

Executive Summary – Enforcement Matter – Case No. 41643
E. I. du Pont de Nemours and Company
RN100225085
Docket No. 2011-0757-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

E. I. du Pont de Nemours La Porte Plant, 12501 Strang Road, La Porte, Harris County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 30, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$9,075

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$4,538

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$4,537

Name of SEP: Harris County – Ambient Air Pollutants Monitoring Study

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002

**Executive Summary – Enforcement Matter – Case No. 41643
E. I. du Pont de Nemours and Company
RN100225085
Docket No. 2011-0757-AIR-E**

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: March 15, 2011
Date(s) of NOE(s): April 29, 2011

Violation Information

Failed to submit a deviation report within 30 days after the end of the reporting period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit No. O1907, General Terms and Conditions].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures at the Plant:

- a. On November 30, 2010, submitted the deviation report for the reporting period of April 25, 2010 through October 24, 2010; and
- b. By December 31, 2010, updated the Safety, Health, & Environment calendar to include a tab titled “2011 Air Reports” that lists air related reports and their due dates.

Technical Requirements:

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

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

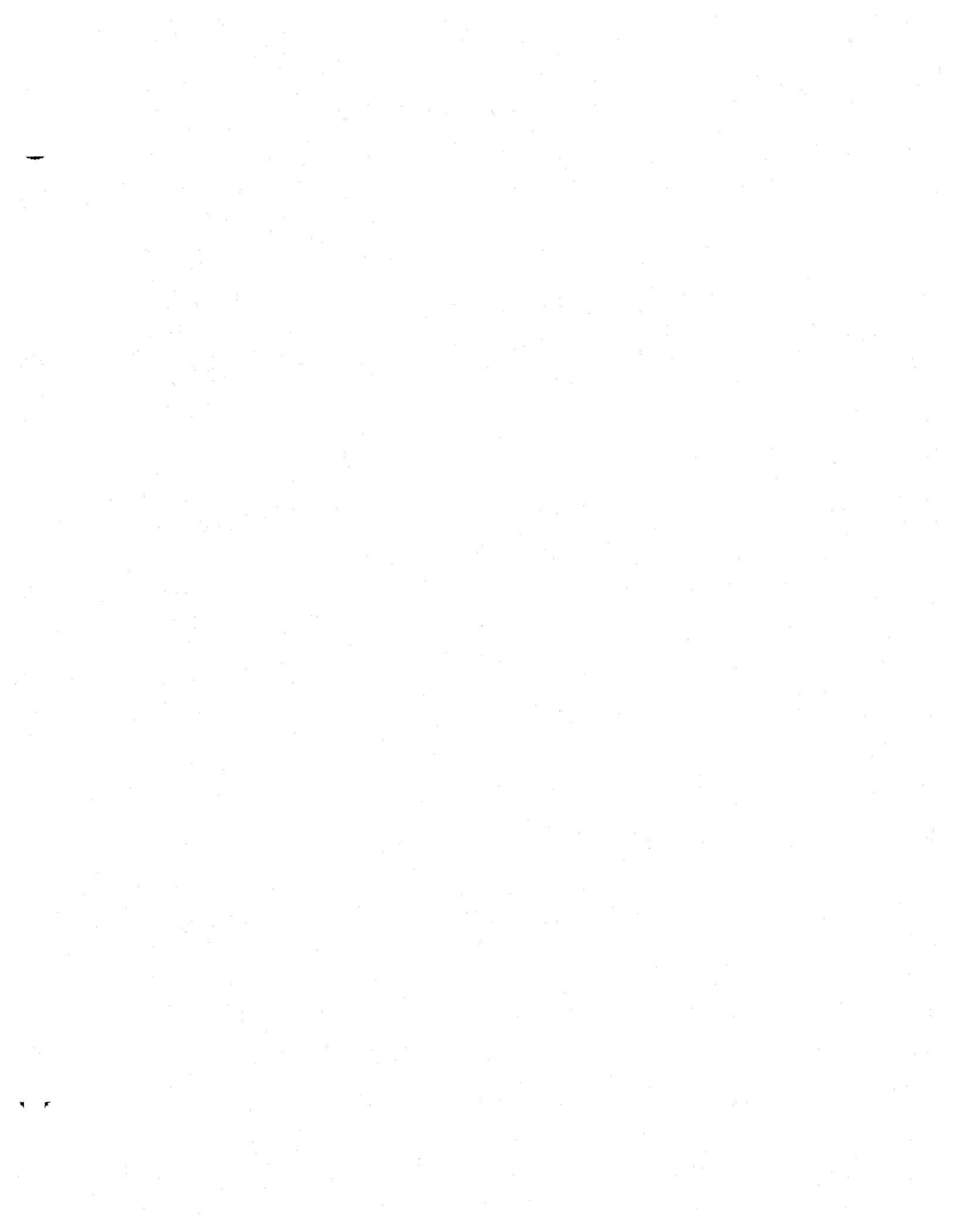
Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Roshondra Lowe, Enforcement Division, Enforcement Team 5, MC R-12, (713) 767-3553; Debra Barber, Enforcement Division, MC 219, (512) 239-0412.
TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

Executive Summary – Enforcement Matter – Case No. 41643
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Docket No. 2011-0757-AIR-E

Respondent: Thuy Mai, Senior Environmental Engineer, E. I. du Pont de Nemours and Company, 12501 Strang Road, La Porte, Texas 77571
Dean Thompson, Plant Manager, E. I. du Pont de Nemours and Company, 12501 Strang Road, La Porte, Texas 77571

Respondent's Attorney: N/A



Attachment A
Docket Number: 2011-0757-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: E.I. du Pont de Nemours and Company
Penalty Amount: Nine Thousand Seventy-Five Dollars (\$9,075)
SEP Offset amount: Four Thousand Five Hundred Thirty-Seven Dollars (\$4,537)
Type of SEP: Pre-approved
Third-Party Recipient: Harris County – *Ambient Air Pollutants Monitoring Study*
Location of SEP: Harris County

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be used by **Harris County** for the *Ambient Air Pollutants Monitoring Study* as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used to install or retrofit, operate, maintain, and potentially expand air monitoring stations in Harris County to continuously monitor ambient air for total non-methane hydrocarbons and hazardous air pollutants (HAPs). Specifically, SEP funds will be used to purchase equipment (such as automated canister samplers), hardware, software, and licenses to enable the monitoring. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

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

B. Environmental Benefit

The project will provide additional air monitoring data to identify any HAPs emissions in the targeted locations. The information may help local government better inform citizens about air toxins and enable regulators to better identify emission sources.

