

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2010-1154-AIR-E **TCEQ ID:** RN103919817 **CASE NO.:** 40047
RESPONDENT NAME: Chevron Phillips Chemical Company LP

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	

CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: Chevron Phillips Chemical Co Cedar Bayou Plant, 9500 Interstate 10 East, Baytown, Harris County

TYPE OF OPERATION: Chemical manufacturing plant

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is one additional pending enforcement action regarding this facility location, Docket No. 2010-0607-AIR-E.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on December 13, 2010. No comments were received.

CONTACTS AND MAILING LIST:
TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732
TCEQ Enforcement Coordinator: Ms. Roshondra Lowe, Enforcement Division, Enforcement Team 5, MC R-12, (713) 767-3553; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495
Respondent: Mr. William Turk, Technical and EH&S Manager, Chevron Phillips Chemical Company LP, 9500 Interstate 10 East, Baytown, Texas 77521
 Mr. Van Long, Plant Manager, Chevron Phillips Chemical Company LP, 9500 Interstate 10 East, Baytown, Texas 77521
Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: June 2, 2010</p> <p>Date of NOV/NOE Relating to this Case: July 8, 2010 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failed to prevent unauthorized emissions. Specifically, 515.73 pounds ("lbs") of ethylene and 2.59 lbs of propane were released into the atmosphere due to an incorrect ferrule bullet insertion into the lubrication quill for gas compressor C-104's plunger, which resulted in inadequate lubrication that led to the formation of heat check cracks, causing excessive vibration that triggered the compressor's "earthquake switch" and the shutting down of the compressor. The emissions event occurred on April 21, 2010 and lasted 28 minutes. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(b)(2)(F), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 46783, Maximum Allowable Emission Rates].</p>	<p>Total Assessed: \$10,000</p> <p>Total Deferred: \$2,000 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$4,000</p> <p>Total Paid to General Revenue: \$4,000</p> <p>Compliance History Classification: Person/CN – Average Site/RN – Average</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:</p> <p>a. On May 6, 2010, a new protocol was established for responding to leaks in the compressor lubrication systems for all six lines which provide steps for a controlled shutdown of the compressor to prevent friction; the Dymac system was modified to shut down the C-104 compressor if the vibration reaches a specific level to prevent damage that may cause an uncontrolled atmospheric release; and the Bill of Materials was modified to the compressor quills specification to include the correct ferrule;</p> <p>b. On July 19, 2010, the plant material identification system was modified to allow easier identification of the specified ferrule;</p> <p>c. On July 27, 2010, the data tracking of disk replacement on the C-104 compressor lubrication system was improved to provide "leading indicator" data on the lubrication system abnormalities that may lead to plunger issues; and</p> <p>d. On August 1, 2010, refresher training was conducted on the lubrication system for all Polyethylene Unit-1792 operators, and the training was incorporated in the unit training manual.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

Additional ID No(s): HG0310V

Attachment A
Docket Number: 2010-1154-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Chevron Phillips Chemical Company LP

Payable Penalty Amount: Eight Thousand Dollars (\$8,000)

SEP Amount: Four Thousand Dollars (\$4,000)

Type of SEP: Pre-approved

Third-Party Recipient: Barbers Hill Independent School District-Alternative Fueled Vehicle and Equipment Program

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 amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Barbers Hill Independent School District** for the **Alternative Fueled Vehicle and Equipment Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP funds will only be used for the incremental costs of purchase of clean fuel or lower-emission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

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

2. Performance Schedule

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

John Johnson
Carl Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 101
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	12-Jul-2010	Screening	19-Jul-2010	EPA Due	
	PCW	21-Jul-2010				

RESPONDENT/FACILITY INFORMATION

Respondent	Chevron Phillips Chemical Company LP		
Reg. Ent. Ref. No.	RN103919817		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	40047	No. of Violations	1
Docket No.	2010-1154-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Roshondra Lowe
		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**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes: Enhancement for 22 NOVs for same/similar violations, 10 NOVs for dissimilar violations, eight orders with denial, and 3 orders without denial. Reduction due to five notice of audits and three disclosures submitted.

Culpability Enhancement **Subtotal 4**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts
 Approx. Cost of Compliance *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 19-Jul-2010

Docket No. 2010-1154-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 2 (September 2002)

Case ID No. 40047

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103919817

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>)	22	110%
	Other written NOVs	10	20%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	8	160%
	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	3	75%
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>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	5	-5%
	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>)	3	-6%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 354%

>> 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 22 NOVs for same/similar violations, 10 NOVs for dissimilar violations, eight orders with denial, and 3 orders without denial. Reduction due to five notice of audits and three disclosures submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 354%

Screening Date 19-Jul-2010

Docket No. 2010-1154-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 2 (September 2002)

Case ID No. 40047

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103919817

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(b)(2)(F), Tex. Health & Safety Code § 382.085(b), and Air Permit No. 46783, Maximum Allowable Emission Rates

Violation Description

Failed to prevent unauthorized emissions. Specifically, 515.73 pounds ("lbs") of ethylene and 2.59 lbs of propane were released into the atmosphere due to an incorrect ferrule bullet insertion into the lubrication quill for gas compressor C-104's plunger, which resulted in inadequate lubrication that led to the formation of heat check cracks, causing excessive vibration that triggered the compressor's "earthquake switch" and the shutting down of the compressor. The emissions event occurred on April 21, 2010 and lasted 28 minutes. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual			X	25%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

Matrix Notes

Human health or the environment in the Houston-Galveston-Brazoria nonattainment area has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 1

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

Violation Base Penalty \$2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

10.0% Reduction \$250

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

Notes Corrective actions were completed on August 1, 2010, after the July 8, 2010 NOE.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$49

Violation Final Penalty Total \$11,100

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

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 40047
Reg. Ent. Reference No. RN103919817
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				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$3,500	21-Apr-2010	1-Aug-2010	0.28	\$49	n/a	\$49

Notes for DELAYED costs

Estimated cost for equipment and protocol changes necessary to ensure adequate lubrication of compressor C-104. The date required is the violation date. The final date is based on the date corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$3,500

