

Page 1 of 2

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2010-1550-AIR-E **TCEQ ID:** RN102018322 **CASE NO.:** 40427
RESPONDENT NAME: Chevron Phillips Chemical Company LP

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Chevron Phillips Chemical Company, 1400 Jefferson Street, Pasadena, Harris County</p> <p>TYPE OF OPERATION: Petrochemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</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 February 21, 2010. 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: Ms. Roshondra Lowe, Enforcement Division, Enforcement Team 5, MC R-12, (713) 767-3553; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495 Respondent: Mr. Mitchell Krutilek, Plant Manager, Chevron Phillips Chemical Company LP, 1400 Jefferson Street, Pasadena, Texas 77506 Mr. Clay Falcon, Environmental Superintendent, Chevron Phillips Chemical Company LP, 1400 Jefferson Street, Pasadena, Texas 77506 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 20, 2010</p> <p>Date of NOV/NOE Relating to this Case: September 9, 2010 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failed to prevent unauthorized emissions. Specifically, 913.7 pounds ("lbs") of volatile organic compounds, 872.2 lbs of propylene, 112.7 lbs of nitrogen dioxide, and 966 lbs of carbon monoxide were released into the atmosphere due to the failure of the Propylene Splitter Reflux Pump seal, which was caused by the mechanical damage of the outboard seal due to excess of torque, excess wear due to poor lubrication, and exceeding the manufacturer's life expectancy for replacement. The emissions event (Incident No. 140539) that occurred on June 3, 2010 lasted nine hours and 35 minutes. Since the emissions event was avoidable by better operational and maintenance practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.715(a) and 101.20(3), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit Nos. 4437A, PSDTX808, and NO14M1, Special Condition No. 1].</p>	<p>Total Assessed: \$5,150</p> <p>Total Deferred: \$1,030 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$2,060</p> <p>Total Paid to General Revenue: \$2,060</p> <p>Compliance History Classifications: 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 operational and maintenance procedures designed to prevent the failing of the Propylene C2 Splitter Reflux Pump seal in order to prevent the recurrence of emissions events due to the same/similar cause as Incident No. 140539; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification demonstrating compliance with Ordering Provision a.</p>

Additional ID No(s): Air Account HG0566H

Attachment A
Docket Number: 2010-1550-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Chevron Phillips Chemical Company LP

Payable Penalty Amount: Four Thousand One Hundred Twenty Dollars
(\$4,120)

SEP Amount: Two Thousand Sixty Dollars (\$2,060)

Type of SEP: Pre-approved

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

Location of SEP: Harris County

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

1. Project Description

A. Project

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

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	13-Sep-2010	Screening	20-Sep-2010	EPA Due	
	PCW	30-Sep-2010				

RESPONDENT/FACILITY INFORMATION

Respondent	Chevron Phillips Chemical Company LP		
Reg. Ent. Ref. No.	RN102018322		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	40427	No. of Violations	1
Docket No.	2010-1550-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No.
Multi-Media		Enf. Coordinator	Roshondra Lowe
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **106.0%** Enhancement **Subtotals 2, 3, & 7** **\$2,650**

Notes: Enhancement for 13 NOVs with same/similar violations, 12 NOVs with dissimilar violations, and two agreed orders containing a denial of liability. Reduction for 11 notice of audits with six disclosures submitted.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$0**

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

Total EB Amounts	\$176	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$3,500	

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$5,150**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **\$5,150**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$5,150**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$1,030**

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 **\$4,120**

Screening Date 20-Sep-2010

Docket No. 2010-1550-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 2 (September 2002)

Case ID No. 40427

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	13	65%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<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>)	11	-11%
	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>)	6	-12%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 106%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for 13 NOVs with same/similar violations, 12 NOVs with dissimilar violations, and two agreed orders containing a denial of liability. Reduction for 11 notice of audits with six disclosures submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 106%

Screening Date 20-Sep-2010

Docket No. 2010-1550-AIR-E

PCW

Respondent Chevron Phillips Chemical Company LP

Policy Revision 2 (September 2002)