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

E.I. du Pont de Nemours and Company
Agreed Order - Attachment A

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

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

5. Publicity

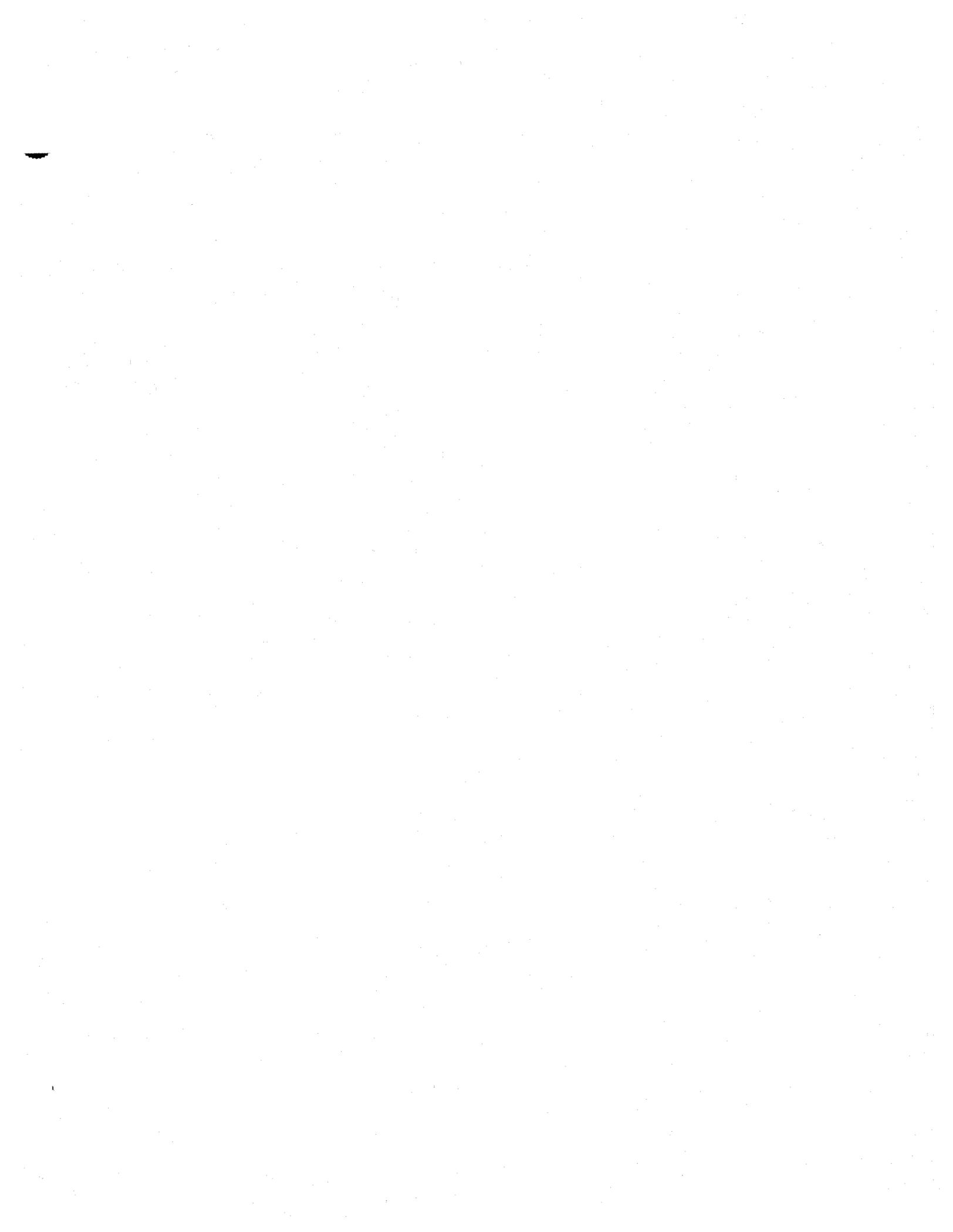
Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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





Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	2-May-2011	Screening	17-May-2011	EPA Due	
	PCW	18-May-2011				

RESPONDENT/FACILITY INFORMATION	
Respondent	E. I. du Pont de Nemours and Company
Reg. Ent. Ref. No.	RN100225085
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION		No. of Violations	1
Enf./Case ID No.	41643	Order Type	Findings
Docket No.	2011-0757-AIR-E	Government/Non-Profit	No
Media Program(s)	Air	Enf. Coordinator	Roshondra Lowe
Multi-Media		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
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ADJUSTMENTS (+/-) TO SUBTOTAL 1	Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
Compliance History	288.0% Enhancement	Subtotals 2, 3, & 7 \$7,200

Notes: Enhancement for 13 NOVs with same/similar violations, 55 NOVs with dissimilar violations, three orders containing a denial of liability, one order without denial of liability, and one court order. Reduction for two Notice of Audit letters submitted.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$625
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$8	*Capped at the Total EB \$ Amount	
Approx. Cost of Compliance	\$1,750		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$9,075
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$9,075
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$9,075
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$9,075
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Screening Date 17-May-2011

Docket No. 2011-0757-AIR-E

PCW

Respondent E. I. du Pont de Nemours and Company

Policy Revision 2 (September 2002)

Case ID No. 41643

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100225085

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	13	65%
	Other written NOVs	55	110%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	3	60%
	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 (<i>number of judgements or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%

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) 288%

>> 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, 55 NOVs with dissimilar violations, three orders containing a denial of liability, one order without denial of liability, and one court order. Reduction for two Notice of Audit letters submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 288%

Screening Date 17-May-2011

Docket No. 2011-0757-AIR-E

PCW

Respondent E. I. du Pont de Nemours and Company

Policy Revision 2 (September 2002)

Case ID No. 41643

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100225085

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit No. Q1907, General Terms and Conditions

Violation Description Failed to submit a deviation report within 30 days after the end of the reporting period. Specifically, the deviation report for the reporting period of April 25, 2010 through October 24, 2010 was due on November 23, 2010, but was not submitted until November 30, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		X			25%
100% of the rule requirement was not met.					

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 7

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 one late report.

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 Corrective actions were completed on December 31, 2010, prior to the April 29, 2011 NOE.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$8

Violation Final Penalty Total \$9,075

This violation Final Assessed Penalty (adjusted for limits) \$9,075

Economic Benefit Worksheet

Respondent E. I. du Pont de Nemours and Company
Case ID No. 41643
Reg. Ent. Reference No. RN100225085
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

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	23-Nov-2010	31-Dec-2010	0.10	\$8	n/a	\$8
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	23-Nov-2010	30-Nov-2010	0.02	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to implement procedures designed to ensure that deviation reports are submitted within a timely manner (\$1,500). The Date Required is the date the report was due. The Final Date is the date compliance was achieved. In addition, estimated cost to submit the semi-annual deviation report (\$250). The Date Required is the date the report was due. The Final Date is the date the report was submitted.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,750

TOTAL

\$8

Compliance History

Customer/Respondent/Owner-Operator: CN600128284 E. I. du Pont de Nemours and Company Classification: AVERAGE Rating: 4.82

Regulated Entity: RN100225085 E I DU PONT DE NEMOURS LA PORTE PLANT Classification: AVERAGE Site Rating: 2.71

