs/day
5/31/2009	0.438	1.2320
6/30/2009	0.353	1.0790
7/31/2009	0.541	1.1050
8/31/2009	0.519	1.1950
9/30/2009	c	0.8014
10/31/2009	0.229	0.6304
12/31/2009	0.480	1.1010
1/31/2010	0.197	0.7456
2/28/2010	0.254	0.6070

c = compliant
Avg. = average
Max. = maximum
lbs/day = pounds per day

15. Failed to correctly calculate the effluent loadings for free cyanide at the Houston Refinery, in violation of 30 TEX. ADMIN. CODE §§ 319.7(a)(5) and 319.11(c), and TPDES Permit No. WQ0000535000, Definitions and Standard Permit Conditions Nos. 2(f) and (g), as documented during an investigation conducted on March 25, 2010. Specifically, free cyanide was reported in milligrams per liter (the concentration average) instead of pounds per day (the loading average), on the April 2009 through February 2010 DMRs.

16. Failed to prevent unauthorized emissions at the Corpus Christi Refinery East Plant, 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. 2937 and PSD-TX-1023M1, SC 1, as documented during a record review conducted March 29 through July 15, 2010. Specifically, unauthorized emissions of 800 lbs of SO2, nine lbs of H2S, 152 lbs of VOC, 136 lbs of CO, and 19 lbs of NOx were released from the Complex 7 Flare (EPN WP-FLARE1), in the Complex 7 Unit during an emissions event (Incident No. 135957) that occurred on February 17, 2010 and lasted one hour and nine minutes. Since this event could have been avoided by better operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

17. Failed to comply with the 0.035 lb of NOx per million British thermal units ("lb NOx/MMBtu") on an hourly averaging period for Boiler Nos. 1, 2 and 5, as reported in the semi-annual deviation reports for the annual compliance certification periods of November 24, 2007 through November 23, 2008 and November 24, 2008 through November 23, 2009 at the Corpus Christi Refinery East Plant, 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. 2937 and PSD-TX-1023M1, SC 10A, as documented during a record review conducted May 28 through June 14, 2010. Specifically, during the period of January 1 through November 23, 2008, Boiler No. 1 operated at an average rate of 0.0655 lb NOx/MMBtu on an hourly averaging period, Boiler No. 2 at an average rate of 0.1483 lb NOx/MMBtu on an hourly averaging period and Boiler No. 5 at an average rate of 0.1573 lb NOx/MMBtu on an hourly averaging period, resulting in the release of 15,548 lbs of NOx, 26,283 lbs of NOx, and 92,378 lbs of NOx, respectively. During the period of November 24, 2008 through November 23, 2009, Boiler No. 1 operated at an average rate of 0.0630 lb NOx/MMBtu on an hourly averaging period, Boiler No. 2 at an average rate of 0.0603 lb NOx/MMBtu on an hourly averaging period and Boiler No. 5 at an average rate of 0.0808 lb NOx/MMBtu on an hourly averaging period, resulting in the release of 16,381 lbs of NOx, 13,932 lbs of NOx, and 61,282 lbs of NOx, respectively.

18. Failed to prevent unauthorized emissions at the Corpus Christi Refinery West Plant, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit Nos. 38754 and PSD-TX-324M12, SC 1, as documented during a record review conducted on July 7 through 27, 2010. Specificially, unauthorized emissions of 2,908.58 lbs of CO, 1,355.43 lbs of NOx, and 80.41 lbs of VOCs were released from the Butane Upgrade Project Flare (EPN 127), the Main Flare (EPN 126), and the Steam Methane Reforming ("SMR") Heaters (EPN 118) in the Complex 1, SMR Unit #13 when a heater tube corroded, resulting in an emissions event (Incident 137615) that occurred on March 28, 2010 and lasted 39 hours. Since this event could have been avoided by better operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

