

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2010-1661-AIR-E **TCEQ ID:** RN100219252 **CASE NO.:** 40519
RESPONDENT NAME: Huntsman Petrochemical LLC

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
<p>SITE WHERE VIOLATION(S) OCCURRED: Huntsman Port Neches, 6001 Highway 366, Port Neches, Jefferson County</p> <p>TYPE OF OPERATION: Petrochemical plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are three additional pending enforcement actions regarding this facility location, Docket Nos. 2010-2023-AIR-E, 2010-1929-AIR-E, and 2010-1422-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on March 14, 2011. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Mr. Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732 TCEQ Enforcement Coordinator: Mr. Raymond Marlow, Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8785; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Jordan Morgan, Director of Manufacturing, PNPP, Huntsman Petrochemical LLC, P.O. Box 847, Port Neches, Texas 77651 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

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: July 9, 2010</p> <p>Date of NOV/NOE Relating to this Case: September 2, 2010 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>1) Failed to prevent unauthorized emissions. Specifically, 1,226.67 pounds ("lbs") of volatile organic compounds ("VOCs") were released from the South Flare beginning on March 15, 2010 for 12 hours. The emissions event (Incident No. 137085) was caused when an operator inadvertently closed the Pressure Control Valve that cut off fuel flow to the Propylene Oxide boilers. Since the emissions event was not beyond the control of the Respondent and could have been prevented with proper maintenance and/or operational practices, the demonstrations in 30 TEX. ADMIN. CODE §101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Federal Operating Permit ("FOP") No. O-02288, Special Terms and Conditions ("STC") No. 16 and General Terms and Conditions ("GTC"), New Source Review ("NSR") Permit No. 19823, Special Conditions ("SC") No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failed to prevent unauthorized emissions. Specifically, 1,711.7 lbs of VOCs were released from the South Flare on April 25, 2010 for 40 hours. The emissions event (Incident No. 138859) was caused when boiler HK-2-003 was inadvertently shutdown due</p>	<p>Total Assessed: \$21,700</p> <p>Total Deferred: \$4,340 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$8,680</p> <p>Total Paid to General Revenue: \$8,680</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>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement measures designed to prevent unauthorized emissions due to the same causes as the emissions events that occurred on March 15, 2010 and April 25, 2010 (Incident Nos. 137085 and 138859, respectively); and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 2.a.</p>

<p>to a radio miscommunication resulting in a mistaken assessment of boiler HK-2-003 status at the field control panel. Since the emissions event was not beyond the control of the Respondent and could have been prevented with proper maintenance and/or operational practices, the demonstrations in 30 TEX. ADMIN. CODE §101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), FOP No. O-02288, STC No. 16 and GTC, NSR Permit No. 19823, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		
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Additional ID No(s): JE0052V

Attachment A
Docket Number: 2010-1661-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

The Respondent: Huntsman Petrochemical LLC
Penalty Amount: Seventeen Thousand Three Hundred Sixty Dollars (\$17,360)
SEP Offset Amount: Eight Thousand Six Hundred Eighty Dollars (\$8,680)
Type of SEP: Pre-approved SEP
Third-Party Recipient: Southeast Texas Regional Planning Commission
Project Name: *Meteorological and Air Monitoring Network*
Location of SEP: Jefferson County

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

1. Project Description

a. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the **Southeast Texas Regional Planning Commission** to be used for the *Meteorological and Air Monitoring Network* as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to operate, maintain, and potentially expand the existing Southeast Texas Regional Air Monitoring Network which includes nine monitoring stations currently at the following locations:

1. Beaumont CAM#2
2. Cove School CAM #C695
3. Mauriceville CAM#642
4. Port Arthur (Motiva) Industrial Site CAM #C628
5. Port Arthur Memorial High School campus CAM #C689
6. Port Neches CAM #136
7. Sabine Pass CAM #C640
8. Southeast Texas Regional Airport CAM #C643
9. West Orange CAM #C9

The pollutants currently monitored at each station are identified in Table 1.1 of the agreement between the Third-Party Recipient and the TCEQ. Additional parameters or monitoring sites may, contingent upon available funding and approval of TCEQ, be added. Operation and maintenance of the ambient air monitoring stations includes

canister sampling and gas chromatographs. Ancillary equipment includes sample conditioning systems, meteorological towers, climate controlled equipment shelters, a remote communications system, and electronic data logging capability. Ambient monitoring protocols have been and will continue to conform to applicable TCEQ or U.S. Environmental Protection Agency guidelines.

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

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

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

b. Environmental Benefit

Particulate matter (PM), sulfides (SO, SO₂), oxides of nitrogen (NO_x), volatile organic carbon (VOC) compounds, and ambient air conditions are measured at the stations and the data are made accessible to TCEQ and the public. Sites may also provide continuous assessment of benzene, 1, 3-butadiene and styrene. This monitoring was not previously covered by existing ambient air monitoring systems. The data is shared with the Texas Commission on Environmental Quality, industry, and the public at http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site_info.pl.

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

c. Minimum Expenditure

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

2. Performance Schedule

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

Southeast Texas Regional Planning Commission
Bob Dickinson, Director Transportation and Environmental Resources
Attention: SEP
South East Texas Regional Planning Commission
2210 Eastex Freeway, Beaumont, TX 77703

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

Huntsman Petrochemical LLC
Agreed Order - Attachment A

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned PCW	13-Sep-2010	Screening	4-Oct-2010	EPA Due	10-Jun-2011
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RESPONDENT/FACILITY INFORMATION	
Respondent	Huntsman Petrochemical LLC
Reg. Ent. Ref. No.	RN100219252
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	40519	No. of Violations	2
Docket No.	2010-1661-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Raymond Marlow
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

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

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

Compliance History	368.0% Enhancement	Subtotals 2, 3, & 7	\$18,400
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Notes: Enhancement for 11 same/similar NOV's, 12 dissimilar NOV's, five agreed orders with a denial of liability, and eight agreed orders without a denial of liability. Reduction for five notices of intended audits and three disclosures of violations submitted.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement	Subtotal 6	\$0
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Total EB Amounts	\$41
Approx. Cost of Compliance	\$1,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$23,400
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$23,400
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$21,700
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DEFERRAL	20.0% Reduction	Adjustment	-\$4,340
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$17,360
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Screening Date 4-Oct-2010

Docket No. 2010-1661-AIR-E

PCW

Respondent Huntsman Petrochemical LLC

Policy Revision 2 (September 2002)

Case ID No. 40519

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Raymond Marlow

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>)	11	55%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	5	100%
	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	8	200%
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%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 368%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for 11 same/similar NOVs, 12 dissimilar NOVs, five agreed orders with a denial of liability, and eight agreed orders without a denial of liability. Reduction for five notices of intended audits and three disclosures of violations submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 368%

Screening Date 4-Oct-2010

Docket No. 2010-1661-AIR-E

PCW

Respondent Huntsman Petrochemical LLC

Policy Revision 2 (September 2002)

Case ID No. 40519

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Raymond Marlow

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Federal Operating Permit ("FOP") No. O-02288, Special Terms and Conditions ("STC") No. 16 and General Terms and Conditions ("GTC"), New Source Review ("NSR") Permit No. 19823, Special Conditions ("SC") No. 1 and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, 1,226.67 pounds ("lbs") of volatile organic compounds ("VOCs") were released from the South Flare beginning on March 15, 2010 for 12 hours. The emissions event (Incident No. 137085) was caused when an operator inadvertently closed the Pressure Control Valve that cut off fuel flow to the Propylene Oxide boilers. Since the emissions event was not beyond the control of the Respondent and could have been prevented with proper maintenance and/or operational practices, the demonstrations in 30 Tex. Admin. Code §101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$22

Violation Final Penalty Total \$11,700

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

Economic Benefit Worksheet

Respondent: Huntsman Petrochemical LLC
Case ID No.: 40519
Reg. Ent. Reference No.: RN100219252
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
<i>No commas or \$</i>							

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	\$500	15-Mar-2010	1-Feb-2011	0.88	\$22	n/a	\$22
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to train the appropriate personnel and implement measures designed to prevent unauthorized emissions due to the same causes as the emissions event. The date required is the date of noncompliance. The final date is the date that corrective actions are expected to be complete.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$22

Screening Date 4-Oct-2010

Docket No. 2010-1661-ATR-E

PCW

Respondent Huntsman Petrochemical LLC

Policy Revision 2 (September 2002)

Case ID No. 40519

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Raymond Marlow

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(d), FOP No. O-02288, STC No. 16 and GTC, NSR Permit No. 19823, SC No. 1 and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, 1,711.7 lbs of VOCs were released from the South Flare on April 25, 2010 for 40 hours. The emissions event (Incident No. 138859) was caused when boiler HK-2-003 was inadvertently shutdown due to a radio miscommunication resulting in a mistaken assessment of boiler HK-2-003 status at the field control panel. Since the emissions event was not beyond the control of the Respondent and could have been prevented with proper maintenance and/or operational practices, the demonstrations in 30 Tex. Admin. Code §101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