TOTAL

\$49

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600303614 Chevron Phillips Chemical Company LP	Classification: AVERAGE	Rating: 3.98
Regulated Entity:	RN103919817 CHEVRON PHILLIPS CHEMICAL CO CEDAR BAYOU PLANT	Classification: AVERAGE	Site Rating: 6.61

ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD003913381
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30091
	WASTEWATER	PERMIT	WQ0001006000
	WASTEWATER	EPA ID	TX0003948
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1012335
	AIR OPERATING PERMITS	PERMIT	3247
	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0310V
	AIR OPERATING PERMITS	PERMIT	2113
	AIR OPERATING PERMITS	PERMIT	2114
	AIR OPERATING PERMITS	PERMIT	2115
	AIR OPERATING PERMITS	PERMIT	2370
	AIR OPERATING PERMITS	PERMIT	3247
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	28477
	WATER LICENSING	LICENSE	1012335
	USED OIL	ID NUMBER	HOU00074
	AIR NEW SOURCE PERMITS	REGISTRATION	52188
	AIR NEW SOURCE PERMITS	REGISTRATION	54882
	AIR NEW SOURCE PERMITS	REGISTRATION	54930
	AIR NEW SOURCE PERMITS	REGISTRATION	75918
	AIR NEW SOURCE PERMITS	REGISTRATION	75577
	AIR NEW SOURCE PERMITS	REGISTRATION	55648
	AIR NEW SOURCE PERMITS	REGISTRATION	75545
	AIR NEW SOURCE PERMITS	REGISTRATION	75546
	AIR NEW SOURCE PERMITS	REGISTRATION	56852
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0310V
	AIR NEW SOURCE PERMITS	AFS NUM	4820100018
	AIR NEW SOURCE PERMITS	PERMIT	1504A
	AIR NEW SOURCE PERMITS	PERMIT	6517A
	AIR NEW SOURCE PERMITS	PERMIT	7403A
	AIR NEW SOURCE PERMITS	PERMIT	2462C
	AIR NEW SOURCE PERMITS	PERMIT	19027
	AIR NEW SOURCE PERMITS	REGISTRATION	24093
	AIR NEW SOURCE PERMITS	REGISTRATION	32866
	AIR NEW SOURCE PERMITS	PERMIT	37063

AIR NEW SOURCE PERMITS	REGISTRATION	38590
AIR NEW SOURCE PERMITS	REGISTRATION	40534
AIR NEW SOURCE PERMITS	REGISTRATION	41691
AIR NEW SOURCE PERMITS	REGISTRATION	44005
AIR NEW SOURCE PERMITS	REGISTRATION	44759
AIR NEW SOURCE PERMITS	PERMIT	46305
AIR NEW SOURCE PERMITS	PERMIT	46783
AIR NEW SOURCE PERMITS	REGISTRATION	48084
AIR NEW SOURCE PERMITS	REGISTRATION	49322
AIR NEW SOURCE PERMITS	REGISTRATION	50325
AIR NEW SOURCE PERMITS	REGISTRATION	71487
AIR NEW SOURCE PERMITS	EPA ID	PSDTX748
AIR NEW SOURCE PERMITS	REGISTRATION	71350
AIR NEW SOURCE PERMITS	REGISTRATION	71479
AIR NEW SOURCE PERMITS	REGISTRATION	71483
AIR NEW SOURCE PERMITS	REGISTRATION	71530
AIR NEW SOURCE PERMITS	REGISTRATION	50757
AIR NEW SOURCE PERMITS	REGISTRATION	50758
AIR NEW SOURCE PERMITS	REGISTRATION	50759
AIR NEW SOURCE PERMITS	REGISTRATION	52312
AIR NEW SOURCE PERMITS	REGISTRATION	72420
AIR NEW SOURCE PERMITS	REGISTRATION	70326
AIR NEW SOURCE PERMITS	REGISTRATION	53768
AIR NEW SOURCE PERMITS	REGISTRATION	53752
AIR NEW SOURCE PERMITS	REGISTRATION	53751
AIR NEW SOURCE PERMITS	REGISTRATION	54712
AIR NEW SOURCE PERMITS	REGISTRATION	72911
AIR NEW SOURCE PERMITS	REGISTRATION	56502
AIR NEW SOURCE PERMITS	REGISTRATION	50370
AIR NEW SOURCE PERMITS	REGISTRATION	74596
AIR NEW SOURCE PERMITS	REGISTRATION	74458
AIR NEW SOURCE PERMITS	REGISTRATION	75055
AIR NEW SOURCE PERMITS	REGISTRATION	77053
AIR NEW SOURCE PERMITS	REGISTRATION	78553
AIR NEW SOURCE PERMITS	REGISTRATION	78917
AIR NEW SOURCE PERMITS	REGISTRATION	80099
AIR NEW SOURCE PERMITS	REGISTRATION	87899
AIR NEW SOURCE PERMITS	REGISTRATION	90731

AIR NEW SOURCE PERMITS	PERMIT	83791
AIR NEW SOURCE PERMITS	REGISTRATION	92856
STORMWATER	PERMIT	TXR05Q341
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30091
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0310V

Location: 9500 INTERSTATE 10 E, BAYTOWN, TX, 77521

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: July 19, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: July 19, 2005 to July 19, 2010

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: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 06/26/2006 ADMINORDER 2005-0007-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: Special Condition 1, MAERT PERMIT
 Description: Failed to limit emissions in the Normal Alpha Olefin Unit 1797 from 2 block valves (EPN F-130) and the SYS-740 Flare (EPN 136), to those limited by the permit.

Effective Date: 08/28/2006 ADMINORDER 2006-0147-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: 1504A/PSD-TX-748, Special Condition #1 PERMIT
 Description: Failed to prevent unauthorized emissions.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: Air Permit #37063, Special Condition #1 PA
 Description: Failed to prevent unauthorized emissions.

Effective Date: 11/03/2006 ADMINORDER 2006-0528-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: Air Permit #1504A/PSD-TX-748, SC#1 PA
 Description: Failed to prevent unauthorized emissions.

Effective Date: 01/12/2008

ADMINORDER 2007-0322-AIR-E

Classification: Minor

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

Description: ChevronPhillips failed to report the date of the Incident No. 70394 correctly on the TCEQ Notification Form. The incident occurred on January 15, 2006, but was reported as January 15, 2005.