19. Failed to prevent unauthorized emissions at the Texas City Refinery, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Air Permit Nos. 39142 and PSD-TX-822M2, SC 1, as documented during a record review conducted on July 14, 2010. Specifically, unauthorized emissions of 3,619.23 lbs of VOC, 2,252.04 lbs of SO2, 80.34 lbs of CO, 35.89 lbs of H2S, 14.34 lbs of acetone, and 11.12 lbs of NOx were released from the No. 4 Flare Stack (EPN EFL-04), the No. 5 Flare Stack (EPN EFL-05), and Tank 88 (EPN 088), in Complex Nos. 4, 6, and 7, respectively; during an emissions event (Incident 138854) that occurred on April 25, 2010 and lasted 24 hours. Since this event could have been avoided by better operational practices, the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

III. DENIALS

The Respondents generally deny each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondents pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondents' 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: The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P., Docket No. 2010-0909-MLM-E" to:

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

2. The Respondents shall implement and complete SEPs in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Sixty-Eight Thousand Fifty-Four Dollars ($68,054) of the assessed administrative penalty shall be offset with the condition that the Respondents implement the SEPs defined in Attachments A, B, and C incorporated herein by reference. The Respondents' obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreements.

3. It is further ordered that the Respondents shall undertake the following technical requirements:

   a. Within 30 days after the effective date of this Agreed Order, at the McKee Plant:

      i. Implement measures designed to prevent emissions events due to the same causes as those that caused Incident Nos. 134197 and 134548;

      ii. Cease operating or obtain authorization in accordance with 30 TEX. ADMIN. CODE § 106.512(1) for the 450 horsepower compressor engine in the No. 1 Crude Unit; and

      iii. Implement measures designed to ensure that AVO inspections are conducted, in accordance with SC 19D of Air Permit Nos. 9708 and PSD-TX-861M2.

b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 3.e. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a.

c. Within 180 days after the effective date of this Agreed Order, at the McKee Plant, implement measures and/or procedures to ensure the flare pilot monitoring system detects the presence of a flame for EPNs FL-1, FL-3, and FL-4, in accordance with 40 CFR § 63.11(b)(2).

d. Within 195 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 3.e. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.c.

e. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Amarillo Regional Office
Texas Commission on Environmental Quality
3918 Canyon Drive
Amarillo, Texas 79109-4933

f. Within 30 days after the effective date of this Agreed Order, at the Corpus Christi Refinery East Plant, begin operating Boiler Nos. 1, 2, and 5 within the permitted limit of 0.035 lb NOx/MMBtu on an hourly averaging period.

g. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.f. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Corpus Christi Regional Office
Texas Commission on Environmental Quality
6300 Ocean Drive, Suite 1200
Corpus Christi, Texas 78412-5503

h. Within 30 days after the effective date of this Agreed Order, at the Corpus Christi Refinery West Plant, implement a preventative maintenance program designed to ensure that heater tubes are replaced before they break through in order to prevent the recurrence of emissions events due to the same cause as Incident No. 137615.

i. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.h. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the

information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Corpus Christi Regional Office
Texas Commission on Environmental Quality
6300 Ocean Drive, Suite 1200
Corpus Christi, Texas 78412-5503

j. Within 30 days after the effective date of this Agreed Order, at the Texas City Refinery, train operators to close valves appropriately in order to prevent recurrence of emissions events due to the same cause as Incident No. 138854.

k. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.j. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondents. The Respondents are ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the operations at the Plants referenced in this Agreed Order.

5. The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P. are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Agreed Order.

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

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

8. ~~This Agreed Order, issued by the Commission, shall not be admissible against the~~ Respondents in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

9. This Agreed Order may be executed in 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.

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

8/31/11
Date

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

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

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

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

Signature

6/1/11
Date

J. Greg Gentry
Name (Printed or typed)
Authorized Representative of
Premcor Refining Group Inc.

VP & Gen. Manager
Title

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

8/31/11
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:

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- 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

26-May-2011
Date

GM Corcoran
Name (Printed or typed)
Authorized Representative of
Diamond Shamrock Refining Company, L.P.