2 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$19

Violation Final Penalty Total \$11,700

This violation Final Assessed Penalty (adjusted for limits) \$11,700

Economic Benefit Worksheet

Respondent: Huntsman Petrochemical LLC

Case ID No.: 40519

Reg. Ent. Reference No.: RN100219252

Media: Air

Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	25-Apr-2010	1-Feb-2011	0.77	\$19	n/a	\$19
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to train the appropriate personnel and update the communications policy designed to prevent unauthorized emissions due to the same causes as the emissions event. The date required is the date of noncompliance. The final date is the date that corrective actions are expected to be complete.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$19

Compliance History Report

Customer/Respondent/Owner-Operator: CN603603093 Huntsman Petrochemical LLC Classification: AVERAGE Rating: 9.88
Regulated Entity: RN100219252 HUNTSMAN PORT NECHES Classification: AVERAGE Site Rating: 26.24

ID Number(s):			
	AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0052V
	AIR OPERATING PERMITS	PERMIT	1320
	AIR OPERATING PERMITS	PERMIT	2286
	AIR OPERATING PERMITS	PERMIT	2287
	AIR OPERATING PERMITS	PERMIT	2288
	AIR OPERATING PERMITS	PERMIT	1327
	AIR OPERATING PERMITS	PERMIT	3056
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	35486
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	40711
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	79935
	AIR NEW SOURCE PERMITS	AFS NUM	4824500006
	AIR NEW SOURCE PERMITS	REGISTRATION	93667
	AIR NEW SOURCE PERMITS	REGISTRATION	92256
	AIR NEW SOURCE PERMITS	REGISTRATION	91597
	AIR NEW SOURCE PERMITS	PERMIT	PSDTX780
	AIR NEW SOURCE PERMITS	REGISTRATION	91994
	AIR NEW SOURCE PERMITS	REGISTRATION	91725
	AIR NEW SOURCE PERMITS	PERMIT	29516
	AIR NEW SOURCE PERMITS	REGISTRATION	51736
	AIR NEW SOURCE PERMITS	REGISTRATION	52715
	AIR NEW SOURCE PERMITS	REGISTRATION	54551
	AIR NEW SOURCE PERMITS	REGISTRATION	54565
	AIR NEW SOURCE PERMITS	REGISTRATION	44034
	AIR NEW SOURCE PERMITS	REGISTRATION	44434
	AIR NEW SOURCE PERMITS	REGISTRATION	45090
	AIR NEW SOURCE PERMITS	REGISTRATION	45094
	AIR NEW SOURCE PERMITS	REGISTRATION	45277
	AIR NEW SOURCE PERMITS	REGISTRATION	46791
	AIR NEW SOURCE PERMITS	REGISTRATION	47065
	AIR NEW SOURCE PERMITS	REGISTRATION	47066
	AIR NEW SOURCE PERMITS	REGISTRATION	47555
	AIR NEW SOURCE PERMITS	REGISTRATION	47577
	AIR NEW SOURCE PERMITS	REGISTRATION	47887
	AIR NEW SOURCE PERMITS	REGISTRATION	48178

AIR NEW SOURCE PERMITS	REGISTRATION	48176
AIR NEW SOURCE PERMITS	PERMIT	49247
AIR NEW SOURCE PERMITS	REGISTRATION	49493
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0052V
AIR NEW SOURCE PERMITS	PERMIT	647B
AIR NEW SOURCE PERMITS	PERMIT	5807A
AIR NEW SOURCE PERMITS	PERMIT	5952A
AIR NEW SOURCE PERMITS	PERMIT	5972A
AIR NEW SOURCE PERMITS	PERMIT	7761
AIR NEW SOURCE PERMITS	PERMIT	16909
AIR NEW SOURCE PERMITS	PERMIT	19823
AIR NEW SOURCE PERMITS	PERMIT	20134
AIR NEW SOURCE PERMITS	PERMIT	20160
AIR NEW SOURCE PERMITS	REGISTRATION	23568
AIR NEW SOURCE PERMITS	REGISTRATION	31443
AIR NEW SOURCE PERMITS	PERMIT	36646
AIR NEW SOURCE PERMITS	REGISTRATION	36453
AIR NEW SOURCE PERMITS	REGISTRATION	39725
AIR NEW SOURCE PERMITS	REGISTRATION	40103
AIR NEW SOURCE PERMITS	REGISTRATION	40527
AIR NEW SOURCE PERMITS	REGISTRATION	41444
AIR NEW SOURCE PERMITS	REGISTRATION	41301
AIR NEW SOURCE PERMITS	REGISTRATION	41757
AIR NEW SOURCE PERMITS	REGISTRATION	42103
AIR NEW SOURCE PERMITS	REGISTRATION	42153
AIR NEW SOURCE PERMITS	REGISTRATION	42154
AIR NEW SOURCE PERMITS	REGISTRATION	75754
AIR NEW SOURCE PERMITS	REGISTRATION	75597
AIR NEW SOURCE PERMITS	REGISTRATION	76018
AIR NEW SOURCE PERMITS	REGISTRATION	75748
AIR NEW SOURCE PERMITS	PERMIT	83816
AIR NEW SOURCE PERMITS	REGISTRATION	55753
AIR NEW SOURCE PERMITS	REGISTRATION	70024
AIR NEW SOURCE PERMITS	REGISTRATION	56737
AIR NEW SOURCE PERMITS	PERMIT	56390
AIR NEW SOURCE PERMITS	REGISTRATION	56243
AIR NEW SOURCE PERMITS	REGISTRATION	70571
AIR NEW SOURCE PERMITS	REGISTRATION	70781

AIR NEW SOURCE PERMITS	REGISTRATION	71506
AIR NEW SOURCE PERMITS	REGISTRATION	70726
AIR NEW SOURCE PERMITS	REGISTRATION	53551
AIR NEW SOURCE PERMITS	REGISTRATION	56077
AIR NEW SOURCE PERMITS	REGISTRATION	56073
AIR NEW SOURCE PERMITS	REGISTRATION	70011
AIR NEW SOURCE PERMITS	REGISTRATION	54219
AIR NEW SOURCE PERMITS	REGISTRATION	53979
AIR NEW SOURCE PERMITS	REGISTRATION	72310
AIR NEW SOURCE PERMITS	REGISTRATION	54231
AIR NEW SOURCE PERMITS	REGISTRATION	54570
AIR NEW SOURCE PERMITS	REGISTRATION	54234
AIR NEW SOURCE PERMITS	REGISTRATION	71751
AIR NEW SOURCE PERMITS	REGISTRATION	52077
AIR NEW SOURCE PERMITS	REGISTRATION	50360
AIR NEW SOURCE PERMITS	REGISTRATION	73927
AIR NEW SOURCE PERMITS	REGISTRATION	73665
AIR NEW SOURCE PERMITS	REGISTRATION	73663
AIR NEW SOURCE PERMITS	REGISTRATION	72907
AIR NEW SOURCE PERMITS	REGISTRATION	73956
AIR NEW SOURCE PERMITS	REGISTRATION	74236
AIR NEW SOURCE PERMITS	REGISTRATION	74362
AIR NEW SOURCE PERMITS	REGISTRATION	74296
AIR NEW SOURCE PERMITS	REGISTRATION	74838
AIR NEW SOURCE PERMITS	REGISTRATION	75203
AIR NEW SOURCE PERMITS	REGISTRATION	75202
AIR NEW SOURCE PERMITS	REGISTRATION	74849
AIR NEW SOURCE PERMITS	REGISTRATION	76732
AIR NEW SOURCE PERMITS	REGISTRATION	77129
AIR NEW SOURCE PERMITS	REGISTRATION	77327
AIR NEW SOURCE PERMITS	REGISTRATION	79296
AIR NEW SOURCE PERMITS	REGISTRATION	78974
AIR NEW SOURCE PERMITS	REGISTRATION	79800
AIR NEW SOURCE PERMITS	REGISTRATION	79529
AIR NEW SOURCE PERMITS	REGISTRATION	80149
AIR NEW SOURCE PERMITS	REGISTRATION	80390
AIR NEW SOURCE PERMITS	REGISTRATION	79939
AIR NEW SOURCE PERMITS	REGISTRATION	80702

AIR NEW SOURCE PERMITS	REGISTRATION	81531
AIR NEW SOURCE PERMITS	REGISTRATION	81415
AIR NEW SOURCE PERMITS	REGISTRATION	83113
AIR NEW SOURCE PERMITS	REGISTRATION	84374
AIR NEW SOURCE PERMITS	REGISTRATION	84617
AIR NEW SOURCE PERMITS	REGISTRATION	91161
AIR NEW SOURCE PERMITS	REGISTRATION	87829
AIR NEW SOURCE PERMITS	REGISTRATION	87062
AIR NEW SOURCE PERMITS	REGISTRATION	82488
AIR NEW SOURCE PERMITS	REGISTRATION	84694
AIR NEW SOURCE PERMITS	REGISTRATION	82922
AIR NEW SOURCE PERMITS	REGISTRATION	84519
AIR NEW SOURCE PERMITS	REGISTRATION	88268
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50055
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD008076846
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30029
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30029
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	JE0052V

Location: 6001 HIGHWAY 366, PORT NECHES, TX, 77651

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: October 04, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 02, 2005 to September 02, 2010

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

Name: Raymond Marlow, P.G. Phone: (409) 899 - 8785

Site Compliance History Components

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

Components (Multimedia) for the Site :

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

Effective Date: 08/20/2006

ADMINORDER 2006-0107-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 5952A SC 1 PA

Description: Failure to maintain an emission rate below the allowable emissions limit.