Classification: Moderate

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

Description: Chevron Phillips-Cedar Bayou failed to prevent unauthorized emissions during Incident 70394.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit 1504A, SC1 PERMIT

Description: Chevron Phillips-Cedar Bayou failed to prevent unauthorized emissions during Incident 70583.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit 1504A, SC 1 PERMIT

Description: Chevron Phillips-Cedar Bayou failed to prevent unauthorized emissions during Incident 70666.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit 1504A, SC 1 PERMIT

Description: Chevron Phillips-Cedar Bayou failed to prevent unauthorized emissions during Incident 70786.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 37063/Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 12/20/2008

ADMINORDER 2006-1960-AIR-E

Classification: Moderate

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

Rqmt Prov: No. 1504A, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit 19027 Special Condition 20(E) PERMIT

Description: Failed to properly seal open-ended lines.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(A)

30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit 19027 SC 20(F), 20(G), 21(A) PERMIT
Description: Failed to monitor components that were in volatile organic compound service at the PEU-1796 Unit.

Effective Date: 12/20/2008 ADMINORDER 2005-0859-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 OP
Description: Failed to prevent unauthorized emissions during a October 25, 2004 emissions event, in violation of 30 Tex. Admin. Code §§ 116.115(c) 101.20(3), Air Permit No. 1504A PSD-TX-748, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on March 8, 2005.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions during an emissions event that was discovered on November 29, 2004 and determined to have started on November 18, 2004.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 1504A, PSD-TX-748, SC No. 1 PA
Description: Failed to prevent unauthorized emissions during a November 16, 2004 emissions event.

Effective Date: 02/08/2009 ADMINORDER 2007-1080-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 1504A, Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 1504A Special Condition No. 1 PERMIT
Description: Failed to prevent unauthorized emissions.

Effective Date: 03/12/2009 ADMINORDER 2008-0921-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 37063/Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions from Flare SYS-740 on January 15, 2008.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 46305/Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions from the Polyethylene Unit 1799 ("PEU-1799") Flare on February 9, 2008.

Effective Date: 03/23/2009 ADMINORDER 2008-1457-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 2462C/Special Condition 1 PERMIT
Description: The Respondent is alleged to have failed to prevent unauthorized emissions during Incident No. 108468.

Effective Date: 07/09/2009 ADMINORDER 2008-1927-AIR-E

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 37063/SPECIAL CONDITION 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 111058.

Classification: Minor

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

5C THSC Chapter 382 382.085(b)

Description: Failed to report Incident No. 111058 within 24 hours after discovery.

Classification: Moderate

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

30 TAC Chapter 115, SubChapter H 115.722(c)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 1504A/Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 109537.

Classification: Minor

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

5C THSC Chapter 382 382.085(b)

Description: Failed to report Incident No. 109537 within 24 hours after discovery.

Effective Date: 08/31/2009

ADMINORDER 2009-0428-AIR-E

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, 615 pounds of biphenyl were released from the Normal Alpha Olefins Unit, when the Respondent failed to keep watch at a Dowtherm pump during a filling operation leading to the release of emissions through an open valve.

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	07/21/2005	(400409)
2	07/29/2005	(401052)
3	08/02/2005	(402216)
4	08/03/2005	(402167)
5	08/05/2005	(379433)
6	08/08/2005	(396942)
7	08/13/2005	(404688)
8	08/22/2005	(405962)
9	08/23/2005	(401535)
10	08/23/2005	(440737)
11	08/23/2005	(440739)
12	09/23/2005	(440738)
13	09/28/2005	(418690)
14	10/10/2005	(468259)
15	11/04/2005	(433451)
16	11/22/2005	(468260)
17	12/15/2005	(435582)
18	01/23/2006	(468261)
19	01/26/2006	(405968)
20	02/08/2006	(405969)
21	02/21/2006	(468258)
22	02/22/2006	(455830)
23	02/28/2006	(431936)
24	02/28/2006	(457017)

25	03/21/2006	(456836)
26	03/23/2006	(498082)
27	03/28/2006	(456883)
28	03/29/2006	(453494)
29	03/29/2006	(459443)
30	04/03/2006	(452797)
31	04/12/2006	(458187)
32	04/24/2006	(498083)
33	04/25/2006	(455025)
34	05/22/2006	(498084)
35	05/25/2006	(467431)
36	05/25/2006	(467433)
37	05/25/2006	(467438)
38	05/25/2006	(467440)
39	05/25/2006	(467443)
40	05/25/2006	(467445)
41	06/05/2006	(467064)
42	06/08/2006	(464678)
43	06/26/2006	(498085)
44	06/26/2006	(498086)
45	07/25/2006	(520101)
46	07/26/2006	(457460)
47	07/26/2006	(481894)
48	08/21/2006	(520102)
49	08/21/2006	(520105)
50	08/23/2006	(464714)
51	08/23/2006	(497553)
52	08/25/2006	(520103)
53	08/30/2006	(457471)
54	08/30/2006	(508885)
55	09/18/2006	(520104)
56	09/28/2006	(486905)
57	10/24/2006	(544360)
58	11/16/2006	(544361)
59	12/04/2006	(518861)
60	12/12/2006	(533185)
61	12/21/2006	(533938)
62	01/16/2007	(544362)
63	01/19/2007	(532509)
64	02/13/2007	(534351)
65	02/15/2007	(544358)
66	02/15/2007	(544359)
67	02/20/2007	(464696)
68	03/19/2007	(575061)
69	04/10/2007	(555531)
70	04/12/2007	(575062)
71	05/18/2007	(575063)
72	05/21/2007	(509420)
73	05/31/2007	(510231)
74	06/04/2007	(600126)
75	07/03/2007	(575064)
76	07/03/2007	(575065)
77	07/06/2007	(543644)
78	07/30/2007	(533377)
79	08/10/2007	(568519)
80	08/13/2007	(565766)
81	08/17/2007	(568619)
82	08/17/2007	(607514)
83	08/17/2007	(607517)