TXD008079212

ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30046
	INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50213
	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0218K
	AIR OPERATING PERMITS	PERMIT	1845
	AIR OPERATING PERMITS	PERMIT	1846
	AIR OPERATING PERMITS	PERMIT	1905
	AIR OPERATING PERMITS	PERMIT	1906
	AIR OPERATING PERMITS	PERMIT	1907
	AIR OPERATING PERMITS	PERMIT	1911
	AIR OPERATING PERMITS	PERMIT	1990
	AIR OPERATING PERMITS	PERMIT	1908
	AIR OPERATING PERMITS	PERMIT	1891
	AIR NEW SOURCE PERMITS	AFS NUM	4820100011
	AIR NEW SOURCE PERMITS	REGISTRATION	93752
	AIR NEW SOURCE PERMITS	REGISTRATION	94357
	AIR NEW SOURCE PERMITS	REGISTRATION	92250
	AIR NEW SOURCE PERMITS	REGISTRATION	91667
	AIR NEW SOURCE PERMITS	REGISTRATION	93294
	AIR NEW SOURCE PERMITS	REGISTRATION	71932
	AIR NEW SOURCE PERMITS	REGISTRATION	12705
	AIR NEW SOURCE PERMITS	REGISTRATION	12725
	AIR NEW SOURCE PERMITS	PERMIT	20800
	AIR NEW SOURCE PERMITS	PERMIT	21130
	AIR NEW SOURCE PERMITS	REGISTRATION	23740
	AIR NEW SOURCE PERMITS	REGISTRATION	23688
	AIR NEW SOURCE PERMITS	REGISTRATION	25009
	AIR NEW SOURCE PERMITS	REGISTRATION	25657
	AIR NEW SOURCE PERMITS	REGISTRATION	25400
	AIR NEW SOURCE PERMITS	REGISTRATION	27385
	AIR NEW SOURCE PERMITS	REGISTRATION	26222
	AIR NEW SOURCE PERMITS	REGISTRATION	26496
	AIR NEW SOURCE PERMITS	REGISTRATION	26340
	AIR NEW SOURCE PERMITS	REGISTRATION	28383

AIR NEW SOURCE PERMITS	REGISTRATION	24984
AIR NEW SOURCE PERMITS	REGISTRATION	26592
AIR NEW SOURCE PERMITS	REGISTRATION	30182
AIR NEW SOURCE PERMITS	REGISTRATION	30428
AIR NEW SOURCE PERMITS	REGISTRATION	32351
AIR NEW SOURCE PERMITS	REGISTRATION	34030
AIR NEW SOURCE PERMITS	REGISTRATION	34178
AIR NEW SOURCE PERMITS	REGISTRATION	35510
AIR NEW SOURCE PERMITS	REGISTRATION	36110
AIR NEW SOURCE PERMITS	REGISTRATION	36341
AIR NEW SOURCE PERMITS	REGISTRATION	37427
AIR NEW SOURCE PERMITS	REGISTRATION	37277
AIR NEW SOURCE PERMITS	REGISTRATION	37750
AIR NEW SOURCE PERMITS	REGISTRATION	39520
AIR NEW SOURCE PERMITS	REGISTRATION	41316
AIR NEW SOURCE PERMITS	REGISTRATION	41436
AIR NEW SOURCE PERMITS	REGISTRATION	41786
AIR NEW SOURCE PERMITS	REGISTRATION	44102
AIR NEW SOURCE PERMITS	REGISTRATION	44807
AIR NEW SOURCE PERMITS	REGISTRATION	44835
AIR NEW SOURCE PERMITS	REGISTRATION	44934
AIR NEW SOURCE PERMITS	REGISTRATION	46250
AIR NEW SOURCE PERMITS	REGISTRATION	46795
AIR NEW SOURCE PERMITS	REGISTRATION	47006
AIR NEW SOURCE PERMITS	REGISTRATION	47657
AIR NEW SOURCE PERMITS	REGISTRATION	48201
AIR NEW SOURCE PERMITS	REGISTRATION	48336
AIR NEW SOURCE PERMITS	REGISTRATION	50145
AIR NEW SOURCE PERMITS	PERMIT	1834
AIR NEW SOURCE PERMITS	PERMIT	2295A
AIR NEW SOURCE PERMITS	PERMIT	2295B
AIR NEW SOURCE PERMITS	PERMIT	2446A
AIR NEW SOURCE PERMITS	PERMIT	2751
AIR NEW SOURCE PERMITS	PERMIT	3406
AIR NEW SOURCE PERMITS	PERMIT	4445
AIR NEW SOURCE PERMITS	PERMIT	6502
AIR NEW SOURCE PERMITS	PERMIT	7820
AIR NEW SOURCE PERMITS	PERMIT	7941

AIR NEW SOURCE PERMITS	PERMIT	7986
AIR NEW SOURCE PERMITS	REGISTRATION	51618
AIR NEW SOURCE PERMITS	REGISTRATION	51352
AIR NEW SOURCE PERMITS	REGISTRATION	52051
AIR NEW SOURCE PERMITS	REGISTRATION	93151
AIR NEW SOURCE PERMITS	REGISTRATION	84460
AIR NEW SOURCE PERMITS	REGISTRATION	55092
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0218K
AIR NEW SOURCE PERMITS	REGISTRATION	54748
AIR NEW SOURCE PERMITS	REGISTRATION	55472
AIR NEW SOURCE PERMITS	REGISTRATION	55169
AIR NEW SOURCE PERMITS	REGISTRATION	53691
AIR NEW SOURCE PERMITS	REGISTRATION	53898
AIR NEW SOURCE PERMITS	REGISTRATION	53933
AIR NEW SOURCE PERMITS	REGISTRATION	54142
AIR NEW SOURCE PERMITS	REGISTRATION	55100
AIR NEW SOURCE PERMITS	REGISTRATION	55125
AIR NEW SOURCE PERMITS	REGISTRATION	75780
AIR NEW SOURCE PERMITS	REGISTRATION	75781
AIR NEW SOURCE PERMITS	REGISTRATION	75939
AIR NEW SOURCE PERMITS	REGISTRATION	55942
AIR NEW SOURCE PERMITS	REGISTRATION	75522
AIR NEW SOURCE PERMITS	REGISTRATION	70090
AIR NEW SOURCE PERMITS	REGISTRATION	70680
AIR NEW SOURCE PERMITS	REGISTRATION	71485
AIR NEW SOURCE PERMITS	REGISTRATION	71515
AIR NEW SOURCE PERMITS	REGISTRATION	71521
AIR NEW SOURCE PERMITS	REGISTRATION	71555
AIR NEW SOURCE PERMITS	REGISTRATION	71589
AIR NEW SOURCE PERMITS	REGISTRATION	71637
AIR NEW SOURCE PERMITS	REGISTRATION	71079
AIR NEW SOURCE PERMITS	REGISTRATION	70683
AIR NEW SOURCE PERMITS	REGISTRATION	54434
AIR NEW SOURCE PERMITS	REGISTRATION	55709
AIR NEW SOURCE PERMITS	REGISTRATION	54656
AIR NEW SOURCE PERMITS	REGISTRATION	72501
AIR NEW SOURCE PERMITS	REGISTRATION	73137
AIR NEW SOURCE PERMITS	REGISTRATION	55614
AIR NEW SOURCE PERMITS	REGISTRATION	55864