VP & GM
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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

8/31/11
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

5/26/11
Date

Sal Viscontini
Name (Printed or typed)
Authorized Representative of
Valero Refining-Texas, L.P.

Sr VP & Gen Mgr - Texas City
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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

8/31/11
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

5-25-2011
Date

MARK SKOBEL
Name (Printed or typed)
Authorized Representative of
Valero Refining-Texas, L.P.

V.P. & GENERAL MGR
Title
Houston Refinery

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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

8/31/11
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

5/26/11
Date

Dennis Payne
Name (Printed or typed)
Authorized Representative of
Valero Refining-Texas, L.P.

V.P. and Gen Mgr
Title
Corpus Christi East Plant

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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

8/31/11
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

5/26/11
Date

Dennis Payne
Name (Printed or typed)
Authorized Representative of
Valero Refining-Texas, L.P.

VP and Gen Mgr
Title
Corpus Christi West Plant

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: 2010-0909-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	**The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P.**
Penalty Amount:	**Two Hundred Thirty-Three Thousand Eight Hundred Thirty-Five Dollars ($233,835)**
SEP Offset Amount:	**Twenty-Nine Thousand Seven Hundred Fifty-Eight Dollars ($29,758)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Bayou Land Conservancy *fka Legacy Land Trust***
Project Name:	**Spring Creek Greenway Project**
Location of SEP:	**Harris or Montgomery Counties**

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

1. Project Description

A. Project

Respondents shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the **Bayou Land Conservancy** for the *Spring Creek Greenway Project*. The contribution will be used in accordance with the Supplemental Environmental Project Agreement between the Third-Party Recipient and the TCEQ (the "Project"). Specifically, this SEP will focus on preserving multiple tracts of land comprising approximately 1,000 acres in the riparian corridor east of FM 2978 and west of U.S. 59. The Third-Party Recipient shall use SEP funds to acquire conservation easements on these tracts to provide permanent protection and stewardship of these lands and waters. The Third-Party Recipient shall also use SEP funds to conduct restoration work, including tree plantings, on these tracts, as needed. All property acquired in whole or in part with SEP funds must be preserved in perpetuity through a conservation easement that complies with Subchapter A, Chapter 183, Texas Natural Resources Code. The holder of the conservation easement must be an entity that meets the definition of "holder" under section 183.001(2), Texas Natural Resources Code. Additionally, the holder of the conservation easement may not also be the owner of the

property. The Third-Party Recipient shall use only conservation easements that are substantially similar to the conservation easement described in the Supplement Environmental Project Agreement between Third-Party Recipient and TCEQ. The Third-Party Recipient shall not use or set aside SEP funds for legal defense of these properties without prior written approval of the TCEQ.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Respondents' signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action.

B. Environmental Benefit

The preservation of open space in the Spring Creek Greenway Project area provides substantial environmental, economic, and community benefits for the region. Spring Creek is on the State's 303(d) list for water quality impairment due to bacteria. The sandy banks of Spring Creek have frequently been stripped of their native vegetation, increasing erosion potential and reducing wildlife habitat. However, for such a highly populated area, northern Harris and southern Montgomery Counties are still heavily forested. Protecting this forested area's trees, understory and wetlands helps absorb fertilizer, roadway runoff, and animal fecal matter from the nearby highly populated areas. Biofiltration through these vegetated areas protects Spring Creek from non-point source water pollution by slowing the flow of run-off and assisting particulates and their associated pollutants to settle. As pollutants settle out via washover through these forests, they are immobilized, decomposed and absorbed back into the soil, instead of running off into the waterway. By preserving the natural vegetated banks, turbidity is reduced, and source water for recreation and human consumption is protected from further degradation before reaching the San Jacinto River, which feeds Lake Houston, a primary water source for Houston. Having vegetated areas remain protected along this area, while also increasing tree plantings through this project, will help protect this waterway from contaminants. Finally, the linking of open space enhances the conservation value of this greenway project by reversing land fragmentation.