84	08/22/2007	(572958)
85	08/22/2007	(573015)
86	08/28/2007	(571092)
87	08/28/2007	(571093)
88	09/04/2007	(571264)
89	09/20/2007	(607515)
90	10/17/2007	(607516)
91	11/16/2007	(619443)
92	11/28/2007	(595536)
93	12/20/2007	(594047)
94	01/25/2008	(609372)
95	01/29/2008	(609276)
96	02/05/2008	(617290)
97	02/11/2008	(609284)
98	02/19/2008	(671951)
99	03/11/2008	(671952)
100	03/17/2008	(638930)
101	03/25/2008	(610630)
102	03/28/2008	(609856)
103	04/15/2008	(671953)
104	04/21/2008	(640952)
105	05/01/2008	(615845)
106	05/06/2008	(653978)
107	05/14/2008	(654461)
108	05/19/2008	(689871)
109	05/29/2008	(654086)
110	06/06/2008	(654083)
111	06/10/2008	(689872)
112	06/18/2008	(683282)
113	07/01/2008	(684287)
114	07/17/2008	(689873)
115	07/18/2008	(680367)
116	07/21/2008	(683729)
117	07/22/2008	(637042)
118	07/30/2008	(686471)
119	08/15/2008	(710645)
120	08/22/2008	(687059)
121	09/16/2008	(710646)
122	10/06/2008	(702554)
123	10/15/2008	(710647)
124	10/20/2008	(701391)
125	10/22/2008	(609658)
126	11/19/2008	(727418)
127	12/01/2008	(701390)
128	12/17/2008	(684989)
129	12/17/2008	(727419)
130	01/16/2009	(727420)
131	02/06/2009	(758946)
132	02/10/2009	(703395)
133	02/11/2009	(721112)
134	02/19/2009	(726947)
135	02/19/2009	(750176)
136	02/19/2009	(750179)
137	02/20/2009	(726788)
138	03/13/2009	(738474)
139	03/17/2009	(725485)
140	03/18/2009	(511787)
141	03/18/2009	(750177)
142	03/19/2009	(738012)

143	04/02/2009	(735904)
144	04/06/2009	(740829)
145	04/06/2009	(740833)
146	04/06/2009	(741331)
147	04/20/2009	(750178)
148	05/07/2009	(744346)
149	05/20/2009	(768290)
150	05/26/2009	(774848)
151	06/10/2009	(745042)
152	06/15/2009	(768291)
153	06/17/2009	(749383)
154	07/01/2009	(746197)
155	07/08/2009	(737095)
156	07/10/2009	(749535)
157	08/03/2009	(764244)
158	08/19/2009	(804440)
159	08/26/2009	(744253)
160	09/11/2009	(759038)
161	09/16/2009	(766140)
162	09/17/2009	(804441)
163	09/28/2009	(777649)
164	09/30/2009	(777769)
165	10/14/2009	(804442)
166	10/23/2009	(767508)
167	11/17/2009	(781626)
168	11/18/2009	(804443)
169	11/23/2009	(781525)
170	11/30/2009	(827781)
171	12/09/2009	(785104)
172	12/10/2009	(784904)
173	12/17/2009	(804444)
174	12/18/2009	(776419)
175	12/22/2009	(747534)
176	01/05/2010	(779731)
177	01/06/2010	(782277)
178	01/13/2010	(787984)
179	01/20/2010	(804445)
180	01/25/2010	(788325)
181	02/01/2010	(788923)
182	02/19/2010	(804439)
183	02/24/2010	(776596)
184	03/19/2010	(795113)
185	03/20/2010	(830799)
186	03/24/2010	(793957)
187	03/30/2010	(781136)
188	04/07/2010	(792262)
189	04/14/2010	(830800)
190	04/22/2010	(798156)
191	04/26/2010	(795840)
192	05/07/2010	(790365)
193	05/18/2010	(830801)
194	05/26/2010	(800984)
195	05/27/2010	(803556)
196	06/14/2010	(826928)
197	06/16/2010	(802154)
198	06/16/2010	(826504)
199	06/25/2010	(826665)
200	07/07/2010	(802128)
201	07/16/2010	(830313)

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

Date: 07/29/2005 (401052) CN600303614

Self Report? NO Classification: Moderate
Citation: 19027, SC No. 20I PERMIT
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
O-02116, SC 1A. OP

Description: Failure to repair a leaking valve when it could have been repaired without unit shutdown.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
O-02216, SC 3Aiii OP

Description: **Failure to maintain an opacity of 20% for the 6 minute observation period for an emergency electrical generator.**

Self Report? NO Classification: Moderate
Citation: 19027, GC 1 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)(1)

Description: Overflowed tank TK-561

Self Report? NO Classification: Moderate
Citation: 19027, SC No. 20 & 21 PERMIT
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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
O-02116, SC 1A OP

Description: Failure to monitor 14 valves and 33 connectors for fugitive monitoring.

Self Report? NO Classification: Moderate
Citation: 19027, SC No. 21 & 21 PERMIT
30 TAC Chapter 115, SubChapter D 115.354
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 115, SubChapter H 115.781(b)
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 DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
O-02116, SC No. 1A OP

Description: Failure to monitor 85 valves and 349 connectors in HRVOC service.

Date: 09/30/2005 (468259) CN600303614

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: 02/08/2006 (405969)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
46783, General Condition #8 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: **Failure to prevent a pipe leak resulting in unauthorized emissions.**

Date: 03/22/2006 (456836) CN600303614

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter T 106.454(4)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
FOP O-02115, STC 13 OP

Description: **Failure to keep the lid on the parts washer closed 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)

FOP O-02115, SC 12 OP
NSR Permit 2462C, SC 9 PERMIT
Description: Failure to operate the catalytic converter at 95% efficiency in disposing of the VOC (B19.g.(1))

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)
FOP # O-02115, SC 12 OP
NSR Permit# 2462C, SC 17(E) PERMIT
Description: Failure to plug eight open-ended valves or lines

Date: 04/03/2006 (452797) CN600303614

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
SC #21E PERMIT
ST & C #12 OP
Description: Failure to comply with 30 TAC Chapter 115.352(4) which requires valves and pipelines containing VOC to be operated with either a second valve, blind flange, or a tightly-fitting plug or cap.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition #3(A)(i). OP

Description: Failure to operate engines in accordance with 30 TAC Chapter 111.111(a)(1)(B)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
NSR Permit 1504A, Special Condition 21.I PA
ST & C #1.L.(iv) OP
ST & C #12 OP

Description: Failure to repair leaking components within the required timeframes.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(1)(B)(i)(II)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
ST & C #1.L.(iv) OP

Description: Failure to perform initial emissions rate calculations within 30 calendar days.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
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 61, SubChapter C, PT 61, SubPT V 61.242-7(a)
5C THC Chapter 382, SubChapter A 382.085(b)
SC #21E PERMIT
SC #22A PERMIT
ST & C #12 OP

Description: Failure to conduct Method 21 monitoring as required to 325, valves, 818 connectors, and 2 pumps.