Classification: Minor

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

Description: Failure to properly notify the Beaumont Region Office of a reportable emissions event for Incident 69694.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823, SPECIAL CONDITION 1 PERMIT

Description: Failure to prevent ethylene emissions during Incident 69694.

Effective Date: 09/21/2006

ADMINORDER 2006-0399-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. 16909 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 PERMIT
O-01327 OP

Description: Failure to meet the minimum net heating value requirement during the compliance test conducted on June 8, 2005, which should be greater than 11.2MJ/scm. Results of the compliance test show a minimum net heating value of 10.23MJ/scm.

Classification: Moderate

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

Rqmt Prov: Permit 5952A, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

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

Description: Failure to report an emissions event within 24 hours after discovery.

Classification: Moderate

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

Rqmt Prov: No. 16909/ Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 12/02/2006

ADMINORDER 2005-0926-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: 20485 PERMIT

Description: Failure to maintain VOC limit less than 2.0 ppmw in C4 Cooling Tower.

Classification: Moderate

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

Rqmt Prov: 20485 PERMIT

Description: Failure to maintain an emission rate below the allowable limit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 647B/MAERT PERMIT

Description: Failure to prevent unauthorized ammonia emissions from the E7 Cooling Tower. A8c2Aii

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 113, SubChapter C 113.730
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct HON sampling and analysis following an approved method.

Classification: Moderate

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

Rqmt Prov: 20160 PERMIT

Description: Failure to repair leaking exchanger in the PO/MTBE cooling water system during unit shutdown.

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 1:00 p.m. on September 16, 2003 at the MTBE Drying Column Overhead Line.

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 THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20160/General Condition 8 PERMIT

Description: Failed to prevent unauthorized emissions of 479.5 lbs of Dimethyl Ether, 8631.6 lbs of Isobutylene and 479.5 lbs of Methyl Formate from the MTBE Drying Column Overhead Line on September 16, 2003.

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 THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/SC17 OP

20160/GC 8 PERMIT

Description: Failed to prevent unauthorized emissions of 15 lbs of Ethylene Glycol, 699 lbs of Tert Butanol and 854 lbs of Tert Butyl Hydroperoxide from the Tertiary Butyl Alcohol (TBHP) Feed Header on January 11, 2004.

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20160, GC8 PERMIT

O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions of 745 lbs of Tert Butanol from Tank 007, the TBA Day Tank (EPN POTK007) on February 23, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/SC 17 OP

5972A/SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 67 lbs of ethylene oxide from the F-P-137 Ethylene Oxide Rundown on August 25, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of VOCs of 303 lbs on December 10, 2003, 98 lbs December 13, 2003, 432 lbs January 1, 2004, 394 lbs January 15, 2004, 547 lbs February 17, 2004, and 167 lbs on February 28, 2004 from the F-F-6 Regenerator Vent.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 5952/ SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 595 lbs of Ethylene and 44 lbs of Ethylene Glycol from the Regenerator Flash Drum Vent on November 22, 2003.

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event on August 23, 2003 at the F-4 Regenerator (EPN F4FF135).

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823, SC1 PERMIT

20160, GC8 PERMIT

5972A, SC1 PERMIT

O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions on August 23, 2003 of 1) 5304 lbs of VOC from the PO/MTBE Unit, and 2073 lbs of CO and 251 lbs of NOx from the F5 Unit of the PO/MTBE Plant to the PO/MTBE Flare (EPN POFLARE), and 2) 221 lbs of Ethylene from the Regen/Reabsorb Vent at the F4 Regenerator (EPN F4FF135).

Classification: Moderate

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

Description: Failed to submit a final record to the TCEQ within two weeks after the end of a reportable emissions event on September 6, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 106 lbs of Ethylene from the F-6 Regenerator Vent (EPN F6FF6104) on September 6, 2003.

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 8:15 p.m. on October 5, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 146 lbs VOCs (Ethylene and Ethylene Glycol) from the F-6 Regenerator Vent (EPN F6FF6104) on October 5, 2003.

Classification: Moderate

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

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 12:15 p.m. on October 25, 2003 at the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the Olefins and Oxides (O&O) Plant.

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 THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/ SC 15 OP
5897A/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 2514 lbs of Ammonia from the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the O&O Plant on October 25, 2003.

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485, SC1 PERMIT
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions on January 15, 2004 of 12 lbs of VOCs and 18 lbs of 1,3-Butadiene from the North Unit of the C4/MTBE/Butadiene Units, and 3 lbs of NOx and 19 lbs of CO from the Butadiene Unit of the C4 Plant to the North/South Flare (EPN UWN1, UW6R1).

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 THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1327/ SC15 OP
20485/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 163.46 lbs of VOCs on August 20, 2003 and 302.658 lbs of VOCs on February 20, 2004 from the tank hatch of Tank 77.

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485, SC1 PERMIT
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions to the North/South Flare (EPN UWN6R1/UWS6R1) of 2) 48 lbs of VOC and 17 lbs of 1,3 Butadiene from the MTBE Unit on July 22, 2003, and 3) 173 lbs of VOC, 79 lbs of 1,3 Butadiene, 131 lbs of CO and 13 lbs of NOx from the C4 Plant on February 7, 2004.

Classification: Minor

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

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Minor

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

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5807A SC 1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 29516 General Conditions PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 56390 SC1 PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 SC1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 20485 Special Condition 1 PERMIT
20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.
Classification: Moderate

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 PERMIT

Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18

Classification: Moderate

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

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with a reporting requirement.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485, Special Condition 1 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit..

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823 Special Condition 1 PERMIT
O-02288 Special Condition 16 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

Classification: Minor

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

Description: Failure to properly report emissions events.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit an initial notification of an emissions event with 24 hours.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Huntsman failed to properly identify the correct Emission Point Common Name in 57946 final notification.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823/ SC 1 PERMIT

Description: Failure to comply with the Maximum Allowable Emissions Rate Table (MAERT) of TCEQ Permit 19823.

Effective Date: 05/25/2007

ADMINORDER 2006-0902-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit 19823 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit for the Demethanizer Tower Pressure Relief Vent, PRV 2355.

Effective Date: 10/25/2007

ADMINORDER 2007-0360-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 19823 Special Condition 1 PERMIT
O-02288 Special Condition 16 OP

Description: failed to prevent unauthorized emissions. Specifically, on November 28, 2006, over a period of 5 hours, the South Flare emitted 340.38 pounds ("lbs") of Volatile Organic Compound ("VOC") and 374.86 lbs of carbon monoxide ("CO"). Permit No. 19823 authorizes 32.87 lbs of VOC per hour and 53.59 lbs of CO per hour.

Effective Date: 01/28/2008

ADMINORDER 2007-0989-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130

30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20134 Special Condition 20 E PERMIT
5807A Special Condition 10 PERMIT
5807A Special Condition 2 E PERMIT
647B Special Condition 11 E PERMIT
O-02286 Special Condition 10 OP
O-02287 Special Condition 10 OP

Description: Failed to seal open-ended lines in volatile organic compounds service with a cap, blind flange, plug, or a second valve.

Classification: Moderate

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

Rqmt Prov: General Terms And Conditions OP

Description: Failed to submit two semi-annual deviation reports and one annual compliance certification within 30 days after each reporting period.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
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 THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20134 Special Condition 12 B PERMIT

647B Special Condition 3 PERMIT
O-02286 Special Condition 10 OP
O-02287 Special Condition 10 OP

Description: Failed to monitor the E7 Flare to ensure a pilot flame is present at all times.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02287 Special Condition 10 OP

Description: Failed to notify the executive director within 10 days after the installation of the E7 Flare drum seal (F-E7-72).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02287 Special Condition 10 OP

Permit 647B, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20134 Special Condition 23E PERMIT

O-02286 Special Condition 10 OP

Description: Failed to submit a final sampling report within 30 days after sampling is completed.

Effective Date: 04/14/2008

ADMINORDER 2007-0581-MLM-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(c)
30 TAC Chapter 106, SubChapter A 106.4(c)
30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 335, SubChapter A 335.4
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP 2288 Special Condition 17 OP
FOP 2288 Special Condition 1D OP
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable reportable quantity for benzene in regards to Permit by Rule Number 106.532. MOD 2(D) EIC A(8)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 5952A Special Condition 1 PERMIT
O-01320 Special Condition 13 OP

Description: Failure to maintain an emission rate below the allowable emissions limit.