AIR NEW SOURCE PERMITS	REGISTRATION	74445
AIR NEW SOURCE PERMITS	REGISTRATION	74547
AIR NEW SOURCE PERMITS	REGISTRATION	73850
AIR NEW SOURCE PERMITS	REGISTRATION	74781
AIR NEW SOURCE PERMITS	REGISTRATION	77245
AIR NEW SOURCE PERMITS	REGISTRATION	77924
AIR NEW SOURCE PERMITS	REGISTRATION	77101
AIR NEW SOURCE PERMITS	REGISTRATION	79091
AIR NEW SOURCE PERMITS	REGISTRATION	79153
AIR NEW SOURCE PERMITS	REGISTRATION	79624
AIR NEW SOURCE PERMITS	REGISTRATION	79912
AIR NEW SOURCE PERMITS	REGISTRATION	79682
AIR NEW SOURCE PERMITS	REGISTRATION	80234
AIR NEW SOURCE PERMITS	REGISTRATION	79824
AIR NEW SOURCE PERMITS	REGISTRATION	81545
AIR NEW SOURCE PERMITS	REGISTRATION	81161
AIR NEW SOURCE PERMITS	REGISTRATION	81466
AIR NEW SOURCE PERMITS	REGISTRATION	81328
AIR NEW SOURCE PERMITS	REGISTRATION	82048
AIR NEW SOURCE PERMITS	REGISTRATION	83253
AIR NEW SOURCE PERMITS	REGISTRATION	82394
AIR NEW SOURCE PERMITS	REGISTRATION	82353
AIR NEW SOURCE PERMITS	REGISTRATION	81488
AIR NEW SOURCE PERMITS	REGISTRATION	85923
AIR NEW SOURCE PERMITS	REGISTRATION	88555
AIR NEW SOURCE PERMITS	REGISTRATION	95217
AIR NEW SOURCE PERMITS	REGISTRATION	81487
AIR NEW SOURCE PERMITS	REGISTRATION	88256
AIR NEW SOURCE PERMITS	REGISTRATION	83743
AIR NEW SOURCE PERMITS	REGISTRATION	86302
AIR NEW SOURCE PERMITS	REGISTRATION	83045
AIR NEW SOURCE PERMITS	REGISTRATION	90542
WASTEWATER	PERMIT	WQ0000474000
WASTEWATER	EPA ID	TX0007293
UNDERGROUND INJECTION CONTROL	PERMIT	WDW082
UNDERGROUND INJECTION CONTROL	PERMIT	WDW083
UNDERGROUND INJECTION CONTROL	PERMIT	WDW149
UNDERGROUND INJECTION CONTROL	PERMIT	WDW360

PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1011171
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	35066
WATER LICENSING	LICENSE	1011171
STORMWATER	PERMIT	TXR05P548
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30046
POLLUTION PREVENTION PLANNING	ID NUMBER	P00192
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0218K
Location:	12501 STRANG RD, LA PORTE, HARRIS COUNTY, TX, 77571	

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 16, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 16, 2006 to May 16, 2011

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

Name: Roshondra Lowe Phone: (713) 767-3553

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 08/23/2007

ADMINORDER 2006-2093-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit # 1834, SC #1 PA

Description: Failed to prevent unauthorized emissions during an emissions event that started on June 15, 2006.

Effective Date: 04/03/2008

ADMINORDER 2007-1435-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: 03/12/2009

ADMINORDER 2007-1531-AIR-E

Classification: Moderate

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

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

Rqmt Prov: TCEQ Permit #4445, SC#1 PA

Description: Failed to prevent unauthorized emissions during a February 19, 2006 emissions event. Since the emissions event was avoidable, excessive, and not properly reported, the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

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 VV 60.482-10(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
40 CFR Part 60, Subpart A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP No. O-01911, Spec. Cond. 15 OP
FOP No. O-01911, SPec. Cond. 1A OP
NSR Permit No. 4445, Spec. Cond. 5A PERMIT

Description: Failed to maintain the net heating value of the gas being combusted by Flare VS-202C at 300 Btu/scf or greater.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart G 63.120(d)(5)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP No. O-01911, Spec. Cond. 15 OP
FOP No. O-01911, Spec. Cond. 1A OP
NSR Permit No. 4445, Spec. Cond. 6 PERMIT

Description: Failed to maintain the liquid flow rate to Tank Farm Super Scrubber VS-206 above 17 gpm.

Effective Date: 09/26/2010

ADMINORDER 2010-0313-AIR-E

Classification: Minor

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 during Incident No. 130915. Specifically, 355 pounds ("lbs") of carbon dioxide and 3,700 lbs of methylene chloride, a hazardous air pollutant, were released from a relief valve (Emissions Point No. LN-21F) in the Lannate/API Unit during an emissions event that began on October 14, 2009 and lasted 7 hours and 6 minutes. The unauthorized release was the result of a failed pressure transmitter which caused the vent system to overpressurize,

Classification: Moderate

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

Description: Failed to timely report Incident No. 130915 within 24 hours after discovery. Specifically, the event was discovered on October 14, 2009, at 11:00 p.m. However, the initial notification was not submitted until October 19, 2009, at 4:31 p.m.

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 06/28/2006 (462251)

2 08/27/2007 (462372)

3 06/15/2006 (464682)

4 05/25/2006 (467420)
5 07/31/2006 (480156)
6 08/02/2006 (480157)
7 05/30/2006 (480436)
8 06/23/2006 (481674)
9 10/30/2006 (482067)
10 08/23/2006 (486587)
11 08/23/2006 (486595)
12 08/23/2006 (486603)
13 08/21/2006 (489548)
14 05/23/2006 (498403)
15 06/21/2006 (498404)
16 08/29/2006 (509906)
17 10/27/2006 (514269)
18 10/13/2006 (515906)
19 11/29/2006 (515929)
20 10/30/2006 (517651)
21 11/21/2006 (519058)
22 11/21/2006 (519064)
23 07/25/2006 (520408)
24 08/23/2006 (520409)
25 09/22/2006 (520410)
26 09/25/2006 (520411)
27 01/24/2007 (533714)
28 03/12/2007 (540364)
29 03/12/2007 (540373)
30 04/16/2007 (542380)
31 04/25/2007 (543346)
32 04/25/2007 (543355)
33 04/25/2007 (543358)
34 06/20/2007 (543376)

35 07/20/2007 (543549)
36 08/28/2007 (543551)
37 05/22/2007 (543552)
38 05/31/2007 (543650)
39 10/24/2006 (544748)
40 11/27/2006 (544749)
41 12/19/2006 (544750)
42 07/31/2007 (558826)
43 05/25/2007 (558836)
44 07/10/2007 (559490)
45 05/23/2007 (560156)
46 07/24/2007 (564176)
47 11/26/2007 (567556)
48 08/22/2007 (570072)
49 02/22/2007 (575705)
50 03/22/2007 (575706)
51 04/24/2007 (575707)
52 05/23/2007 (575708)
53 06/25/2007 (575709)
54 07/23/2007 (575710)
55 11/01/2007 (594547)
56 11/01/2007 (594924)
57 11/01/2007 (594928)
58 04/04/2008 (595001)
59 04/17/2008 (595527)
60 12/21/2007 (598285)
61 12/13/2007 (598540)
62 12/13/2007 (598541)
63 12/13/2007 (598542)
64 11/15/2007 (600902)
65 08/16/2007 (607602)

66	09/21/2007	(607603)
67	04/03/2008	(609061)
68	12/21/2007	(609133)
69	12/17/2007	(610484)
70	12/17/2007	(610493)
71	12/17/2007	(610498)
72	12/10/2007	(611046)
73	12/13/2007	(611431)
74	12/10/2007	(611498)
75	01/01/2008	(611537)
76	02/08/2008	(612719)
77	02/11/2008	(612835)
78	01/16/2008	(613924)
79	02/11/2008	(616046)
80	02/11/2008	(616048)
81	02/11/2008	(616050)
82	02/11/2008	(616150)
83	01/29/2008	(616209)
84	02/05/2008	(616683)
85	04/04/2008	(617413)
86	10/22/2007	(619662)
87	11/26/2007	(619663)
88	12/27/2007	(619664)
89	10/22/2007	(619665)
90	12/20/2007	(635945)
91	05/29/2008	(636610)
92	08/27/2008	(636696)
93	07/28/2008	(636697)
94	04/28/2008	(636915)
95	04/28/2008	(636916)
96	04/29/2008	(641149)