Date: 06/30/2006 (520101) CN600303614

Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)

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

Date: 07/31/2006 (520102) CN600303614
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 08/23/2006 (464714) CN600303614
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Air Permit No. 2462C, SC1 PERMIT
Description: **Investigation No. 464714 determined that CPC failed to prevent a decomposition reaction in the Line 4 Reactor during Incident No. 72456.**

Date: 09/28/2006 (486905) CN600303614
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
37063 Special Condition 1 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
Description: **Failure to prevent unauthorized emissions.**

Date: 02/13/2007 (534351) CN600303614
Self Report? NO Classification: Moderate
Citation: 19027/Special Condition 1 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: **Failed to prevent unauthorized emissions.**

Date: 07/06/2007 (543644) CN600303614
Self Report? NO Classification: Moderate
Citation: 2462C, SC # 17E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-02115, SC #12 OP
FOP O-02115, SC #1A OP
Description: Failure to cap or plug open-ended lines.

Self Report? NO Classification: Moderate
Citation: 2462C, SC #9 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-02115, SC #12 OP
Description: Failure to maintain a 95% VOC destruction efficiency for H-3030 and ZZ-702 from November 1, 2005 to December 31, 2005.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter T 106.454(3)(B)(i)
30 TAC Chapter 115, SubChapter E 115.412(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-02115, SC #1A OP
Description: **Failure to keep the parts washer lid closed on March 21, 2006 and again on April 20, 2006.**

Date: 08/10/2007 (568519) CN600303614
Self Report? NO Classification: Moderate
Citation: 1504A Special Condition 10 PERMIT
30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: **Failed to meet applicable opacity limit**

Date: 09/04/2007 (571264) CN600303614
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)
30 TAC Chapter 335, SubChapter F 335.152(a)(8)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(e)(1)(iii)
Description: Secondary containment systems for hazardous waste storage Tank T-903 (NOR 035) was not free of gaps

Date: 11/28/2007 (595536) CN600303614
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-02370 SC 5 OP
NSR 46305 SC 8A PA
Description: Failure to operate the process vent flare (Title V ID VE-9003; EPN 1799-20) at a heat value of at least 300 Btu/scf on 4 occasions for at least 1 hour from July 8, 2006 through May 10, 2007 [FOP O-02370; NSR 46305].

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382, SubChapter A 382.085(b)
FOP O-02370 SC 1A OP
FOP O-02370 SC 5 OP
NSR 46305 SC 3E PA
Description: Failure to equip an open-ended line in VOC service with a plug [FOP O-02370; NSR 46305]. Category C10.

Date: 03/25/2008 (610630) CN600303614
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-2114, ST&C 15 OP
Permit 37063, SC 11E PERMIT
Permit 6517A, SC 1E PERMIT

Description: Failure to cap or plug open-ended lines.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart A 60.18
5C THSC Chapter 382 382.085(b)
FOP O-2114 ST&C 15 OP
Permit 37063 OP

Description: Failure to operate Flares in compliance with the 300BTU/scf standard
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.117(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-2114 ST&C 15 OP
Description: Failed to submit the required Post Change Notification within 30 days relating to Flare # SYS-740

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)
5C THSC Chapter 382 382.085(b)
FOP O-2114 ST&C 15 OP
Description: Failed to report the failure to submit a post change notification in the earlier deviation report for the reporting period of February 1, 2006 through July 31, 2006

Date: 03/28/2008 (609856) CN600303614

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1066(b)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-02113 STC 14 OP
Description: Failure to notify TCEQ prior to EMACT tank inspection.

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-02113 STC 17 OP
 NSR Permit 1504A/PSD-TX-748 SC 1 PA
Description: Failure to maintain emissions within the MAERT.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-02113 STC (1)(J)(iv) OP
Description: Failure to repair leaking component within required time frame.

Self Report? NO **Classification:** Minor
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(10)
Description: Failure to record canister change-out after breakthrough.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1095(b)(2)
 FOP O-02113 STC 1Gi OP
Description: Failure to conduct monthly monitoring

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.117(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-02113 STC 17 OP
Description: Failure to provide 30 days notice prior to changes to facilities.

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)
 5C THSC Chapter 382 382.085(b)
 FOP O-02113 STC 1(J)(ii) OP
Description: Failure to maintain Net Heating Value greater than 300 btu/scf.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-02113 SC 17 OP
 FOP O-02113 STC 1(I)(ii) OP
 NSR Permit 1504A/PSD-TX-748 SC 16E PA
Description: Failed to maintain a seal on open ended lines.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-02113 STC 17 OP
 NSR Permit 1504A/PSD-TX-748 PA
Description: Failure to conduct fugitive monitoring on components in VOC service.

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-02113 STC 17 OP
 NSR Permit 1504A/PSD-TX-748 SC 17A PA
Description: Failure to conduct fugitive monitoring on connectors in VOC service.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(1)
5C THSC Chapter 382 382.085(b)
FOP O-02113 STC 1(l)(i) OP

Description: Failure to conduct fugitive monitoring on pumps in benzene service.

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)

Description: Failure to report all instances of deviations.

Date: 07/22/2008 (637042) CN600303614

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
ST&C 12 OP

Description: Failure to control VOC emissions for flare (unit X-902) and heat exchanger (unit H-3030).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 9 PERMIT
ST&C 12 OP

Description: Failure to maintain 95% destruction efficiency of VOC.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
SC 12 OP
SC 16E PERMIT
ST&C 1A OP

Description: Failure to seal open-ended lines that are in VOC service.

Date: 07/30/2008 (686471) CN600303614

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)
General Terms and Conditions OP

Description: Failure to submit semiannual Deviation report within 30 days of the reporting period.