Effective Date: 08/15/2008 ADMINORDER 2007-2006-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-1320 General Terms and Conditions OP
O-1320 Special Condition 13A OP
P-5972A Special Condition 1 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limits.

Classification: Moderate

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

Rqmt Prov: O-1322 General Terms and Conditions OP
O-1322 Special Condition 2F OP

Description: Failure to properly report an emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-1322 General Terms and Conditions OP
O-1322 Special Conditions 17A OP
P-20160 Special Condition 1 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP-O-1322 Special Condition 17 OP
Permit 20160 Special condition 1 PERMIT

Description: Failure to maintain emissions below the allowable emission limit. A10

Effective Date: 01/30/2009 ADMINORDER 2008-0664-AIR-E

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)

Rqmt Prov: FOP-O-02288 Special Condition 16 OP
Permit 19823 Special Condition 1 PERMIT

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event Incident 95744.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(C)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)

30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP O-02288 General Terms and Conditions OP
FOP O-02288 Special Condition 2F OP
Description: Failure to properly report an emissions event (Incident No. 97957). EIC C,3 MIN 3,C
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)
Rqmt Prov: FOP O-02288 General Terms and Conditions OP
FOP O-02288, Special Condition 16 OP
NSR Permit 19823, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions (Incident No. 97957). EIC A,8,c,2,A,ii MOD
2,D

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to properly report an emissions event (Incident No. 95168).

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)

Rqmt Prov: 19823, Special Condition 1 PERMIT
O-02288, General Terms and Conditions OP
O-02288, Special Condition 16A OP
O-02288, Special Condition 2I OP

Description: Failure to prevent unauthorized emissions (Incident No. 95168).

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(J)
5C THSC Chapter 382 382.085(b)

Description: Failure to report emissions in accordance with the requirements of 30 TAC 101.201(b)(1).
This includes reporting violations for Incident Nos. 95743 and 95744.

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)

Rqmt Prov: General Terms and Conditions OP
NSR Permit 5952A, Special Condition 1 PERMIT
Special Condition 13A OP
Special Condition 2I OP

Description: Failure to prevent unauthorized emissions (Incident No. 97057).

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)

Rqmt Prov: 20160, Special Condition 1 PERMIT
FOP O-1322, Special Condition 17 OP

Description: Failure to prevent unauthorized emissions (Incident No. 95743).

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)

Rqmt Prov: Special Condition 1 PERMIT
Special Conditions 13 OP

Description: Failure to prevent unauthorized emissions (Incident No. 104823).

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)

Rqmt Prov: FOP O-01320 General Terms and Conditions OP

FOP O-01320, Special Condition 13 OP
NSR Permit 5952A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 98892).

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)

Rqmt Prov: Special Condition 13 OP
Special Condition 18 PERMIT

Description: Failed to conduct monthly VOC monitoring on wastewater conveyance EPN:
RSEGLYWWFUG.

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)

Rqmt Prov: Special Condition 16 OP
Special Condition 9(A) PERMIT

Description: Failed to conduct monitoring of the CAS connected to tank T-A3-46.

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)

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to prevent unauthorized emissions (Incident 104871).

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)

Rqmt Prov: Special Condition 1 OP
Special Condition 13 PERMIT

Description: Failure to prevent unauthorized emissions (Incident 105823).

Classification: Minor

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

Rqmt Prov: General Terms and Conditions OP

Description: Failed to notify the TCEQ Regional Office within 24 hours of a reportable emissions event
(Incident 104871).

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)

Rqmt Prov: FOP O-01320 General Terms and Conditions OP
FOP O-01320 Special Condition 13 OP
NSR Permit 5952A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 99672).

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)
Rqmt Prov: FOP O-01320 General Terms and Conditions OP
FOP O-01320 Special Condition 13 OP
NSR Permit 5952A, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions (Incident No. 101672).

Effective Date: 08/23/2009 ADMINORDER 2009-0330-AIR-E

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)
Rqmt Prov: Special Condition 1 PERMIT

Special Condition 16 OP
Description: Failed to prevent unauthorized emissions during Incident No. 113001.
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)
Rqmt Prov: Special Condition 1 PERMIT
Special Condition 16 OP
Description: Failed to prevent unauthorized emissions during Incident No. 114925.

Effective Date: 08/31/2009 ADMINORDER 2009-0041-AIR-E

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)
Rqmt Prov: Special Condition 1 PERMIT
Special Condition 13 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 106170.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 2(f) OP
Description: Failure to report emissions event incident 109142 in accordance with the requirements of 30 TAC 101.201(a)(1).

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)

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 109142.

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)

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 108945.

Effective Date: 03/20/2010

ADMINORDER 2009-0894-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.121
30 TAC Chapter 122, SubChapter B 122.133(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failed to submit a Title V permit renewal application at least six months prior to expiration of the permit. Specifically, the renewal application was submitted 70 days late.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 20160, Special Condition 17 PERMIT
Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions and exceeded the 0.8 parts per million by weight ("ppmw") volatile organic compound ("VOC") concentration limit in the water returning to the cooling tower.

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	09/09/2005	(404606)
2	11/03/2005	(419194)
3	11/16/2005	(434314)
4	12/05/2005	(398736)
5	12/05/2005	(431206)
6	12/06/2005	(437334)
7	12/06/2005	(437338)
8	12/06/2005	(437343)
9	12/16/2005	(437133)
10	01/27/2006	(437989)
11	01/27/2006	(450224)
12	01/27/2006	(451827)
13	01/30/2006	(438965)
14	02/22/2006	(455838)
15	02/22/2006	(455947)
16	02/22/2006	(456022)
17	02/22/2006	(456099)
18	02/27/2006	(454550)
19	02/28/2006	(457516)
20	03/30/2006	(453754)
21	03/30/2006	(456815)
22	03/30/2006	(458020)
23	03/30/2006	(458485)
24	03/30/2006	(458616)
25	03/31/2006	(458673)
26	04/07/2006	(454572)
27	04/07/2006	(455375)
28	04/07/2006	(458321)
29	04/07/2006	(459162)

30	04/26/2006	(461473)
31	05/01/2006	(463769)
32	05/04/2006	(464589)
33	05/26/2006	(465414)
34	06/22/2006	(465864)
35	07/31/2006	(487611)
36	08/17/2006	(481936)
37	08/23/2006	(485023)
38	08/31/2006	(449989)
39	08/31/2006	(454082)
40	09/11/2006	(488579)
41	09/19/2006	(513278)
42	09/20/2006	(511204)
43	09/20/2006	(511947)
44	09/25/2006	(488474)
45	09/25/2006	(497536)
46	09/25/2006	(509094)
47	10/10/2006	(513527)
48	10/25/2006	(515478)
49	10/25/2006	(515506)
50	10/25/2006	(515822)
51	10/30/2006	(511240)
52	11/08/2006	(515666)
53	11/13/2006	(517036)
54	11/13/2006	(517041)
55	11/15/2006	(514399)
56	11/15/2006	(517191)
57	11/16/2006	(515790)
58	11/27/2006	(518436)
59	11/28/2006	(516609)
60	11/28/2006	(517675)
61	11/30/2006	(516090)
62	12/04/2006	(533060)
63	12/12/2006	(533440)
64	12/15/2006	(531666)
65	01/17/2007	(531872)
66	02/08/2007	(535487)
67	02/20/2007	(535145)
68	02/21/2007	(537271)
69	02/23/2007	(537684)
70	02/23/2007	(540396)
71	02/26/2007	(540551)
72	03/19/2007	(539598)
73	03/20/2007	(539462)
74	03/20/2007	(539695)
75	04/09/2007	(541905)
76	04/20/2007	(541289)
77	04/26/2007	(537371)
78	04/27/2007	(543604)
79	04/30/2007	(543451)
80	05/16/2007	(555268)
81	05/31/2007	(543792)
82	06/14/2007	(557699)
83	06/14/2007	(557996)
84	06/14/2007	(558239)
85	06/14/2007	(561265)
86	06/26/2007	(543284)
87	07/30/2007	(558200)
88	09/21/2007	(570457)