97 04/29/2008 (641150)
98 04/29/2008 (641153)
99 04/23/2008 (646170)
100 02/22/2008 (672183)
101 03/19/2008 (672184)
102 06/17/2008 (680377)
103 06/06/2008 (680392)
104 08/14/2008 (687863)
105 08/04/2008 (687973)
106 09/01/2008 (688029)
107 08/12/2008 (688159)
108 08/12/2008 (688161)
109 08/12/2008 (688162)
110 10/09/2008 (688316)
111 08/29/2008 (689245)
112 04/21/2008 (690096)
113 05/21/2008 (690097)
114 06/23/2008 (690098)
115 11/21/2008 (700294)
116 08/26/2008 (701031)
117 08/26/2008 (701041)
118 08/26/2008 (701043)
119 05/13/2009 (702546)
120 10/06/2008 (702718)
121 11/25/2008 (708172)
122 11/25/2008 (708175)
123 11/25/2008 (708177)
124 01/21/2009 (709039)
125 07/21/2008 (710883)
126 08/22/2008 (710884)
127 09/30/2008 (710885)

128 02/19/2009 (725340)
129 10/22/2008 (727589)
130 12/01/2008 (727590)
131 12/22/2008 (727591)
132 05/07/2009 (737100)
133 06/11/2009 (737249)
134 06/01/2009 (737251)
135 08/28/2009 (737259)
136 05/13/2009 (737282)
137 07/13/2009 (738157)
138 07/30/2009 (741154)
139 05/18/2009 (743192)
140 05/18/2009 (743195)
141 05/18/2009 (743201)
142 07/15/2009 (744826)
143 09/03/2009 (747011)
144 08/27/2009 (747523)
145 06/17/2009 (749357)
146 02/23/2009 (750398)
147 01/23/2009 (750399)
148 08/11/2009 (763020)
149 08/11/2009 (763039)
150 08/24/2009 (766638)
151 09/22/2009 (767226)
152 04/20/2009 (768458)
153 11/09/2009 (777109)
154 11/09/2009 (777116)
155 11/10/2009 (778076)
156 11/09/2009 (778383)
157 12/03/2009 (783577)

158 01/07/2010 (786284)
159 02/10/2010 (786789)
160 01/07/2010 (787198)
161 02/05/2010 (787487)
162 02/12/2010 (787495)
163 02/12/2010 (787514)
164 02/05/2010 (789149)
165 08/18/2010 (790338)
166 06/30/2010 (790348)
167 02/05/2010 (790565)
168 03/22/2010 (793494)
169 03/16/2010 (793584)
170 04/01/2010 (793813)
171 03/15/2010 (793882)
172 08/18/2010 (794042)
173 07/22/2010 (794179)
174 08/27/2010 (794180)
175 08/18/2010 (794203)
176 03/17/2010 (794414)
177 05/07/2010 (794423)
178 04/01/2010 (794468)
179 04/01/2010 (794472)
180 03/12/2010 (794629)
181 04/01/2010 (796791)
182 04/07/2010 (797870)
183 04/22/2010 (798404)
184 05/27/2010 (798885)
185 05/27/2010 (798893)
186 05/27/2010 (798894)
187 05/25/2010 (803599)
188 05/25/2010 (803602)

189 05/25/2010 (803616)
190 02/26/2010 (805004)
191 11/18/2009 (805005)
192 12/21/2009 (805006)
193 01/22/2010 (805007)
194 07/23/2010 (825858)
195 06/30/2010 (828551)
196 07/14/2010 (828955)
197 03/19/2010 (831002)
198 04/22/2010 (831003)
199 05/24/2010 (831004)
200 09/02/2010 (843397)
201 09/02/2010 (843453)
202 09/02/2010 (844221)
203 09/02/2010 (844991)
204 06/17/2010 (846308)
205 07/21/2010 (860898)
206 10/26/2010 (865837)
207 10/26/2010 (865848)
208 10/26/2010 (865879)
209 08/17/2010 (866873)
210 12/14/2010 (873618)
211 12/14/2010 (873625)
212 12/14/2010 (873716)
213 12/16/2010 (873720)
214 12/16/2010 (873729)
215 12/16/2010 (873733)
216 09/22/2010 (873944)
217 04/26/2011 (878117)
218 10/21/2010 (881541)
219 12/21/2010 (882751)

220 01/05/2011 (896286)
 221 11/30/2010 (896287)
 222 04/26/2011 (899777)
 223 04/29/2011 (899780)
 224 03/30/2011 (899782)
 225 04/15/2011 (899799)
 226 04/12/2011 (907101)
 227 04/12/2011 (907109)
 228 04/12/2011 (907123)
 229 02/22/2011 (909128)
 230 01/24/2011 (909129)
 231 04/15/2011 (912851)
 232 03/21/2011 (916380)

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

Date: 06/15/2006 (464682)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition # 1F OP
 FOP #O-01911, Special Condition #1 OP
 Description: Failure to monitor 32 connectors in HON service as required by 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(3)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition #1 OP
 FOP #O-01911, Special Condition #1F OP
 Description: Failure to monitor 4 difficult to monitor valves on an annual basis as required by 40 CFR 63.168(i)(3).

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
 5C THC Chapter 382, SubChapter A 382.085(b)
 FOP #O-01911, Special Condition #1 OP
 FOP #O-01911, Special Condition #15 OP
 NSR Permit #4445, Special Condition #7E PA
 Description: Failure to operate the process unit with no open-ended valves or pipelines.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(3)
 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-01911, Special Condition #1 OP
 FOP #O-01911, Special Condition #15 OP
 NSR Permit #4445, Special Condition #6 PA

Description: Failure to maintain specified water flow to Scrubbers as required by NSR Permit #4445, SC #6.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01911, Special Condition #1 OP
FOP #O-01911, Special Condition #15 OP
NSR Permit #4445, Special Condition #7F PA

Description: Failure to perform quarterly Method 21 monitoring to 2 accessible valves.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition #16 OP

Description: Failure to include new methanol-service components in the annual notification report required by 106.261(a)(7)(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 A 60.18(c)(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01911, Special Condition #1 OP

Description: Failure to operate flare at an exit velocity less than 60 ft./sec.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01911, Special Condition #1 OP

Description: Failure to submit a written 45 day notification prior to performing testing as required by 115.726(a)(2).

Date: 06/28/2006 (462251)

Self Report? NO Classification: Minor

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

Description: Failure to submit initial notification in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Permit #4445, SC#1 PA

Description: Failure to prevent the unauthorized emission of ethylene from the atmospheric vent valve.

Date: 07/31/2006 (480156) CN600128284

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01905, Special Condition #1 OP

Description: Failure to perform continuous recording of the Velpar Flare.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(iv)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01905, Special Condition #1 OP

Description: Failure to continuously record the exhaust gas temperature of the NaOMe Flare.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 82, SubChapter C, PT 82, SubPT F 82.156(a)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01905, Special Condition #17A OP

Description: Failure to perform verification testing to refrigeration equipment after performing maintenance.

Date: 08/02/2006 (480157) CN600128284
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 82, SubChapter C, PT 82, SubPT F 82.156(i)(3)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01990, Special Condition #11A OP
Description: Failure to perform verification testing to refrigeration equipment after completion of repairs.