Date: 02/06/2009 (758946) CN600303614

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 02/10/2009 (703395) CN600303614

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 2 PERMIT
Special Condition 3(E) PERMIT
Special Terms and Conditions 1(A) OP
Special Terms and Conditions 5 OP

Description: Failure to seal open-ended lines with a cap, plug, blind flange, or a second valve.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 2 PERMIT
Special Condition 8(A) PERMIT
Special Terms and Conditions 1(A) OP
Special Terms and Conditions 5 OP

Description: Failure to meet the BTU/scf heating value for the flare (EPN 1799-20) for a total of 13 hours from December 14, 2007 through June 17, 2008.

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 DDD 60.562-1(a)(2)
5C THSC Chapter 382 382.085(b)
Special Condition 2 PERMIT
Special Terms and Conditions 1(A) OP
Special Terms and Conditions 5 OP

Description: Failure to properly control VOC emissions from intermittent vents.

Date: 02/13/2009 (721112) CN600303614

Self Report? NO Classification: Moderate

Citation: 1504A, SC 1 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-02113, SC 17 OP

Description: Failure to comply with MAERT limits.

Self Report? NO Classification: Minor

Citation: 1504A, SC 16E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
5C THSC Chapter 382 382.085(b)
O-02113, SC 17 OP

Description: Failure to plug/cap all open ended lines (C10).

Self Report? NO Classification: Minor

Citation: 1504A, SC 16F 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-02113, SC 17 OP

Description: Failure to conduct LDAR on all components

Self Report? NO Classification: Moderate

Citation: 1504A, SC 11A PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
O-02113, SC 17 OP

Description: Failure to maintain BTU value in flare header per specifications in 40 CFR 60.18.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
O-02113, GC 1 OP

Description: Failure to include all deviations in the deviation report.

Self Report? NO Classification: Minor
Citation: 1504A, SC 11B PERMIT
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d)
5C THSC Chapter 382 382.085(b)
O-02113, SC 17 OP

Description: Failure to maintain a continuous pilot monitoring record.

Self Report? NO Classification: Minor
Citation: 1504A, GC 1 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02113, SC 17 OP

Description: Failure to maintain proper operating temperature in Light Pyrolysis Fuel Oil tank.

Date: 04/02/2009 (735904) CN600303614

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions. This event occurred due to operations failure to check the inventory of the propylene surge drum residual below the sight glass.

Date: 05/26/2009 (774848) CN600303614

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: 07/09/2009 (737095) CN600303614

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
SC 19E PERMIT
SC 1A OP

Description: Failure to maintain a seal on open ended lines. Four open ended lines were reported in the August 8, 2008 deviation report and two open ended lines were reported in the December 18, 2008 deviation report.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter C 122.241(b)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a renewal application for Permit No. O-02116 within 180 days of the permit expiration date. The permit expiration date was January 12, 2009. A permit application was required by July 6, 2008, but was not submitted until December 19, 2008. This constitutes a violation of 30 TAC 122.241(b) which requires renewal applications to be submitted in a timely manner which is defined by 30 TAC 122.133(2) as at least six months before the permit expiration date.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1A OP
SC 9 OP

Description: Failure to adhere to the HRVOC monitoring requirements of the permit between September 22, 2008 and October 9, 2008 due to a blockage in the cooling water sample filter to the HRVOC analyzer. This constitutes a violation of 30 TAC 115.764(a)(2) which requires the regulated entity to "install, calibrate, operate, and maintain a system to continuously determine the total strippable volatile

organic compound (VOC) concentration at each inlet of each cooling tower."
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
SC 1A OP
SC 9 OP
Description: Failure to comply with the NOx and CO tons per year limits of the MAERT. The deviation report dated August 8, 2008 notes that the 2007 NOx level of 4.84 tons per year exceeded the limit of 2.39 tons per year and that the 2007 CO level of 34.72 tons per year exceeded the limit of 12.15 tons/year. This constitutes a violation of Permit No. 19027 Special Condition No. 1 which states, " the facilities covered by this permit are authorized to emit subject to the emission rate limits of ththat table."

Date: 08/26/2009 (744253)

CN600303614

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition #16E PERMIT
Special Terms and Conditions #12 OP
Special Terms and Conditions #1A OP

Description: Failure to seal eleven open ended lines containing volatile organic compounds. (CATERGORY C4)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions #1A OP

Description: Failure to prevent EPN H-602 from emitting carbon monoxide in excess of 400 ppm (CATERGORY B19(g)(1))

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)
PERMIT 2426C, SC#9 PERMIT
Special Terms and Conditions #12 OP

Description: Failure to maintain incinerator ZZ-702 95% destruction efficiency for waste gases (CATERGORY 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)
General Terms and Conditions OP

Description: Failure to report in previous deviation report dated May 8, 2008, routing of ZZ-702 vent gases to H-3030 incinerator. (CATERGORY C4)

Date: 10/23/2009 (767508)

CN600303614

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)(3)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 8A PERMIT
Special Term and Condition 1A OP
Special Term and Condition 6 OP

Description: Failed to maintain the net heating value on the flare VE-9003 (EPN: 1799-20) on 10/11/2008 at approximately 1000.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Term and Condition 6 OP

Description: Failed to maintain the emissions of NOX and CO during the 6/1/2008 through 5/31/2009 semi annual deviation period on flare, FS-9004.

Self Report? NO **Classification:** Moderate

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 report as a deviation in the semi annual deviation report dated 12/19/2008 the exceedance of NOX and CO on flare FS-9004.