89	09/27/2007	(570470)
90	11/12/2007	(600643)
91	11/27/2007	(597203)
92	11/27/2007	(597280)
93	11/27/2007	(598101)
94	11/28/2007	(597647)
95	11/28/2007	(600001)
96	12/03/2007	(597429)
97	12/10/2007	(611227)
98	12/14/2007	(597547)
99	01/13/2008	(613058)
100	02/08/2008	(617709)
101	02/29/2008	(614644)
102	02/29/2008	(614736)
103	03/13/2008	(613437)
104	04/02/2008	(638186)
105	04/10/2008	(617468)
106	04/25/2008	(617083)
107	05/05/2008	(656845)
108	05/08/2008	(617644)
109	05/08/2008	(639688)
110	05/16/2008	(654879)
111	06/11/2008	(560362)
112	06/12/2008	(655044)
113	06/20/2008	(671039)
114	07/09/2008	(682286)
115	08/02/2008	(684777)
116	08/04/2008	(684258)
117	08/04/2008	(685268)
118	08/25/2008	(683718)
119	08/26/2008	(700526)
120	09/07/2008	(686333)
121	09/09/2008	(684358)
122	09/10/2008	(702254)
123	11/24/2008	(705974)
124	12/09/2008	(654938)
125	12/09/2008	(703551)
126	12/22/2008	(706758)
127	02/04/2009	(721964)
128	02/06/2009	(726384)
129	02/19/2009	(722782)
130	02/19/2009	(722904)
131	02/20/2009	(726148)
132	03/24/2009	(736194)
133	03/24/2009	(736229)
134	03/24/2009	(736557)
135	03/24/2009	(736813)
136	03/24/2009	(737194)
137	03/24/2009	(737347)
138	04/06/2009	(738233)
139	04/13/2009	(740940)
140	04/16/2009	(742311)
141	04/16/2009	(742318)
142	04/17/2009	(737882)
143	04/24/2009	(735944)
144	05/13/2009	(742704)
145	05/14/2009	(742399)
146	05/18/2009	(746005)
147	05/28/2009	(742481)

148	05/28/2009	(745721)
149	06/02/2009	(743286)
150	06/04/2009	(746519)
151	06/15/2009	(744204)
152	06/16/2009	(743080)
153	06/18/2009	(745143)
154	06/19/2009	(745129)
155	06/24/2009	(737641)
156	06/24/2009	(747984)
157	06/30/2009	(746036)
158	07/10/2009	(747753)
159	07/23/2009	(759198)
160	07/23/2009	(760755)
161	07/23/2009	(760768)
162	07/30/2009	(761289)
163	07/30/2009	(761379)
164	08/25/2009	(760297)
165	09/14/2009	(775462)
166	09/21/2009	(765027)
167	10/05/2009	(766171)
168	10/05/2009	(767922)
169	10/21/2009	(777062)
170	10/23/2009	(779960)
171	10/26/2009	(776644)
172	11/11/2009	(780519)
173	11/18/2009	(781053)
174	11/25/2009	(782152)
175	12/21/2009	(781839)
176	12/23/2009	(781246)
177	12/23/2009	(785418)
178	01/12/2010	(786869)
179	01/13/2010	(764741)
180	01/13/2010	(787773)
181	02/01/2010	(788382)
182	02/09/2010	(783365)
183	02/19/2010	(791554)
184	02/22/2010	(791210)
185	03/08/2010	(786232)
186	04/12/2010	(794773)
187	04/14/2010	(795238)
188	04/14/2010	(799094)
189	04/15/2010	(788324)
190	04/28/2010	(794975)
191	04/30/2010	(801026)
192	05/02/2010	(794617)
193	05/12/2010	(760924)
194	05/17/2010	(748943)
195	05/30/2010	(801934)
196	06/30/2010	(825166)
197	08/02/2010	(828972)
198	08/04/2010	(841088)
199	08/21/2010	(849069)
200	08/25/2010	(841008)
201	08/25/2010	(850335)
202	09/02/2010	(841004)

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

Date: 08/23/2006 (485023)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5807A PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02287 OP
Description: Failure to maintain the daily production limit for the E4 Unit as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(F)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02287 OP
Description: Failure to continuously collect and maintain pilot monitoring data, as required by 30 TAC 122.144(1) and 40 CFR 60.7(f), and reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02287 OP
Description: Failure to analyze quarterly cooling water samples using Method 624 as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Minor
Citation: 19823 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5807A PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)
O-02287 OP
O-02288 OP
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Units: O-02287 - 5 components (Component Numbers 03968, 05771, 06097, 07502 and 07824) in E4FUG; O-02288 - 1 component (Component Number 0228) in A3FUG.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
647B PERMIT
O-02287 OP
Description: Failure to maintain the hourly production limit for Morpholine as reported in the Deviation Report for FOP O-02287 covering July 21, 2004 to January 19, 2005.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02287 OP
Description: Failure to submit a notification within ten days following installation of the replacement facility as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

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 THC Chapter 382, SubChapter D 382.085(b)
647B PERMIT
O-02287 OP

Description: Failure to operate the E7 flare with a flame present at all times as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO Classification: Moderate

Citation: 29516 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02288 OP

Description: Failure to maintain the minimum scrubber flow rate of 4,800 gallons per hour and the maximum Ethylene Oxide (EO) vapor flow to the scrubber of 1562.4 lbs/hr. as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.703(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(d)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02288 OP

Description: Failure to conduct and maintain records of monthly inspections of by-pass seals applicable to 40 CFR Part 60, Subparts NNN/RRR/FF as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02288 OP

Description: Failure to maintain the tank opening in a closed position during normal operations on Tanks T087 and T088, as reported in the Deviation Reports for FOP O-02288 covering February 14, 2005 to August 14, 2005 and August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02288 OP

Description: Failure to submit a Form PI-7 within 10 days following the addition of fugitive components as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 29516 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02288 OP

Description: Failure to maintain records of the scrubber water flow rate and temperature, and vapor flow rate in lbs/hr at the inlet of the scrubber for Unit RSEF085 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 19823 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02288 OP

Description: Failure to maintain records of the Waste Heat Boiler CEMS daily calibrations for Unit A3HA35 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(6)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02288 OP

Description: Failure to submit one 40 CFR Part 61, Subpart FF quarterly report for Unit PROA3WW and one 40 CFR Part 60, Subparts NNN/RRR semiannual report for applicable facilities within 30 days after the end of the applicable reporting period of December 31, 2005 as reported in the Deviation Report for FOP O-02288.

Self Report? NO Classification: Moderate

Citation: 16909 PERMIT
19823 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02288 OP

Description: Failure to submit the semiannual reports within 30 days after the end of the applicable reporting period of December 31, 2005 for Units UEHK11, CG1/CG2, and A3HA35, as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Date: 11/13/2006 (517041)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(2)
P.P. II.C.1.I PERMIT
P.P. II.C.2.a PERMIT

Description: Failure to maintain safety and emergency equipment inspection records.

Date: 11/13/2006 (517036)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

Description: Failure to maintain the liner in the secondary containment.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)
P.P. II.C.1.I PERMIT
P.P. II.C.2.a PERMIT

Description: Failure to input the date on the daily inspection logs.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)
P.P. II.C.1.I PERMIT
P.P. II.C.2.a PERMIT

Description: Failure to input the signature of the inspector on the daily inspection logs.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(a)
P.P. II.C.1.I PERMIT
P.P. II.C.2.a PERMIT

Description: Failure to conduct required daily inspection of the BIF and hazardous waste tanks for malfunctions, deteriorations, operator errors, and discharges.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)
P.P. II.C.1.p PERMIT
P.P. II.C.2.i PERMIT

Description: Failure to test for all associated alarms and parameters during the automatic waste feed cut-off monthly test as required by the permit.

Date: 01/18/2007 (531872)

Self Report? NO Classification: Moderate

Citation: 20160 SC 15E PERMIT
20160 SC 2C PERMIT

20160 SC 3 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01322 SC 17 OP

Description: Failure to have cap and plugs installed on open-ended lines.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01322 General Terms and Conditions OP
O-01322 SC 20 OP

Description: Failure to submit the annual compliance certification for FOP O-01322 in a timely manner.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(G)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01322 SC 10A OP
O-01322 SC IA OP

Description: Failure to maintain records of daily calibration of continuous monitors and failure to continuously monitor due to failed calibrations.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01322 SC 12G OP
O-01322 SC 1A OP

Description: Failure to submit a required semiannual report.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of weekly pump and flange check.

Date: 06/27/2007 (543284)

Self Report? NO Classification: Moderate
Citation: 19823 Special Condition 20 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP 2288 General Terms and Conditions OP
FOP 2288 Special Condition 16 OP

Description: Failure to conduct stack sampling or fuel analysis for SO2 emissions as required

Date: 07/31/2007 (558200)

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 13 OP
02288 Special Condition 16 OP
19823 Special Condition 18E PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130
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)
36646 Special Condition 8E PERMIT
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)
5952 Special Condition 21E PERMIT
5972A Special Condition 10 PERMIT
5972A Special Condition 17E PERMIT
5972A Special Condition 7 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed.
C10 cannot be picked.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 13 OP
30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(a)
5972A Special Condition 5A PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor, record and maintain the F-4 Firebox temperature above the permitted limit.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 13 OP
30 TAC Chapter 113, SubChapter C 113.120
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 G 63.119(e)

5972A Special Condition 4 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of tank pressure.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 13 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5952 Special Condition 12 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor, record and maintain the F-6 Firebox temperature above the permitted limit

Self Report? NO Classification: Moderate

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

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 13 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)
36646 Special Condition 12 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of monthly monitoring.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.144

5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to maintain records of the daily flare observations.
 Self Report? NO Classification: Moderate
 Citation: 02288 Special Condition 16 OP
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor NOx, CO and O2 at CG1/UEHK9 and CG2/UEHK10.
 Self Report? NO Classification: Moderate
 Citation: 02288 Special Condition 16 OP
 16909 Special Condition 15I PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.144(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records.
 Self Report? NO Classification: Moderate
 Citation: 02288 Special Condition 16 OP
 19823 Special Condition 14A PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to have the cooling tower water sample port installed as required by permit.
 Self Report? NO Classification: Moderate
 Citation: 02288 Special Condition 16 OP
 16909 Special Condition 12A PERMIT
 19823 Special Condition 21D PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.144(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor and maintain records of daily zero and span of continuous monitors.
 Self Report? NO Classification: Moderate
 Citation: 02288 Special Condition 16 OP
 19823 Special Condition 10 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to comply with conditions of a permit.
 Self Report? NO Classification: Moderate
 Citation: 02288 Special Condition 16 OP
 16909 Special Condition 14 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor.
 Self Report? NO Classification: Moderate
 Citation: 02288 Special Condition 16 OP
 19823 Special Condition 10C PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to operate the flare in a smokeless manner.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.
 Self Report? NO Classification: Moderate
 Citation: 02288 Special Condition 1 E OP
 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain the tank opening in a closed position during normal operations on Tank T087.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49247 Special Condition 7 PERMIT
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain emissions rate below the allowable limit.