Date: 12/06/2006 (533714) CN600128284
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)
Description: Failure to submit Disinfectant Level Quarterly Operating Reports.

Date: 12/31/2006 (520411) CN600128284
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: 01/25/2007 (533714) CN600128284
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)
Description: Failure to be under the direct supervision of a licensed waterworks operator.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to initiate maintenance and housekeeping practices for the curbing on the roof of the ground storage tank.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)
Description: Failure to initiate maintenance and housekeeping practices for the concrete sealing block at well #8.

Date: 01/31/2007 (575705) CN600128284
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 02/28/2007 (575706) CN600128284
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 (575707) CN600128284
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 05/25/2007 (558836) CN600128284
Self Report? NO Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(b)(1)(i)
Description: Failure to record the water flow rate on February 27, 2006 from 12:30 pm through 1:30 pm for the HF-01 Scrubber.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01846 STC 4 OP
Description: Failure to operate HF-01 scrubber at a minimum water flow rate of 87 gpm during February 25, 2006, February 27, 2006, and August 4, 2006.

Date: 06/22/2007 (543376) CN600128284
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
No. O-01845, Special Condition 4 OP
Description: failure to operate the Sulfuric Acid Plant within the Oleum filling rate of 30 gpm represented in the application submitted for NSR Permit No. 21130.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.263
30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
No. O-01845, Special Condition 6 OP
Description: failure to register a rental air compressor operated under Permit by Rule 106.263 within 180 days of the start-up of the compressor.

Date: 06/30/2007 (575710) CN600128284
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: 07/20/2007 (543549) CN600128284
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 63, SubChapter C, PT 63, SubPT H 63.171(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. 01905, Spec. Cond. 11 OP
NSR Permit No. 2446A, Spec. Cond. 8H PERMIT
Description: Failure to repair fugitive components that were placed on delay of repair (DOR) pending a unit shutdown.

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 63, SubChapter C, PT 63, SubPT H 63.171(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. 01905, Spec. Cond. 11 OP
NSR Permit No. 2446A, Spec. Cond. 8H PERMIT
Description: Failure to repair fugitive components that were placed on delay of repair (DOR) pending a unit shutdown. The unit was restarted without completing the repairs.

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 63, SubChapter C, PT 63, SubPT H 63.169(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. 01905 Spec. Cond. 1A OP
Description: Failure to make a first attempt at repairing fugitive components within five (5) days after discovery.

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 63, SubChapter C, PT 63, SubPT H 63.169(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. 01905, Spec. Cond 11 OP
NSR Permit No. 2446A, Spec. Cond 8H PERMIT
Description: Failure to complete final repairs on two (2) fugitive components within fifteen (15) days of initial discovery.

Date: 07/31/2007 (567547) CN600128284
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-01906 STC 9 OP
NSR Permit No. 1834 SC 10C PERMIT
Description: Failure to change the carbon canister within four hours when the breakthrough had occurred at the first canister on August 31, 2006.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to conduct first attempt repair for fugitive leaking component within five days after the leak was discovered.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.116(c)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to maintain a minimum temperature of -66 degrees F for the cryogenic compressor (LN05CRY) as represented in the New Source Review (NSR) Permit No. 1834 application during the operation on October 28, 2006 through October 31, 2006 and on December 13, 2006.

Date: 07/31/2007 (607602) CN600128284
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: 08/28/2007 (568558) CN600128284
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.767(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. O-01911, Spec. Cond. 15 OP
Description: Failure to maintain a minimum of five (5) psig differential pressures between the process side and cooling tower water side on North Cooling Tower.

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 63, SubChapter C, PT 63, SubPT H 63.171(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01911, Spec. Cond. 1A OP
FOP Permit No. O-01911, Spec. Cond 15 OP
NSR Permit No. 4445, Spec. Cond. 7H & 7I PERMIT
Description: Failure to repair fugitive components that were placed on delay of repair (DOR) pending a unit shutdown.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. O-01911, Spec. Cond. 15 OP
FOP No. O-01911, Spec. Cond. 1A OP

Description: Failure to monthly monitor fugitive components (pumps) that were not included in LDAR program.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. O-01911, Spec. Cond. 15 OP
FOP No. O-01911, Spec. Cond. 1A OP
NSR Permit No. 4445, Spec. Cond. 7G PERMIT

Description: Failure to quarterly monitor fugitive components (pumps) that were not included in LDAR program.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. O-01911, Spec. Cond. 1A OP
FOP Permit No. O-01911, Spec. Cond. 15 OP

Description: Failure to make a first attempt at repairing fugitive components within five (5) days after discovery.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP Permit No. O-01911, Spec. Cond. 15 OP

Description: Failure to complete quarterly calibration tests on South Cooling Tower.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP Permit No. O-01911, Spec. Cond. 15 OP

Description: Failure to complete quarterly calibration tests on the vinyls flare (VS-202).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.766(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP Permit No. O-01911, Spec. Cond. 15 OP

Description: Failure to record ethylene emissions from South Cooling Tower.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.766(a)(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP Permit No. O-01911, Spec. Cond. 15 OP

Description: Failure to record recirculation flow from South Cooling Tower.

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 THC Chapter 382, SubChapter D 382.085(b)
FOP No. O-01911, Spec. Cond. 15 OP

Description: Failure to include a recordable emission event in a deviation report.

Date: 10/31/2007 (619663) CN600128284

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: 11/30/2007 (619664) CN600128284

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: 12/12/2007 (598542) CN600128284

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Permit #1834, Special Condition #1 PERMIT

Description: Failure to prevent higher than normal loading of the incinerator resulting in excess opacity.

Date: 12/12/2007 (598541) CN600128284

Self Report? NO Classification: Moderate

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

Permit #1834, Special Condition #1 PERMIT

Description: Failure to prevent higher load than normal on the incinerator which resulted in excess opacity.

Date: 12/13/2007 (598540) CN600128284
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Permit #1834, Special Condition #1 PERMIT

Description: Failure to prevent higher load than normal on the incinerator which resulted in excess opacity.

Date: 12/20/2007 (635945) CN600128284
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: 12/21/2007 (598285)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261
30 TAC Chapter 106, SubChapter K 106.262
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent leak from the North Tank Conservation Vent which resulted in the unauthorized release of contaminants.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: Failure to submit initial notification in a timely manner.

Date: 12/31/2007 (619665) CN600128284
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: 01/31/2008 (672183) CN600128284
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: 02/28/2008 (672184) CN600128284
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 (690096) CN600128284
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: 04/02/2008 (609061) CN600128284
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Permit #1834, Special Condition #1 PERMIT

Description: Failure to prevent unauthorized emissions from the Dowtherm Recovery Tank.

Date: 04/18/2008 (595527) CN600128284
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01846, Special Condition 3 OP

Description: Failure to prevent the water flow to the scrubber falling below the minimum flow of 87 gallons per minute (gpm) as represented in the NSR Permit 20800 permit application.

Self Report? NO Classification: Minor

Citation: 20800, Special Condition 6 PERMIT
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

O-01846, Special Condition 3 OP

Description: Failure to record the cause of the visible emissions and the corrective action.

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)
O-01846, General Terms and Conditions OP

Description: Failure to include the incidences for not recording the cause of the visible emissions and the corrective action on the Title V deviation reports, during the certification period.