Date: 11/23/2009 (781525) **CN600303614**

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions from Ethylene Unit 1592

Date: 11/30/2009 (827781) **CN600303614**

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 12/22/2009 (747534) **CN600303614**

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Conditions No. 11 E PERMIT
Special Terms and Conditions No. 15 OP

Description: Failure to seal open ended lines in VOC and HRVOC services from August 1, 2007 through January 31, 2008

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition No. 6D PERMIT
Special Terms and Conditions No. 15 OP

Description: Failure to prevent visible emissions from Flare Z-101 on August 31, 2007

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to maintain a continuous pilot monitoring records

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failed to maintain the firebox temperature of process heater H-530 above the minimum temperature of 758 °F on July 14, 2008

Self Report? NO **Classification:** Minor

Citation: Special Condition No. 6C PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Terms and Conditions No. 15 OP

Description: Failed to maintain pilot flame lit 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)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Conditions No. 6A PERMIT
 Special Terms and Conditions No. 15 OP

Description: Failed to maintain the flare net heating value above 300 Btu/scf
Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(d)(2)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP

Description: Failed to maintain documentation for environmental car seals
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 Condition No. 7 PERMIT
 Special Terms and Conditions No. 15 OP

Description: Failed to maintain to the flow to Absorber T-101 at 5,000 lb/hr on August 23-24, 2007 during maintenance activity.
Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.703(b)(2)(ii)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP

Description: Failed to replace a missing car seal on the T-420 vent to D-531 on December 1, 2007
Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP

Description: Failed to close the hatch of the G-202B API separator
Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Conditions No. 1 PERMIT
 Special Terms and Conditions No. 15 OP

Description: **Exceeded the permitted annual VOC, CO, and NOx limits**
Self Report? NO **Classification:** Minor

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

Description: Failed to report exceedances and pilot outage in deviation reports
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 Conditions No. 8 PERMIT
 Special Terms and Conditions No. 15 OP

Description: Failure to maintain and update monthly emissions record of calculated emissions of VOC from all loading operations over the previous rolling 12 months.

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 Conditions No. 10B PERMIT
Special Terms and Conditions No. 15 OP

Description: Exceeded the pump rate (P-805) during the loading of butene from TK-12 into a railcar at 24,000 gallons per hour.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Condition No. 1 PERMIT
Special Terms and Condition No. 15 OP

Description: Exceeded the permitted 0.55 tons NOx limits and the 1.11 tons CO limit from Flare SYS-740 during this compliance period.

Self Report? NO Classification: Minor

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

Description: Failed to report NOx and CO exceedances from Flare SYS-740 in deviation reports dated February 29, 2008 and August 27, 2008.

Date: 03/31/2010 (781136) CN600303614

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THSC Chapter 382 382.085(b)

Special Condition 18E PERMIT
Special Term and Condition 17 OP
Special Term and Condition 1A OP

Description: Failure to maintain a cap, blind flange, plug or second valve on all open ended lines. (Category C10 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)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 11A PERMIT
Special Term and Condition 17 OP
Special Term and Condition 1A OP

Description: Failure to maintain a minimum of 300 BTU for flares CB-701 and CB-710. (Category B19(g)(1) 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 Term and Condition 1 PERMIT
Special Term and Condition 17 OP

Description: Failure to maintain emissions for EPN 1592-72 below the permitted VOC limit of 0.02 lbs/hr. (Category B19(g)(1) 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 1 PERMIT
Special Term and Condition 17 OP

Description: Failure to maintain CO emissions for furnace BA-112 below the permit limit of 20.49 lbs/hr. (Category B19(g)(1) violation)

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.132(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Term and Condition 1A OP		
Description:	Failure to maintain vapor tight operations for water separators FB-204 and FB-862. (Category C4 violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(4)(i) 5C THSC Chapter 382 382.085(b) Special Term and Condition 13B OP		
Description:	Failure to conduct quarterly inspections of all drains and water seal controls. (Category C1 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) Special Condition 12C PERMIT Special Term and Condition 17 OP		
Description:	Failure to change the carbon drum within 24 hours of the outlet reading exceeding 20 ppm. (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) Special Condition 12D PERMIT Special Term and Condition 17 OP		
Description:	Failure to maintain records of the date and time carbon canisters were changed out following breakthrough of the first bed. (Category C3 violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP		
Description:	Failure to report all instances of deviations. (Category B3 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) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2) 5C THSC Chapter 382 382.085(b) Special Condition 11B PERMIT Special Term and Condition 17 OP Special Term and Condition 1A OP		
Description:	Failure to maintain flare pilot monitors for a four hour period for flare CB-701. (Category C1 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) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 5C THSC Chapter 382 382.085(b) Special Condition 11B PERMIT Special Term and Condition 1A OP Special Term and Condition 17 OP		
Description:	Failure to maintain a flare pilot at all times for flare CB-701. (Category B19(g)(1) violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 5C THSC Chapter 382 382.085(b) Special Condition 11C PERMIT Special Term and Condition 17 OP Special Term and Condition 1A OP		
Description:	Failure to limit visible emissions to less than five minutes within a two hour period from flare CB-701. (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)
 Special Condition 21 PERMIT
 Special Term and Condition 17 OP
 Description: Failure to monitor fuel gas composition at least once a week. (Category C1 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(2)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term and Condition 1A OP
 Description: Failure to maintain ammonia emissions below the rolling 24 hour limit of 10 ppm. (Category B19(g)(1) violation)

Date: 05/07/2010 (790365)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 16E PERMIT
 ST&C 12 OP
 ST&C 1A OP
 Description: Failure to seal 12 Open-ended lines during the certification period of November 4, 2004 until October 31, 2009 (Category C10 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1 PERMIT
 ST&C 12 OP
 Description: Failure to maintain the annual limit for VOC on UNIT ID X-901 during the certification period of November 4, 2008 until October 31, 2009 (Category B.19.g.1 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)
 SC 9 PERMIT
 ST&C 12 OP
 Description: Failure to route all HRVOC and/or other organic compound waste gases from existing storage bins (V-379, 380, 381, and 382) to the Catalytic Incinerator ZZ-702 (EPN-1742-4A) (Category B19(g)(1) violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.131(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(f)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to maintain the vapor pressure of PEU 1792 API Separator (UNIT ID G-214) below 0.5 psia (Category B19(g)(1) violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to maintain 98% of the daily flare observation records from January 1, 2008 through December 31, 2008 (Category B3 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 FFFF 63.2445
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(b)(4)

5C THSC Chapter 382 382.085(b)
ST&C 10 OP
Description: Failure to submit the MON periodic report by the regulatory due date of August 30, 2009 (Category B3 violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
GT&C OP
Description: Failure to report all instances of deviations (Category B3 violation)