Self Report? NO Classification: Moderate

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

Description: Failure to submit a semiannual deviation report.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 15 OP
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit an annual permit compliance certification (ACC) report within 30 days of the certification period.

Date: 09/27/2007 (570470)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.500
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.987(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to limit the frequency of visible smoke emissions from Huntsman's Low Pressure Flare Number (No.) 2.

Date: 12/17/2007 (597547)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01322 Special Condition 10A OP
O-01322 Special Condition 1A OP

Description: Failure to maintain records of daily calibration.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 115, SubChapter C 115.216(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-01322 Special Condition 1A OP
O-01322 Special Condition 6A(vi) OP
O-01322 Special Condition 7A(v) OP

Description: Failure to record daily flare observations.

Date: 07/09/2008 (682286)

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(3)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11 PERMIT
 Special Condition 13 OP

Description: Failure to comply with the VOC emissions limits as specified in the confidential section of the permit application of Permit 36646.

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 13 OP
 Special Condition 13 PERMIT

Description: Failure to comply with tank throughput limits for tank TG-39 as specified in the confidential section of the permit application for Permit 36646.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Condition 13 OP

Description: Failure to comply with VOC emissions limits of the MAERT for tanks TG-38 and TG-39 (group 20), based on throughput exceedances of tank TG-39.

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 12 PERMIT
 Special Condition 13 OP

Description: Failure to maintain minimum incinerator firebox temperature at 1737 degrees Fahrenheit in the F6 Unit incinerator.

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 THSC Chapter 382 382.085(b)
 Special Condition 13 OP
 Special Condition 16(E) PERMIT

Description: Failure to cap an open-ended line 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)
 Special Condition 13 OP
 Special Condition 4 PERMIT

Description: Failure to maintain minimum incinerator firebox temperature at 1704 degrees Fahrenheit in the F4 Unit incinerator.

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 16 OP
 Special Condition 5 PERMIT

Description: Failure to comply with the emissions limits of NOx and CO as specified by SC 5 of Permit 16909.

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 16 OP
 Special Condition 9(A) PERMIT

Description: Failure to conduct daily monitoring on CAS connected to tank T-A3-29 on three occasions.

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 16 OP
 Special Condition 6 PERMIT
Description: Failure to maintain accurate railcar cleaning records.
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)
 30 TAC Chapter 122, SubChapter B 122.145(2)(B)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP

Description: Failure to submit a deviation report in a timely manner for deviations documented on August 14, 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)
 5C THSC Chapter 382 382.085(b)
 Special Condition 16 OP
 Special Condition 4 PERMIT

Description: Failure to maintain CO emissions within the allowable limits as stated in SC 4 of the permit.
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 16 OP
 Special Condition 4 PERMIT

Description: Failure to maintain NOx emissions within the allowable limits as stated in SC 4 of the permit.
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 16 OP
 Special Condition 4 PERMIT

Description: Failure to maintain CO emissions in ppmvd within the allowable limits as stated in SC 4 of the permit.
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 12 (A) PERMIT
 Special Condition 16 OP

Description: Failure to maintain NOx emissions in ppmvd within the allowable limits as stated in SC 12(A) of the permit.
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 16 OP
 Special Condition 22 (D) PERMIT

Description: Failure to maintain waste heat boiler CEMS daily calibration records on two occasions.
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 16 OP
 Special Condition 4 PERMIT

Description: Failure to maintain emission of NOx and CO in ppmvd from CG2, below the permitted limits as per SC 4 of Permit 16909.
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 12(b) PERMIT

Special Condition 16 OP
 Description: Failure to conduct daily CEMS calibrations on CG1 CEMS.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Condition 16 OP

Description: Failure to comply with the emissions limits of the MAERT of Permit 16909 as applicable to Boiler 11.
 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 15(l) PERMIT
 Special Condition 16 OP

Description: Failure to maintain Boiler 11 CEMS calibration records.
 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 deviations for the reporting period of February 19, 2007 through February 19, 2008 as required by FOP-O-01320; and for the reporting period of February 14, 2007 through February 14, 2008 as required by FOP-O-02288.

Date: 08/26/2008 (700526)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THSC Chapter 382 382.085(b)
 General terms and Conditions OP

Description: Failure to submit the semi-annual deviation report for FOP-O-02287 for the period of July 20, 2007, through January 20, 2008, in a timely manner.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 General terms and Conditions OP

Description: Failure to submit the Annual Compliance Certification report for FOP-O-02287 for the period of January 20, 2007, through January 20, 2008, in a timely manner.

Date: 12/09/2008 (654938) CN603603093
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01320 General Terms and Conditions OP

FOP O-01320 Special Condition 2F OP
 Description: Failure to properly report an emissions event. EIC C,3 MIN 3,C
 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)
 FOP O-01320 General Terms and Conditions OP
 FOP O-01320 Special Condition 13 OP
 NSR Permit 5807A Special Condition 1 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits. EIC B,13
 MOD 2,D

Date: 02/20/2009 (726148)
 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 5(A) PERMIT
Special Condition 16 OP

Description: Failure to submit a testing plan to the TCEQ no later than 90 days prior to the initial start-up of the Oxygen injection system.

Date: 04/17/2009 (737882)

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 10 OP
Special Condition 10 PERMIT

Description: Failure to maintain minimum caustic concentrations as required by SC 10 of Permit 20134.

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 10 OP
Special Condition 10 PERMIT

Description: Failure to conduct weekly testing for caustic concentration as required by this SC 10 of Permit 20134.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.133(2)
30 TAC Chapter 122, SubChapter C 122.241(b)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to submit FOP-O-02286 renewal application in a timely manner.

Date: 04/24/2009 (735944)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
P.P.II.C.1.j. PERMIT

Description: Failure to continuously update the Notice of Registration (NOR) regarding the 21412961, waste stream's management unit, and status of active or inactive.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.13(b)
P.P.II.C.1.k. PERMIT
P.P.II.C.2.a. PERMIT
P.P.IV.A PERMIT

Description: Failure to follow the Waste Analysis Plan (WAP) for the annual waste analysis.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
P.P.II.C.1.I PERMIT
P.P.II.C.2.a. PERMIT

Description: Failure to properly maintain the impermeable liner in the secondary containment.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)

40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.15(d)
P.P.II.C.1.I PERMIT
P.P.II.C.2.a. PERMIT

Description: Failure to place the name of the inspector on the daily inspection logs for the Utilities Area and Feed Prep Area.

Date: 05/29/2009 (745721)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 9 OP

Description: Failure to properly authorize the spray scrubber in the E7 Unit (EPN: E7LRMOCW).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 9 OP

Description: Failure to maintain Ammonia emissions from the process wastewater as permitted by Permit 5807A.

Date: 06/02/2009 (743286)

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 17 OP
Special Condition 8 PERMIT

Description: Failure to comply with the requirement of absence of Ammonia odors as required by Special Condition 8 of permit 20160.

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 17 OP
Special Condition 9(D) PERMIT

Description: Failure to comply with the CO concentration limits of 100 ppmvd as stated in SC 9(D).

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 12(E) PERMIT
Special Condition 17 OP

Description: Failure to conduct annual calibrations on the monitors as required by SC 12(E).

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 14(F) PERMIT
Special Condition 17 OP

Description: Failure to maintain weekly records of the reading of the pressure sensing device to verify disc integrity in the unit log.