Case ID No. 40427

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102018322

Media [Statute] Air

Enf. Coordinator Roshondra Lowe

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.715(a) and 101.20(3), Tex. Health & Safety Code § 382.085(b), and Flexible Permit Nos. 4437A, PSDTX808, and N014M1, Special Condition No. 1

Violation Description Failed to prevent unauthorized emissions. Specifically, 913.7 pounds ("lbs") of volatile organic compounds, 872.2 lbs of propylene, 112.7 lbs of nitrogen dioxide, and 966 lbs of carbon monoxide were released into the atmosphere due to the failure of the Propylene Splitter Reflux Pump seal, which was caused by the mechanical damage of the outboard seal due to excess of torque, excess wear due to poor lubrication, and exceeding the manufacturer's life expectancy for replacement. The emissions event (Incident No. 140539) that occurred on June 3, 2010 lasted nine hours and 35 minutes. Since the emissions event was avoidable by better operational and maintenance practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual			X	25%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0%

Matrix Notes

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

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 1

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

Violation Base Penalty \$2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction \$0

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

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

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Estimated EB Amount \$176

Statutory Limit Test

Violation Final Penalty Total \$5,150

This violation Final Assessed Penalty (adjusted for limits) \$5,150

Economic Benefit Worksheet

Respondent Chevron Phillips Chemical Company LP
Case ID No. 40427
Reg. Ent. Reference No. RN102018322
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
--	-----------	---------------	------------	-----	----------------	---------------	-----------

Item Description No commas or \$

Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$3,500	3-Jun-2010	6-Jun-2011	1.01	\$176	n/a	\$176

Notes for DELAYED costs Estimated cost of operations and maintenance procedures necessary to prevent the failure of the Propylene C2 Splitter Reflux Pump seal. The date required is the violation date. The final date is based on the date corrective actions are expected to be completed.

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance	\$3,500	TOTAL	\$176
-----------------------------------	---------	--------------	-------

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600303614	Chevron Phillips Chemical Company LP	Classification: AVERAGE	Rating: 4.53
Regulated Entity:	RN102018322	CHEVRON PHILLIPS CHEMICAL COMPANY	Classification: AVERAGE	Site Rating: 1.71
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		1010312
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION		40426
	WASTEWATER	PERMIT		WQ0000815000
	WASTEWATER	EPA ID		TX0007552
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID		TXD008098725
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)		30038
	AIR OPERATING PERMITS	ACCOUNT NUMBER		HG0566H
	AIR OPERATING PERMITS	PERMIT		1315
	AIR OPERATING PERMITS	PERMIT		2645
	AIR NEW SOURCE PERMITS	REGISTRATION		93508
	AIR NEW SOURCE PERMITS	REGISTRATION		92205
	AIR NEW SOURCE PERMITS	REGISTRATION		92612
	AIR NEW SOURCE PERMITS	REGISTRATION		92452
	AIR NEW SOURCE PERMITS	REGISTRATION		91609
	AIR NEW SOURCE PERMITS	REGISTRATION		81390
	AIR NEW SOURCE PERMITS	REGISTRATION		52681
	AIR NEW SOURCE PERMITS	REGISTRATION		10304
	AIR NEW SOURCE PERMITS	REGISTRATION		10817
	AIR NEW SOURCE PERMITS	PERMIT		12106
	AIR NEW SOURCE PERMITS	PERMIT		4437A
	AIR NEW SOURCE PERMITS	PERMIT		5562A
	AIR NEW SOURCE PERMITS	REGISTRATION		34088
	AIR NEW SOURCE PERMITS	REGISTRATION		33830
	AIR NEW SOURCE PERMITS	REGISTRATION		45235
	AIR NEW SOURCE PERMITS	REGISTRATION		48185
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		HG0566H
	AIR NEW SOURCE PERMITS	EPA ID		PSDTX808
	AIR NEW SOURCE PERMITS	AFS NUM		4820100048
	AIR NEW SOURCE PERMITS	PERMIT		N006M1
	AIR NEW SOURCE PERMITS	REGISTRATION		71225
	AIR NEW SOURCE PERMITS	REGISTRATION		72449
	AIR NEW SOURCE PERMITS	REGISTRATION		76403
	AIR NEW SOURCE PERMITS	REGISTRATION		77818
	AIR NEW SOURCE PERMITS	REGISTRATION		78988