C. Minimum Expenditure

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

2. Performance Schedule

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

Bayou Land Conservancy
Jennifer Lorenz, Executive Director
10330 Lake Road, Building J
Houston, Texas 77070

3. Records and Reporting

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

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

4. Failure to Fully Perform

If Respondents do not perform its obligations under this SEP agreement in any way, including full expenditure of the SEP offset amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that Respondents failed to complete the project, Respondents shall remit payment for all or a portion of the SEP offset amount, as determined by the ED, and shall include on the check the docket number of this Agreed Order and note that it is for reimbursement of a SEP. Respondents shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

Attachment B
Docket Number:2010-0909-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	**The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P.**
Penalty Amount:	**Two Hundred Thirty-Three Thousand Eight Hundred Thirty-Five Dollars ($233,835)**
SEP Offset Amount:	**Thirty-Four Thousand Two Hundred Fifty Dollars ($34,250)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Texas A&M University-Corpus Christi**
Project Name:	**Texas A&M University AutoCheck Program**
Location of SEP:	**Nueces and San Patricio Counties**

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

1. Project Description

a. Project

Respondents shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the *Texas A&M University-Corpus Christi* for the *Texas A&M University-Corpus Christi AutoCheck Program SEP* to be used as set forth in an agreement between the Third-Party Recipient and the TCEQ (the "Project"). Specifically the SEP offset amount shall be used to only pay for the repair vouchers, equipment maintenance, mobile emission source inventory, and a program operator. The operator shall only work on the AutoCheck Program. The Project involves a remote sensing system that detects polluting vehicles as they drive past the system. Motorists are informed if their vehicles are polluting via a large electronic sign. When a vehicle is found to have high exhaust emissions, the owner is given a voucher to take the vehicle for a checkup at one of the program's certified auto shops. The vehicle owner may choose the approved auto shop from a list composed by Third-Party Recipient. Mechanics at the auto shop thoroughly check the vehicle and determine the problem.

The mechanic reports the problem to Third-Party Administrator who authorizes the recommended repairs. Once the vehicle is repaired, a post-repair test is conducted to document the reduction in emissions. These activities are performed at no cost to the owner of the vehicle. Pre- and post- emissions tests are performed and tracked and the service stations are reimbursed for their expenses.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

Respondents' signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action.

b. Environmental Benefit

This SEP will provide a discernible environmental benefit by providing a direct reduction in air emissions from vehicles in the Corpus Christi Urban Air Shed. This direct area includes Nueces County and part of San Patricio County.

c. Minimum Expenditure

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

2. Performance Schedule

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

Texas A&M University- Corpus Christi
Pollution Prevention Partnerhsip
Attention: Gretchen Arnold
6300 Ocean Drive, NRC #2200
Corpus Christi, Texas 78412

3. Records and Reporting

Concurrent with the payment of the SEP offset amount, Respondents shall provide the TCEQ Enforcement Division SEP Coordinator with a copy of the check and transmittal

letter indicating full payment of the SEP offset amount to the Third-Party Recipient. Respondents shall mail a copy of the check and transmittal letter to:

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

4. Failure to Fully Perform

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

In the event of incomplete performance, Respondents shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall mail it to:

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
PO Box 13087
Austin, Texas 78711-3087

5. Publicity

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

6. Clean Texas Program

Respondents shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, 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 offset amount identified in this Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Attachment C
Docket Number: 2010-0909-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	**The Premcor Refining Group Inc., Diamond Shamrock Refining Company, L.P., and Valero Refining-Texas, L.P.**
Payable Penalty Amount:	**Two Hundred Thirty-Three Thousand Eight Hundred Thirty-Five Dollars ($233,835)**
SEP Amount:	**Four Thousand Forty-Six Dollars ($4,046)**
Type of SEP:	**Pre-approved**
Third-Party Recipient:	**Southeast Texas Regional Planning Commission -Southeast Texas Regional Air Monitoring Network Ambient Air Monitoring Station**
Location of SEP:	**Jefferson County**