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 K 60.113(b)
5C THSC Chapter 382 382.085(b)
Special Condition 17 OP
Special Condition 21(B) PERMIT

Description: Failure to conduct tank seal inspections for Tank T-F5-009 within 12 months as required by 40 CFR 60.113(b).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart VV 60.482-6
5C THSC Chapter 382 382.085(b)
Special Condition 14(E) PERMIT
Special Condition 17 OP

Description: Failure to equip valves and lines with a cap, blind flange, plug 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)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11(A) PERMIT
 Special Condition 17 OP

Description: Failure to comply with the NOx emissions rates as specified in Special Condition 11(A) of permit 20160.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 11(A) PERMIT

Description: Failure to comply with the NOx emissions rates as specified in Special Condition 11(A) of permit 20160.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 9(D) PERMIT

Description: Failure to comply with the CO concentration rates as specified in Special Condition 9(D) of permit 20160.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 4(D)(i) PERMIT

Description: Failure to comply with the emissions limits of NOx during start-up of Boiler 4 (EPN: H-K2-004).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 14(F) PERMIT

Description: Failure to tag and monitor LDAR components on process liquid fuel filters.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 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 as required by FOP-O-01322 and 30 TAC 122.145(2)(A).

Date: 06/16/2009 (743080)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
 5C THSC Chapter 382 382.085(b)
 Special Condition 7(B) PERMIT

Description: Failure to conduct successive Continuous Emissions Monitoring System (CEMS) audits no closer than 2 months.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1(A) OP

Description: Failure to submit a complete HON fugitive monitoring report for the semi-annual reporting period of July 1, 2008 through December 31, 2008.

Date: 08/25/2009 (760297)

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 12(A) PERMIT
 Special Condition 16 OP

Description: Failure to maintain average hourly concentration of NOx and CO as permitted by

SC 12(A) of permit 19823.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Condition 16 OP
 Description: Failure to maintain emissions as specified by the MAERT of permit 19823.

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 16 OP
 Special Condition 24 (F) PERMIT
 Description: Failure to maintain concentration limits of benzene and toluene in the wastewater as permitted by SC 24(F) of Permit 19832.

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 16 OP
 Special Condition 22(B) PERMIT
 Description: Failure to conduct a quarterly cylinder gas audit on the waste heat boiler exhaust for the first calendar quarter of 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)
 5C THSC Chapter 382 382.085(b)
 Special Condition 16 OP
 Special Condition 5(B) PERMIT
 Description: Failure to maintain CO concentration limits of 100 ppmvd as permitted by SC 5(B) of permit 16909.

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 16 OP
 Special Condition 5(A) PERMIT
 Description: Failure to maintain average NOx emissions as permitted by SC 5(A) of permit 16909.

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 16 OP
 Special Condition 4 PERMIT
 Description: Failure to maintain emissions limits as permitted by SC 4 of permit 16909.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Condition 16 OP
 Description: Failure to maintain emissions as specified by the MAERT of permit 16909.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THSC Chapter 382 382.085(b)
 General terms and Conditions OP
 Description: Failure to submit the semi-annual deviation report for FOP-O-02288 for the period of August 14, 2008, through February 14, 2009, in a timely manner.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 General terms and Conditions OP

Description: Failure to submit the Annual Compliance Certification report for FOP-O-02288 for the period of February 14, 2008, through February 14, 2009, in a timely manner.

Date: 12/22/2009 (781839)

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 THSC Chapter 382 382.085(b)
Special Condition 13 OP
Special Condition 16(E) PERMIT

Description: Failure to cap open-ended lines in VOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 12 PERMIT
Special Condition 13 OP

Description: Failure to maintain minimum incinerator firebox temperature at 1737 degrees Fahrenheit in the F6 Unit incinerator.

Date: 04/19/2010 (788324)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(C)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01320, General Terms and Conditions OP
O-01320, Special Condition 2F OP
O-01320, Special Condition 2I OP
O-01322, General Terms and Conditions OP
O-01322, Special Condition 2F OP
O-01322, Special Condition 2I OP
O-02288, General Terms and Conditions OP
O-02288, Special Condition 2F OP
O-02288, Special Condition 2I OP

Description: Failure to properly submit an initial notification.

Date: 04/29/2010 (794975)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 9 OP

Description: Failure to comply with Volatile Organic Compound (VOC) emission limits during tank car loading as permitted by the MAERT of permit 647B.

Date: 08/04/2010 (841088)

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 12(A) PERMIT
Special Condition 16 OP

Description: Failure to maintain average hourly concentration of NOx and CO within permitted limits as permitted by SC 12(A) of NSR permit 19823.

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 16 OP
Special Condition 24 (F) PERMIT
Description: Failure to maintain concentration limits of Benzene and Toluene in the wastewater as permitted by SC 24(F) of NSR permit 19832 for the 4th quarter of 2009.

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 12 (B) PERMIT
Special Condition 16 OP

Description: Failure to maintain CO concentration limits at 25 ppmvd as permitted by SC 12(B) of NSR permit 19823.

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 12 (C) PERMIT
Special Condition 16 OP

Description: Failure to comply with emissions exceedance duration for maintenance, start-up or shutdown as stated in SC 12(C) of NSR permit 19823.

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 16 OP
Special Condition 27 PERMIT

Description: Failure to comply with the maximum firing rate for furnaces H-A3-3 and H-A3-2 as stated in SC 27 of NSR permit 19823.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 16 OP

Description: Failure to comply with the emissions limits as stated in the MAERT of NSR permit 19823.

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 16 OP
Special Condition 5(B) PERMIT

Description: Failure to maintain CO concentration limits of 100 ppmvd as permitted by SC 5(B) of NSR permit 16909.

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 16 OP
Special Condition 5(A) PERMIT

Description: Failure to maintain average NOx emissions as permitted by SC 5(A) of NSR permit 16909.

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 16 OP
Special Condition 4 PERMIT

Description: Failure to maintain emissions limits of NOx and CO as permitted by SC 4 of NSR permit 16909.

Date: 08/23/2010 (849069)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6(C)(iii) PERMIT
 Description: Failure to conduct daily stain tube testing to measure ammonia for the first 60 days of operating boiler H-K2-004.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition 17 OP
 Special Condition 9(D) PERMIT
 Description: Failure to comply with Carbon monoxide (CO) emissions limits of 100 parts per million (ppm) from boilers H-K2-001 and H-K2-002 as permitted by SC 9(D) of New Source Review (NSR) permit 20160.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2515(b)
 5C THSC Chapter 382 382.085(b)
 Permit by Rule Registration 82543 PERMIT
 Special Condition 17 OP
 Description: Failure to provide 60 day notification prior to conducting a performance test on the biodiesel flare.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 17 OP
 Special Condition 4(D)(i) PERMIT
 Description: Failure to comply with NOx emissions limits as permitted by SC4(D)(i) of Standard Permit 83113, during the startup of boiler H-K2-004.
 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 17 OP
 Special Condition 4(D)(ii) PERMIT
 Description: Failure to comply with CO emissions limits as permitted by SC 4(D)(ii) of Standard Permit 83113, during the startup of boiler H-K2-004.
 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 11(A)(4) PERMIT
 Special Condition 17 OP
 Description: Failure to comply with CO concentration emissions limits from boiler H-K2-003 as permitted by SC 11(A)(4) of Permit 20160.
 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 17 OP
 Special Condition 9(A) PERMIT
 Description: Failure to maintain NOx emissions limits of 0.08 lb/MMBtu from boiler H-K2-001, as permitted by SC 9(A) of permit 20160.
 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 17 OP
 Special Condition 4(B)(v) PERMIT
 Description: Failure to maintain CO concentration emissions of 50 ppm from boiler H-K2-004, as permitted by SC 4(B)(v) of permit 83113.
 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 11(A)(1) PERMIT
Special Condition 17 OP

Description: Failure to maintain NOx emissions limits of 0.05 lb/MMBtu from boiler H-K2-003, as permitted by SC 11(A)(1) of permit 20160.

F. Environmental audits.

Notice of Intent Date: 11/07/2007
Disclosure Date: 05/06/2009

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345

Description: Failure to have a submerged fill for containers receiving pumped waste.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(4)(iv)

Description: Failed to initially and quarterly visually inspect unburied sewers managing BWON waste.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(f)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(2)
40 CFR Part 61, Subpart FF 61.356(f)(3)

Description: Failure to demonstrate that control devices achieved benzene removal requirements, allowed either engineering calculations or performance tests, and establish engineering calculations or performance tests record keeping requirements.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)

Description: Failure to establish performance monitoring requirements for vapor phase carbon canister systems where carbon is not regenerated on site.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)

Description: Failure to establish requirements for quantifying a waste's benzene quantity.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(4)

Description: Failure to establish procedures for annualizing benzene quantity in turnaround wastes.

Viol. Classification: Moderate

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

Description: Failure to routinely flow-weight average benzene concentration.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)(1)

Description: Failure to properly incorporate all phases in waste characterization.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)

Description: Failure to establish record keeping requirements for benzene quantifications.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(3)

Description: Failure to establish requirements to demonstrate that the treatment processes or wastewater treatment system has achieved benzene removal requirements and a failure to establish a certification regarding design performance equipment.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(1)

Description: Failed to certify that equipment needed to comply with the BWON was installed, inspected, and tested.