AIR NEW SOURCE PERMITS	REGISTRATION	79318
AIR NEW SOURCE PERMITS	REGISTRATION	82306
AIR NEW SOURCE PERMITS	REGISTRATION	88684
AIR NEW SOURCE PERMITS	REGISTRATION	90987
AIR NEW SOURCE PERMITS	REGISTRATION	91195
AIR NEW SOURCE PERMITS	REGISTRATION	83465
AIR NEW SOURCE PERMITS	REGISTRATION	83025
AIR NEW SOURCE PERMITS	REGISTRATION	91454
AIR NEW SOURCE PERMITS	REGISTRATION	87855
AIR NEW SOURCE PERMITS	REGISTRATION	92782
WATER LICENSING	LICENSE	1010312
ON SITE SEWAGE FACILITY	PERMIT	1010598
ON SITE SEWAGE FACILITY	PERMIT	1010775
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0566H

Location: 1400 JEFFERSON ST, PASADENA, TX, 77506

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: September 20, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 20, 2005 to September 20, 2010

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

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

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2010 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: 10/04/2007

ADMINORDER 2007-0380-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: No. 5562A SC #1 PERMIT
SC #4 PERMIT

Description: Failure to keep the pilot flame of the flare lit at all times resulting in unauthorized emissions.

Effective Date: 07/21/2008

ADMINORDER 2007-2025-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)

5C THSC Chapter 382 382.085(b)

Description: Failed to conduct initial compliance testing within 60 days after achieving the maximum production rate at which the affected plant will be operated.

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	09/20/2005	(441024)
2	10/20/2005	(468772)
3	11/01/2005	(434973)
4	11/14/2005	(468773)
5	11/21/2005	(435273)
6	12/06/2005	(436442)
7	12/08/2005	(431288)
8	12/15/2005	(468774)
9	01/17/2006	(468775)
10	02/13/2006	(468770)
11	02/23/2006	(454732)
12	02/23/2006	(455835)
13	02/25/2006	(457001)
14	02/25/2006	(457002)
15	02/25/2006	(457078)
16	02/27/2006	(439397)
17	02/27/2006	(456412)
18	02/28/2006	(457018)
19	03/09/2006	(457678)
20	03/13/2006	(468771)
21	04/19/2006	(498443)
22	05/22/2006	(498444)
23	05/30/2006	(459841)
24	05/30/2006	(459873)
25	05/30/2006	(459894)
26	06/21/2006	(498445)
27	07/21/2006	(520446)
28	07/26/2006	(487412)
29	08/21/2006	(520447)
30	08/31/2006	(457354)
31	09/01/2006	(487774)
32	09/01/2006	(509132)
33	09/01/2006	(509225)
34	09/01/2006	(509366)
35	09/01/2006	(509918)
36	09/01/2006	(510006)
37	09/01/2006	(510055)
38	09/01/2006	(510058)
39	09/01/2006	(510423)
40	09/01/2006	(510424)
41	09/01/2006	(510425)
42	09/01/2006	(510533)
43	09/01/2006	(510649)
44	09/01/2006	(510657)

45	09/01/2006	(510660)
46	09/01/2006	(510667)
47	09/01/2006	(510669)
48	09/01/2006	(510671)
49	09/01/2006	(510894)
50	09/01/2006	(510915)
51	09/01/2006	(510957)
52	09/01/2006	(510966)
53	09/21/2006	(520448)
54	10/20/2006	(544798)
55	10/20/2006	(544799)
56	11/20/2006	(544800)
57	12/20/2006	(544801)
58	01/19/2007	(533591)
59	01/19/2007	(544802)
60	02/15/2007	(544797)
61	02/28/2007	(511028)
62	02/28/2007	(511029)
63	02/28/2007	(511033)
64	02/28/2007	(511037)
65	02/28/2007	(511896)
66	02/28/2007	(511899)
67	02/28/2007	(511904)
68	02/28/2007	(513207)
69	02/28/2007	(513213)
70	02/28/2007	(513218)
71	02/28/2007	(517805)
72	02/28/2007	(517808)
73	02/28/2007	(517813)
74	02/28/2007	(517817)
75	02/28/2007	(533202)
76	02/28/2007	(533423)
77	02/28/2007	(534113)
78	02/28/2007	(534237)
79	02/28/2007	(534316)
80	02/28/2007	(534666)
81	02/28/2007	(534667)
82	03/20/2007	(541252)
83	03/22/2007	(575793)
84	03/29/2007	(593187)
85	04/09/2007	(554985)
86	04/11/2007	(555217)
87	04/12/2007	(543119)
88	04/19/2007	(575794)
89	05/03/2007	(556403)
90	05/18/2007	(575795)
91	06/04/2007	(600133)
92	06/20/2007	(575796)
93	06/20/2007	(575798)
94	06/25/2007	(532594)
95	07/10/2007	(565555)
96	07/18/2007	(575797)
97	08/06/2007	(567967)
98	08/06/2007	(568722)
99	08/10/2007	(568098)
100	08/16/2007	(601757)
101	10/11/2007	(573647)
102	10/19/2007	(601755)
103	10/19/2007	(601756)