Date: 05/26/2010 (800984)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)
General Provisions PERMIT
Description: **Chevron failed to prevent the release of unauthorized emissions from the E-439 Depropanizer reboiler .**

F. Environmental audits.

Notice of Intent Date: 05/18/2006 (481743)
Disclosure Date: 08/09/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)(B)
Rqmt Prov: PERMIT 37063

Description: Failure to maintain records justifying each component as difficult to monitor.
Disclosure Date: 08/29/2006

Viol. Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(e)(1)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)
Rqmt Prov: PERMIT O-2113

Description: Failure to ensure that semiannual continuous emissions monitoring system (CEMS) downtime reports for the cracking furnaces and boilers included out of control periods for the CEMS analyzers.
Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(2)
Rqmt Prov: PERMIT O-2114

Description: Failure to ensure that all synthetic organic chemical manufacturing (SOCMI) units had no more than 3.0% of valves monitored for fugitive emissions be designated as difficult to monitor.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)
30 TAC Chapter 115, SubChapter H 115.764(a)(6)
Rqmt Prov: PERMIT O-2113

Description: Failure to ensure that multipoint validations were performed following midpoint validation failures on the highly reactive volatile organic compounds (HRVOC) analyzers.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.216(b)(2)

Description: Failure to ensure that written notifications were provided to TCEQ within 15 days after relative accuracy test audit (RATA) testing was completed.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 334, SubChapter C 334.47(b)(1)

Description: Failure to ensure that all underground tank systems were provided cathodic protection.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 334, SubChapter C 334.48

Description: Failure to ensure that all UST systems were included in the mechanical integrity and maintenance programs.

Viol. Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)
30 TAC Chapter 117, SubChapter B 117.219(f)(6)

Rqmt Prov: PERMIT O-2113

Description: Failure to ensure that records were maintained of engine hours of operation or of start and end times for testing and maintenance.

Notice of Intent Date: 03/05/2007 (555111)

Disclosure Date: 08/20/2007

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(b)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(c)

Rqmt Prov: PERMIT Title V Operating Permit O-2113

Description: Failure to sample benzene contaminated wastewater with chilled sampling system.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(1)(C)(i)(III)
30 TAC Chapter 115, SubChapter H 115.783(3)(A)(ii)
30 TAC Chapter 115, SubChapter H 115.786(c)

Rqmt Prov: PERMIT Title V Operating Permit O-2113

Description: Failure to maintain records for past leaks, leak repair and extraordinary repair of pump GA-465.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.263

Rqmt Prov: PERMIT Title V Operating Permit O-2113

Description: Failure to limit use of temporary maintenance controls of the GA-465 pump to 180 days.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725
30 TAC Chapter 115, SubChapter H 115.726

Rqmt Prov: PERMIT Title V Permit O-2113

Description: Failure to monitor/test and maintain records for the carbon be series vent at the GA-465 pump.

Notice of Intent Date: 02/11/2009 (739326)

No DOV Associated

Notice of Intent Date: 05/05/2009 (746986)

Disclosure Date: 06/24/2009

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(c)(1)

Rqmt Prov: PERMIT NSR Permit No. 19027

Description: Failure to ensure the catalytic incinerator temperature is in compliance with limits under 40 CFR 60.565(c) and to ensure the fire box temperature requirements are met during performance tests.

Notice of Intent Date: 04/16/2010 (801342)

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.

J. Early compliance.

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
CHEVRON PHILLIPS CHEMICAL	§	TEXAS COMMISSION ON
COMPANY LP	§	
RN103919817	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2010-1154-AIR-E

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a chemical manufacturing plant at 9500 Interstate 10 East in Baytown, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about July 13, 2010.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations").

The Respondent has paid Four Thousand Dollars (\$4,000) of the administrative penalty and Two Thousand Dollars (\$2,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Four Thousand Dollars (\$4,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On May 6, 2010, a new protocol was established for responding to leaks in the compressor lubrication systems for all six lines which provide steps for a controlled shutdown of the compressor to prevent friction; the Dymac system was modified to shutdown the C-104 compressor if the vibration reaches a specific level to prevent damage that may cause an uncontrolled atmospheric release; and the Bill of Materials was modified to the compressor quills specification to include the correct ferrule;
 - b. On July 19, 2010, the plant material identification system was modified to allow easier identification of the specified ferrule;
 - c. On July 27, 2010, the data tracking of disk replacement on the C-104 compressor lubrication system was improved to provide "leading indicator" data on the lubrication system abnormalities that may lead to plunger issues; and
 - d. On August 1, 2010, refresher training was conducted on the lubrication system for all Polyethylene Unit-1792 operators, and the training was incorporated in the unit training manual.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F), TEX. HEALTH & SAFETY CODE § 382.085(b), and Air Permit No. 46783, Maximum Allowable Emission Rates, as documented during an investigation conducted on June 2, 2010. Specifically, 515.73 pounds ("lbs") of ethylene and 2.59 lbs of propane were released into the atmosphere due to an incorrect ferrule bullet insertion into the lubrication quill for gas compressor C-104's plunger, which resulted in inadequate lubrication that led to the formation of heat check cracks, causing excessive vibration that triggered the compressor's "earthquake switch" and the shutting down of the compressor. The emissions event occurred on April 21, 2010 and lasted 28 minutes. Since the emissions event was avoidable by better operational practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Chevron Phillips Chemical Company LP, Docket No. 2010-1154-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Four Thousand Dollars (\$4,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The 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. 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.

4. 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.
5. 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.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date 11/8/2010

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

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

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

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



Signature

Date Oct 7, 2010

VAN LONG

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

Title Plant Manager

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

Attachment A
Docket Number: 2010-1154-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Chevron Phillips Chemical Company LP

Payable Penalty Amount: Eight Thousand Dollars (\$8,000)

SEP Amount: Four Thousand Dollars (\$4,000)

Type of SEP: Pre-approved

Third-Party Recipient: Barbers Hill Independent School District-Alternative Fueled Vehicle and Equipment Program

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 amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Barbers Hill Independent School District** for the **Alternative Fueled Vehicle and Equipment Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP funds will only be used for the incremental costs of purchase of clean fuel or lower-emission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

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

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

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

2. Performance Schedule

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

John Johnson
Carl Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 101
Port Arthur, Texas 77642

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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