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondents 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 Respondents shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the **Southeast Texas Regional Planning Commission** to be used for the *Meteorological and Air Monitoring Network* as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to operate, maintain, and potentially expand the existing Southeast Texas Regional Air Monitoring Network which includes nine monitoring stations currently at the following locations:

1. Beaumont CAM#2
2. Cove School CAM #C695
3. Mauriceville CAM#642
4. Port Arthur (Motiva) Industrial Site CAM #C628
5. Port Arthur Memorial High School campus CAM #C689
6. Port Neches CAM #136
7. Sabine Pass CAM #C640

8. Southeast Texas Regional Airport CAM #C643
9. West Orange CAM #C9

The pollutants currently monitored at each station are identified in Table 1.1 of the agreement between the Third-Party Recipient and the TCEQ. Additional parameters or monitoring sites may, contingent upon available funding and approval of TCEQ, be added. Operation and maintenance of the ambient air monitoring stations includes canister sampling and gas chromatographs. Ancillary equipment includes sample conditioning systems, meteorological towers, climate controlled equipment shelters, a remote communications system, and electronic data logging capability. Ambient monitoring protocols have been and will continue to conform to applicable TCEQ or U.S. Environmental Protection Agency guidelines.

A TCEQ-approved Quality Assurance Project Plan containing all applicable EPA QA-R5 elements shall be maintained. Analysis of all data collected from these sites will comply with Standard Operating Procedures for the analysis and measurement of Volatile Organic Compounds in Ambient Air. The laboratory data generated by this project will be from a TCEQ accredited laboratory in compliance with state laws and rules regarding use of certified or accredited testing laboratories For example, the Third-Party Recipient must comply with 30 Texas Administrative Code, Chapter 25, Subchapter A, relating to Environmental Testing Laboratory Accreditation and Certification, as amended.

The SEP Offset Amount will be used to purchase equipment (such as automated canister samplers), hardware, software, and licenses to enable the monitoring, and for the cost of operating, maintaining, and periodically upgrading or adding to these air monitoring stations along with ancillary equipment approved by TCEQ. The data will be validated and sent to TCEQ's Leading Environmental Analysis and Display (LEADS) system. All costs associated with the collection, transfer, and formatting of these data to be compatible with the LEADS system is the responsibility of the Third-Party Recipient. No portion of the SEP Offset Amount will be used for administrative costs or salaries of the Third-Party Recipient. The Third-Party Recipient may use contractors to perform the monitoring project, subject to special conditions concerning costs.

~~The project will be administered in accordance with federal, state, and local~~ environmental laws and regulations. The Respondents certifies that there is no prior commitment to make this contribution and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Particulate matter (PM), sulfides (SO, SO2), oxides of nitrogen (NOx), volatile organic carbon (VOC) compounds, and ambient air conditions are measured at the stations and

the data are made accessible to TCEQ and the public. Sites may also provide continuous assessment of benzene, 1, 3-butadiene and styrene. This monitoring was not previously covered by existing ambient air monitoring systems.

Continued monitoring in this area of the community will help better understand air quality pollutants and will enable better identification of emission sources. The data will focus on specific chemicals that may raise air quality concerns.

C. Minimum Expenditure

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

2. Performance Schedule

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

Southeast Texas Regional Planning Commission
Bob Dickinson, Director Transportation and Environmental Resources
Attention: SEP - West Port Arthur Home Energy Project
South East Texas Regional Planning Commission
2210 Eastex Freeway, Beaumont, TX 77703

3. Records and Reporting

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

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

4. Failure to Fully Perform

If the Respondents do not perform its obligations under this SEP in any way, including

full 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:

Texas Commission on Environmental Quality
Litigation Division
Attention: Cashier, MC 175
P.O. Box 13088
Austin, Texas 78711-3087

The Respondents 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 Respondents must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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