104	11/02/2007	(680410)
105	11/08/2007	(639468)
106	11/09/2007	(593610)
107	11/15/2007	(595395)
108	11/16/2007	(593672)
109	11/16/2007	(594702)
110	11/16/2007	(595073)
111	12/04/2007	(597920)
112	12/18/2007	(619682)
113	01/18/2008	(609864)
114	02/01/2008	(615777)
115	02/13/2008	(672203)
116	02/13/2008	(672207)
117	02/18/2008	(672206)
118	03/18/2008	(672204)
119	04/04/2008	(638060)
120	04/07/2008	(636131)
121	04/07/2008	(637232)
122	04/15/2008	(672205)
123	04/18/2008	(641392)
124	04/25/2008	(653557)
125	05/16/2008	(640080)
126	05/19/2008	(690117)
127	06/18/2008	(690118)
128	07/10/2008	(682551)
129	08/14/2008	(684897)
130	08/19/2008	(710906)
131	08/22/2008	(681830)
132	08/22/2008	(685474)
133	09/01/2008	(650582)
134	09/19/2008	(710908)
135	10/17/2008	(710907)
136	11/19/2008	(727608)
137	11/20/2008	(727607)
138	12/05/2008	(703501)
139	12/18/2008	(685470)
140	12/18/2008	(727609)
141	01/28/2009	(724387)
142	01/29/2009	(724385)
143	02/18/2009	(750419)
144	03/06/2009	(737505)
145	03/16/2009	(724504)
146	03/19/2009	(750420)
147	03/19/2009	(750421)
148	03/19/2009	(750422)
149	04/10/2009	(738856)
150	05/05/2009	(738859)
151	05/05/2009	(743253)
152	05/20/2009	(768471)
153	06/10/2009	(768472)
154	06/17/2009	(749602)
155	07/10/2009	(746601)
156	07/24/2009	(759063)
157	08/18/2009	(805065)
158	08/28/2009	(721137)
159	09/22/2009	(764038)
160	10/19/2009	(805066)
161	11/18/2009	(747538)
162	11/18/2009	(805067)

163 12/03/2009 (783751)
 164 12/04/2009 (777967)
 165 12/17/2009 (805068)
 166 01/19/2010 (805069)
 167 01/25/2010 (786643)
 168 02/19/2010 (805064)
 169 02/23/2010 (788116)
 170 03/19/2010 (831033)
 171 04/05/2010 (791934)
 172 04/15/2010 (790017)
 173 04/16/2010 (831034)
 174 05/06/2010 (792277)
 175 05/19/2010 (831035)
 176 05/20/2010 (801541)
 177 06/17/2010 (846316)
 178 07/16/2010 (803564)
 179 07/20/2010 (860906)
 180 08/12/2010 (844518)
 181 09/03/2010 (830289)
 182 09/07/2010 (830317)
 183 09/08/2010 (860272)
 184 09/09/2010 (842225)

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

Date: 11/01/2005 (434973)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 TCEQ Flexible Permit #4437A PERMIT
 Description: Chevron failed to prevent a Halon release in the fire suppression system.