Date: 04/28/2008 (636916) CN600128284

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
O-01906, GENERAL TERMS AND CONDITIONS OP

Description: DuPont failure to submit permit compliance certification no later than 30 days after the end of the reporting period

Self Report? NO Classification: Moderate

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)
O-01906, GENERAL TERMS AND CONDITIONS OP

Description: DuPont failure to submit the deviation reports no later than 30 days after the end of the reporting period.

Date: 04/28/2008 (636915) CN600128284

Self Report? NO Classification: Moderate

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)
O-01905, General Terms and Conditions OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
O-01905, General Terms and Conditions OP

Description: Failure to submit permit compliance certification no later than 30 days after the end of the reporting period.

Date: 05/30/2008 (636610) CN600128284

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
5C THSC Chapter 382 382.085(b)
FOP O-01907 STC #6 OP

Description: Failure to repair leaking component within 15 calendar days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(vii)
5C THSC Chapter 382 382.085(b)
FOP O-01907 STC #6 OP

Description: Failure to continuously record outlet temperature of direct flame incinerator.

Date: 05/31/2008 (690098) CN600128284
Self Report? YES Classification: Moderate

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

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

Date: 06/30/2008 (710883) CN600128284
Self Report? YES Classification: Moderate

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

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

Date: 07/31/2008 (710884) CN600128284
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 (727590) CN600128284
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 (750398) CN600128284
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: 05/08/2009 (737100) CN600128284
Self Report? NO Classification: Minor

Citation: 20800, SC 18 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01846, SC 5 OP

Description: Failure to maintain water flow rate to HF Scrubber at 87 gallons per minute or above, and failure to record data for HF Scrubber water flow rate (Category C1 and C4 violation).

Date: 05/14/2009 (702546) CN600128284
Self Report? NO Classification: Moderate

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

Description: DuPont La Porte plant failed to operate their sulfuric acid (SA) manufacturing plant in a manner that the permit lb sulfuric acid emitted per ton of acid produced limit was less than 0.142 lb SA per ton acid produced.

Date: 05/29/2009 (737251) CN600128284
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1439(e)(6)(i)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failed to submit the periodic report under 40 CFR 63 Subpart PPP on time

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.222(k)(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failed to submit the Off-Notify Form required in 122.222(k)(2) on time

Date: 06/12/2009 (737249) CN600128284
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 A 63.11(b)(7)
40 CFR Part 60, Subpart A 60.18(c)(4)(i)
General Terms and Conditions OP
Special Condition 4A PERMIT
Special Terms and Conditions No. 11 OP
Description: Failed to operate flare at an exit velocity less than 60 ft/sec

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition 4B PERMIT
Special Terms and Conditions No. 11 OP
Description: Failed to maintain pilot flame at all times

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special and Conditions No. 11 OP
Special Condition No. 3 PERMIT
Description: Failed to maintain the production rate of sodium methylate and hexazinone

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failed to report two deviations within 30 days after the end of the certification period from December 12, 2007 to June 11, 2008

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.222(k)(2)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Description: Failed to submit the Off-Notify Form required on time after replacing the VO-01P-1 Extractor

Date: 06/16/2009 (749357) CN600128284
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
ELMR, No. 1 PERMIT
Description: Failure to maintain compliance with the permitted effluent limits.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)
Description: Failure to correctly calculate the Discharge Monitoring Reports (DMRs).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to submit the noncompliance notification for an effluent violation which deviated from the permitted limit by more than 40%.

Date: 07/15/2009 (744826) CN600128284
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(8)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1D OP

Description: Failure to maintain established monitoring parameters as set by the facility.
(CATEGORY B18 violation)

Date: 08/27/2009 (747523) CN600128284

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(iv)
30 TAC Chapter 115, SubChapter C 115.216(1)(B)
30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST & C#11 OP
NSR Permit No. 4445, SC#5A PA

Description: Failure to to maintain the A Plant Flare (EPN: VS-202) net heating value at 300
Btu/scf on November 22, 2007; December 3, 2007 through December 4, 2007;
and March 9, 2008. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(6)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST & C#11 OP
NSR Permit No. 4445, SC#5G PA

Description: Failure to record hourly tip velocity monitoring data due to a transmitter
malfunction. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST & C#11 OP
NSR Permit #4445, SC#6 PA

Description: Failure to record Tank Farm Super Scrubber (EPN: VS-204), Million Gallon Acetic
Acid Scrubber (EPN: VS-207), "A" Acetic Acid Tank Scrubber (EPN: VS-208), "B"
Acetic Acid Tank Scrubber (EPN: VS-209), Tar Receiver Scrubber (EPN:
VS-212), and Dry Product Scrubber (EPN: VS-376) water flow data. (Category
C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST & C#11 OP
NSR Permit No. 4445, SC #6 PA

Description: Failure to maintain the Dry Product Scrubber (EPN: VS-376) water flow at 15
gallons per minute (gpm) on April 23, 2008. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.216(4)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST & C #1A OP

Description: failed to maintain a daily marine loading operation record for July 6, 2008.
(Category C4 Violation)

Date: 08/28/2009 (737259) CN600128284

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 No. 4 PERMIT
Special Terms and Conditions No. 6 OP

Description: failure to prevent exceeding the H2S permitted concentration limit of 30 ppmv.
(Category B14 violation)

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 No.4 PERMIT
Special Terms and Conditions No. 6 OP
Description: failure to prevent exceeding the H2S permitted concentration limit of 1500 ppmv
for the Sulfur Unloading Pit SA-04. (Category B14 violation)

Date: 11/30/2009 (805006) CN600128284
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: 12/31/2009 (805007) CN600128284
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 (805004) CN600128284
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: 04/01/2010 (793813) CN600128284
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(3)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)
Description: During the investigation, it was noted that the TC Overheads tank, NOR unit 089,
did not possess a hazardous waste label.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
Description: During the investigation, it was noted that the facility operating record was
missing a daily tank inspection for April 7, 2007.

Date: 04/30/2010 (831004) CN600128284
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: 05/31/2010 (846308) CN600128284
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: 06/30/2010 (860898) CN600128284
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: 07/01/2010 (790348) CN600128284
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)
FOP O-01907 General Terms and Conditions OP

Description: Failure to submit Deviation Report dated June 12, 2009 within the required time frame.
(CATEGORY B3 Violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.142(3)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)

Description: Failure to maintain Total Suspended Solid levels above permitted limits.
(CATEGORY C4 Violation)

Date: 07/27/2010 (794179) CN600128284

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition (4)(E)(3) PERMIT
Special Condition 6 OP

Description: Failure to install natural gas and vent flow monitors by the installation deadline of December 1, 2009, on the VP-01BC flare (Category B16 Violation).

Date: 08/15/2010 (794180) CN600128284

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1D OP

Description: Failure to maintain caustic concentration by minimum established concentration of 3% on scrubber units LN-06C and LN-07C on 3 different occasions from December 21, 2008 to September 6, 2009 (Category C4 Violation).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)(7)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to make first attempt to repair leaking valve numbers 0058, 0157, and LAN1346 in Unit LN-21F (Category B14 Violation).

Self Report? NO Classification: Minor
Citation: 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 include 4 deviations in previous semiannual deviation report from July 11, 2009 to January 8, 2010 (Category B3 Violation).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(vii)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to record temperature and flow data from December 5, 2009 to December 7, 2009 (Category B3 Violation).