Notice of Intent Date: 11/16/2007
Disclosure Date: 02/18/2008

Viol. Classification: Major
Rqmt Prov: PERMIT NSR 19823
PERMIT O2288

Description: Failure to amend Title V permit O2288 to indicate A3 unit is subject to MACT Subpart SS and YY, and failure to amend NSR permit 18823 to indicate both MACT standards as being applicable.

Viol. Classification: Major
Rqmt Prov: PERMIT O2288 SC 18

Description: Failure to certify compliance with MACT XX and YY requirements in the annual report for 2006 for the A3 Unit.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(e)

Description: Failure to submit a periodic report for MACT Subpart XX and YY for A3 Units.

Viol. Classification: Moderate

Rqmt Prov: PERMIT 56390 SC 7

Description: Failure to comply with permit condition for the removal of Heel from railcars.

Viol. Classification: Major
Rqmt Prov: PERMIT NSR 19823
PERMIT O2288

Description: Failure to amend permit O2288 For A3 Unit to indicate RSET0126 wash tank in now being used to store wastewater or aromatic distillate.

Viol. Classification: Moderate
Rqmt Prov: PERMIT 49247 SC 8.D

Description: Failure to maintain records related to emissions calculations for newly identified contaminants from wastewater treatment plant.

Viol. Classification: Major
Rqmt Prov: PERMIT NSR 16909
PERMIT PSD-TX-780, SC 18.A and B

Description: Failure to amend permit to reflect permanent shutdown of boilers 5,6, 7, and 8.

Viol. Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(d)

Description: Failure to maintain records in regards to the amounts of each fuel combusted each day.

Viol. Classification: Major
Rqmt Prov: PERMIT 01322
PERMIT 02287

Description: Failure to amend Title V permit 01322. Specifically the current Title V permit authorization by reference by emission unit section refers to the old C-4 unit's NSR permit 20485 and does not reference the current PO/MTBE NSR permit 20160.

Viol. Classification: Major
Rqmt Prov: PERMIT 02286

Description: Failure to comply with permit no. 20134.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.660(c)(4)

Description: Failure to maintain records to demonstrate (TRE) index value for process vent E4FE456 (2nd DEA Tower) in maintained at greater than 8.0.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.567(j)(4)

Description: Failure to maintain annual emission calculations for marine loading tank vessel for 5 years.

Viol. Classification: Moderate
Rqmt Prov: PA NSR 42526 SC 7.A

Description: Failure to monitor VOC cooling tower water on a monthly basis with an air stripping system.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
Rqmt Prov: PERMIT O-02287

Description: Failure to update Title V permit O-02287, and O-02288 to reference PBR for abrasive blasting and surface coating.

Notice of Intent Date: 07/19/2008
Disclosure Date: 12/29/2008

Viol. Classification: Moderate

Rqmt Prov: PERMIT 79802, SC 2.F

Description: Failure to maintain the pressure differential and to record vacuum readings every 15 minutes during loading operations.

Viol. Classification: Moderate

Rqmt Prov: PERMIT 79802, SC 3.B

Description: Failure to calibrate the flare pilot flame in accordance with the manufacturer's recommendations for calibration.

Viol. Classification: Moderate

Rqmt Prov: PERMIT 79802, SC 3.D

Description: Failure to comply with permitted gas flow rates.

Viol. Classification: Moderate

Rqmt Prov: PERMIT 79802 SC5.E

Description: Failure to conduct visual, Audible, olfactory inspections while loading cyclohexane.

Viol. Classification: Minor

Rqmt Prov: PERMIT 79802 SC2.B

Description: Failure to accurately record start and end time data of loading emissions.

Notice of Intent Date: 03/25/2009

No DOV Associated

Notice of Intent Date: 09/29/2009

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
HUNTSMAN PETROCHEMICAL
LLC
RN100219252**

§
§
§
§
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§

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2010-1661-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 Huntsman Petrochemical LLC ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petrochemical plant at 6001 Highway 366 in Port Neches, Jefferson 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 September 7, 2010.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Twenty-One Thousand Seven Hundred Dollars (\$21,700) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand Six Hundred Eighty Dollars (\$8,680) of the administrative penalty and Four Thousand Three Hundred Forty Dollars (\$4,340) 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. Eight Thousand Six Hundred Eighty Dollars (\$8,680) 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 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.
10. 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.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

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

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Federal Operating Permit ("FOP") No. O-02288, Special Terms and Conditions ("STC") No. 16 and General Terms and Conditions ("GTC"), New Source Review ("NSR") Permit No. 19823, Special Conditions ("SC") No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on July 9, 2010. Specifically, 1,226.67 pounds ("lbs") of volatile organic compounds ("VOCs") were released from the South Flare beginning on March 15, 2010 for 12 hours. The emissions event (Incident No. 137085) was caused when an operator inadvertently closed the Pressure Control Valve that cut off fuel flow to the Propylene Oxide boilers. Since the emissions event was not beyond the control of the Respondent and could have been prevented with proper maintenance and/or operational practices, the demonstrations in 30 TEX. ADMIN. CODE §101.222 necessary to present an affirmative defense were not met.

2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), FOP No. O-02288, STC No. 16 and GTC, NSR Permit No. 19823, SC No. 1 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on July 9, 2010. Specifically, 1,711.7 lbs of VOCs were released from the South Flare on April 25, 2010 for 40 hours. The emissions event (Incident No. 138859) was caused when boiler HK-2-003 was inadvertently shutdown due to a radio miscommunication resulting in a mistaken assessment of boiler HK-2-003 status at the field control panel. Since the emissions event was not beyond the control of the Respondent and could have been prevented with proper maintenance and/or operational practices, the demonstrations in 30 TEX. ADMIN. CODE §101.222 necessary to present an affirmative defense were not met.

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: Huntsman Petrochemical LLC, Docket No. 2010-1661-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 6 above, Eight Thousand Six Hundred Eighty Dollars (\$8,680) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement measures designed to prevent unauthorized emissions due to the same causes as the emissions events that occurred on March 15, 2010 and April 25, 2010 (Incident Nos. 137085 and 138859, respectively); and

- b. Within 45 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section, Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. 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.
5. 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.
6. 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.

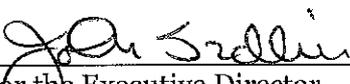
The determination of what constitutes good cause rests solely with the Executive Director.

7. 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.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. 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 2/24/2011

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 12-22-2010

JORDAN MORGAN

Name (Printed or typed)
Authorized Representative of
Huntsman Petrochemical LLC

Title Director of Manufacturing, PNPP

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: 2010-1661-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

The Respondent: Huntsman Petrochemical LLC
Penalty Amount: Seventeen Thousand Three Hundred Sixty Dollars (\$17,360)
SEP Offset Amount: Eight Thousand Six Hundred Eighty Dollars (\$8,680)
Type of SEP: Pre-approved SEP
Third-Party Recipient: Southeast Texas Regional Planning Commission
Project Name: *Meteorological and Air Monitoring Network*
Location of SEP: Jefferson County

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

1. Project Description

a. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the **Southeast Texas Regional Planning Commission** to be used for the *Meteorological and Air Monitoring Network* as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to operate, maintain, and potentially expand the existing Southeast Texas Regional Air Monitoring Network which includes nine monitoring stations currently at the following locations:

1. Beaumont CAM#2
2. Cove School CAM #C695
3. Mauriceville CAM#642
4. Port Arthur (Motiva) Industrial Site CAM #C628
5. Port Arthur Memorial High School campus CAM #C689
6. Port Neches CAM #136
7. Sabine Pass CAM #C640
8. Southeast Texas Regional Airport CAM #C643
9. West Orange CAM #C9

The pollutants currently monitored at each station are identified in Table 1.1 of the agreement between the Third-Party Recipient and the TCEQ. Additional parameters or monitoring sites may, contingent upon available funding and approval of TCEQ, be added. Operation and maintenance of the ambient air monitoring stations includes

canister sampling and gas chromatographs. Ancillary equipment includes sample conditioning systems, meteorological towers, climate controlled equipment shelters, a remote communications system, and electronic data logging capability. Ambient monitoring protocols have been and will continue to conform to applicable TCEQ or U.S. Environmental Protection Agency guidelines.

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

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

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

b. Environmental Benefit

Particulate matter (PM), sulfides (SO, SO₂), oxides of nitrogen (NO_x), volatile organic carbon (VOC) compounds, and ambient air conditions are measured at the stations and the data are made accessible to TCEQ and the public. Sites may also provide continuous assessment of benzene, 1, 3-butadiene and styrene. This monitoring was not previously covered by existing ambient air monitoring systems. The data is shared with the Texas Commission on Environmental Quality, industry, and the public at http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site_info.pl.

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

c. Minimum Expenditure

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

2. Performance Schedule

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

Southeast Texas Regional Planning Commission
Bob Dickinson, Director Transportation and Environmental Resources
Attention: SEP
South East Texas Regional Planning Commission
2210 Eastex Freeway, Beaumont, TX 77703

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

Huntsman Petrochemical LLC
Agreed Order - Attachment A

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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