Date: 08/31/2006 (457354) CN600303614
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5562A, SC 7E PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02645, ST&C 11 OP
 Description: Failure to cap or plug 2 open-ended lines.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5562A, SC 8F PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02645, ST&C 11 OP
 Description: Failure to monitor valves due to components being deleted from database.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02645, ST&C 3(A)(iv)(4) OP
 Description: Failure to conduct daily flare inspection for visible emissions during daylight hours.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5562A, SC 4A PERMIT
 5C THC Chapter 382, SubChapter D 382.085(b)
 7602A, SC 3 PERMIT
 O-02645, ST&C 1A OP
 Description: Failure to maintain minimum heat input to flare.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02645, ST&C 3(A)(iv)(3) OP
 Description: Failure to record quarterly opacity observations.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(g)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to record monitoring data into database within 7 days.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02645, ST&C 1A OP
 Description: Failure to limit the number of Difficult-to-Monitor components to less than 3% of the total component count.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02645, ST&C 1A OP
 Description: Failure to conduct monthly monitor on 20 valves.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 7602A, SC 6K PERMIT
 O-02645, ST&C 11 OP
 Description: Failure to conduct quarterly monitoring on 9 flanges bolted to valves.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 O-02645, ST&C 2F OP
 Description: Failure to record 24 emission events.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.263(g)(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to maintain records of Startup, Shutdown, and Maintenance (SSM) activities.

Date: 03/29/2007 (593187)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 04/30/2007 (575795)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 05/31/2007 (575796) CN600303614
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 06/26/2007 (532594) CN600303614
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to report the delay of repair of fugitive components, and car seal deviations in a timely manner in deviation reports (NSR 4437A; FOP O-01315).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 NSR 4437A SC 8B PA
 Description: Failure to maintain filter equipment in good working order on nine (9) different occasions from October 1, 2005 through May 14, 2006 (NSR 4437A; FOP O-01315).
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 NSR 4437A SC 8B(3) PA

Description: Failure to record monthly visual inspections of filter equipment on 23 occasions from January 1 through March 31, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 NSR 4437A SC 8B(2) PA

Description: Failure to record quarterly visual inspections of filter equipment on 42 occasions from January 1 through March 31, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 NSR 4437A SC 8B(5) PA

Description: Failure to maintain filter equipment in stock as required from January 15 through August 2, 2006. (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 FOP O-01315 SC 1A OP
 NSR 4437A SC 7A PA

Description: Failure to operate flares 216, 308, and 408 without visible emissions on April 20, 2006 and again on June 28, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 1A OP

Description: Failure to conduct weekly walkthrough inspections on 35 occasions from February 20 through September 23, 2006 for three pumps in light liquid service and HRVOC service (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 FOP O-01315 SC 1A OP
 NSR 4437A SC 3(E) PA
 NSR 4437A SC 5(E) PA

Description: Failure to equip lines in VOC service with caps/plugs from November 15, 2004 through September 27, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 NSR 4437A SC 8 PA

Description: Failure to meet Special Condition 8 of NSR Permit 4437A from November 11, 2004 through September 30 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 FOP O-01315 SC 1A OP
 NSR 4437A SC 7A PA

Description: Failure to operate flare 216 with a heat value of 300 Btu/scf from January 7 through January 12, 2006 and again from January 19 through January 21, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(d)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 1A OP

Description: Failure to equip vent streams subject to New Source Performance Standards subpart DDD with car seals and monitor them as required (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to properly monitor new valves, flanges and connectors within 30 days of putting them in HRVOC service (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 FOP O-01315 SC 1A OP
 NSR 4437A SC 3 PA
 NSR 4437A SC 5 PA

Description: Failure to conduct quarterly monitoring of valves in HRVOC service from January 1, 2006 through March 31, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 1.G.(v) OP

Description: Failure to to repair components in HRVOC service within the required 7-day time frame (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(f)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 1.G.(v) OP

Description: Failure to monitor components in HRVOC service by April 1, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
 30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 1.G.(v) OP

Description: Failure to monitor a difficult to monitor valve in HRVOC service from January 1, 2005 through June 29, 2006 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 NSR 4437A SC 16D PA

Description: Failure to meet Special Condition 16D of NSR Permit 4437A from December 10, 2005 (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 NSR 4437A SC 19 PA

Description: Failure to meet Special Condition 19 of NSR Permit 4437A (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-01315 SC 10 OP
 NSR 4437A SC 20 PA

Description: Failure to analyze off-gas sample for 2 weeks (NSR 4437A; FOP O-01315).