Date: 08/19/2010 (790338) CN600128284

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(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST&C 11 OP
FOP #O-01911, ST&C 1A. OP
NSR #4445, SC 5A. PA

Description: Failure to maintain a minimum net heating value of 300 Btu/scf for the Plant "A" (Vinyls) flare (EPN VS-202C).

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

30 TAC Chapter 116, SubChapter F 116.617
30 TAC Chapter 122, SubChapter B 122.143(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.985(a)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST&C 11 OP
FOP #O-01911, ST&C 13 OP
FOP #O-01911, ST&C 1D. OP
NSR #4445, SC 6. PA

Description: Failure to maintain adequate water flow rate to process and wastewater scrubbers.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01911, ST&C 11 OP
NSR #4445, SC 5G. PA

Description: Failure to maintain required hourly average records for the "A" Plant (Vinyls) flare (EPN VS-202C).

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 Part 60, Subpart A 60.18(c)(4)(i)
40 CFR Part 63, Subpart A 63.11(b)(7)(i)
5C THSC Chapter 382 382.085(b)
FOP O-01911 ST&C 11 OP
FOP O-01911, ST&C 1A OP
NSR 4445 SC 5A PERMIT

Description: Failure to maintain flare tip exit velocities below 60 feet per second.

Date: 08/19/2010 (794042) CN600128284

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01845 Special Term and Condition 5 OP
NSR Permit 21130 Special Condition 4 PERMIT

Description: Failure to maintain the 1500 ppmv hydrogen sulfide limit on the sulfur unloading pit (SA-04). Category B19 (g) (1)

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)
FOP O-01845 General Terms and Conditions OP

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

Category C3

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.6(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01845 Special Term and Condition 6 OP

Description: Failure to maintain the representation stated in the registration for Permit by Rule 106.512. Category B19(g)(1)

Date: 09/30/2010 (881541) CN600128284

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: 11/30/2010 (896287) CN600128284

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: 12/14/2010 (873716) CN600128284
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(18)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1050(d)
 Description: Failure to tag a piece of equipment subject to 40 CFR 264 Subpart BB

Date: 12/14/2010 (873618) CN600128284
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)
 Description: Failure to include Emergency Coordinator information in the Contingency Plan.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(8)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174
 Description: Failure to conduct weekly hazardous waste container area inspection for the week of September 28, 2010.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(9)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.195(b)
 Description: Failure to conduct daily hazardous waste tank inspections.

Date: 12/16/2010 (873729) CN600128284
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 331, SubChapter D 331.63(h)
 PP V.D PERMIT
 Description: Failure to maintain the specific gravity above the permit limit

Date: 12/31/2010 (909129) CN600128284
 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: 01/31/2011 (909128) CN600128284
 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: 02/28/2011 (916380) CN600128284
 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: 04/27/2011 (899777) CN600128284
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No.,18 PERMIT
 Special Terms & Condition # 10 OP
 Special Terms & Conditions #5 OP
 Description: Failure to meet the liquid flow rate of 87 gpm for the HFS.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 106, SubChapter T 106.454(1)(E)
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions #6 OP
 Description: Failed to have the instructions posted on the outside of the degreaser. (Category C3)

Date: 04/29/2011 (899780)

CN600128284

Self Report? NO

Classification: Moderate

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

Description: Failure to submit the PCC report dated November 17, 2010 within 30 days after the end of the compliance period. (CATEGORY B3 violation)

F. Environmental audits.

Notice of Intent Date: 08/21/2007 (594321)

No DOV Associated

Notice of Intent Date: 10/04/2010 (877022)

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



Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: E. I. DUPONT DE NEMOURS

Reg Entity Add: 12501 STRANG RD.

Reg Entity No:

Reg Entity City: LA PORTE

RN100225085

Customer Name: E.I. DuPont DeNemours & Com **Customer No:** CN600128284

EPA Case No: 06-2003-3339

Order Issue Date (yyyymmdd): 20080124

Case Result: Final Order with Penalty

Statute: CAA

Sect of Statute: 111

Classification: MODERATE

Program: NSPS

Citation: 40 CFR

Violation Type: Violation of NSPS

Cite Sect: Subpart H

Cite Part: 60

Enforcement Action: Consent Decree/Court Order



2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation conducted on March 15, 2011, TCEQ staff documented the failure to submit a deviation report within 30 days after the end of the reporting period. Specifically, a deviation report for the reporting period of April 25, 2010 through October 24, 2010 was due on November 23, 2010, but was not submitted until November 30, 2010.
4. The Respondent received notice of the violation on May 4, 2011.
5. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On November 30, 2010, the Respondent submitted the deviation report for the reporting period of April 25, 2010 through October 24, 2010; and
 - b. By December 31, 2010, the Respondent updated the Safety, Health, & Environment calendar to include a tab titled "2011 Air Reports" that lists air related reports and their due dates.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to submit a deviation report within 30 days after the end of the reporting period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit No. O1907, General Terms and Conditions.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Nine Thousand Seventy-Five Dollars (\$9,075) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Four Thousand Seven Hundred Thirty-Eight Dollars (\$4,538) of the administrative penalty. Four Thousand Five Hundred Thirty-Seven Dollars (\$4,537) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Nine Thousand Seventy-Five Dollars (\$9,075) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: E. I. du Pont de Nemours and Company, Docket No. 2011-0757-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 4 above, Four Thousand Five Hundred Thirty-Seven Dollars (\$4,537) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provision of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not

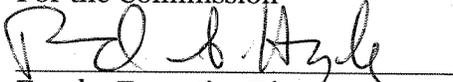
effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in 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. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

10/7/11
Date

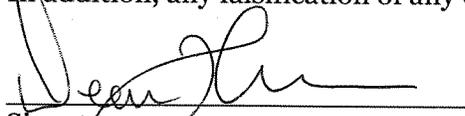
I, the undersigned, have read and understand the attached Agreed Order in the matter of E. I. du Pont de Nemours and Company. I am authorized to agree to the attached Agreed Order on behalf of E. I. du Pont de Nemours and Company, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, E. I. du Pont de Nemours and Company waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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

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

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


Signature

8/24/11
Date

Dean Thompson
Name (Printed or typed)
Authorized Representative of
E. I. du Pont de Nemours and Company

Plant Manager
Title

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

Attachment A
Docket Number: 2011-0757-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: E.I. du Pont de Nemours and Company
Penalty Amount: Nine Thousand Seventy-Five Dollars (\$9,075)
SEP Offset amount: Four Thousand Five Hundred Thirty-Seven Dollars (\$4,537)
Type of SEP: Pre-approved
Third-Party Recipient: Harris County – *Ambient Air Pollutants Monitoring Study*
Location of SEP: Harris County

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be used by **Harris County** for the *Ambient Air Pollutants Monitoring Study* as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP funds will be used to install or retrofit, operate, maintain, and potentially expand air monitoring stations in Harris County to continuously monitor ambient air for total non-methane hydrocarbons and hazardous air pollutants (HAPs). Specifically, SEP funds will be used to purchase equipment (such as automated canister samplers), hardware, software, and licenses to enable the monitoring. All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

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

B. Environmental Benefit

The project will provide additional air monitoring data to identify any HAPs emissions in the targeted locations. The information may help local government better inform citizens about air toxins and enable regulators to better identify emission sources.

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

E.I. du Pont de Nemours and Company
Agreed Order - Attachment A

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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