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

FOP O-01315 SC 1.G.(v) OP
Description: Failure to operate its polyethylene/polypropylene units within the HRVOC operational parameters on February 14, 2006, May 14, 2006, June 15, 2006, August 15, 2006, and August 17, 2006 (NSR 4437A; FOP O-01315).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01315 SC 3A(i) OP
Description: Failure to operate filter equipment below 20% opacity on fourteen (14) different occasions from March 29 through August 30, 2006 (NSR 4437A; FOP O-01315).

Date: 11/09/2007 (593610)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
4473A, Special Condition 1 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to prevent unauthorized emissions

Date: 11/16/2007 (594702)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
No. 4473A, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions

Date: 01/18/2008 (609864) CN600303614
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
4437A, SC 1 PERMIT
5C THSC Chapter 382 382.085(b)
Description: Failure to prevent the shutdown of the Return Gas Compressor.

Date: 02/04/2008 (615777)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
4437A, Special Condition 1 PERMIT
5C THSC Chapter 382 382.085(b)
Description: Chevron failed to prevent plugging of lube oil filter and it's spare.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
Description: Chevron failed to identify TCEQ permit authorization number

Date: 05/15/2008 (640080) CN600303614
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
EL&MR, P. 2, No. 1 PERMIT
Description: Failure to maintain compliance with the permitted effluent limits for total suspended solids.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)
Description: Failure to accurately complete the discharge monitoring reports (DMR).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
Description: Failure to perform the manganese oxide correction with each total chlorine residual analysis.

Date: 07/10/2008 (682551) CN600303614
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
4437A, Special Condition 1 PERMIT
5C THSC Chapter 382 382.085(b)
Description: Failure to ensure proper performance of a manual ball valve prior to its installation and use.

Date: 08/14/2008 (684897) Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
4437A, Special Condition 1 PERMIT,
5C THSC Chapter 382 382.085(b)
Description: Failure to follow normal operating procedure.

Date: 11/30/2008 (727609) Classification: Moderate
Self Report? YES
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 03/16/2009 (724504) CN600303614 Classification: Moderate
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition #1 PERMIT
Description: Failed to prevent emission event. Failed to prevent miscommunication between operators.

Date: 04/30/2009 (768471) CN600303614 Classification: Moderate
Self Report? YES
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2009 (750422) CN600303614 Classification: Moderate
Self Report? YES
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 08/28/2009 (721137) CN600303614 Classification: Minor
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C #11 OP
NSR Permit# 4437A/PSD-TX-808,SC#22(B)(2) PA
Description: Failed to analyze off-samples for testing on a weekly basis. (Category B13 Violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C #11 OP
NSR Permit No.4437A/PSD-TX-808, SC#8B(3) PA

Description: Failure to perform and record monthly visual inspections of filter equipment in June 2008. (Category C1 Violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C #1A OP
FOP #O-01315, ST & C #13 OP
NSR Permit No. 4437A, SC#3A PA

Description: Failure to seal three open-ended lines in VOC service. (Category C1 Violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, ST & C#11 OP
FOP #O-01315, ST & C#1A OP

NSR Permit No. 4437A/PSD-TX-808, SC#7A PA

Description: Failure to maintain the minimum net heating value for the Polyethylene Unit Flares 7 and 8 (EPN's: 308 and 408) and the Polypropylene Flare (EPN: 216). (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(b)(2)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C#11 OP
FOP #O-01315, ST & C#1A OP
NSR Permit No. 4437A/PSD-TX-808, SC#7B PA

Description: Failure to maintain the thermocouples on Polyethylene Unit Flares 7 and 8 (EPN's: 308 and 408) and the Polypropylene Flare (EPN: 216) which lost pilot flames on different occasions from October 6, 2007 through August 20, 2008. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.786(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-1315, General Terms & Conditions OP

Description: Failure to calculate emissions for valves and connectors in HRVOC service within five days. (Category B1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(b)(2)(ii)
5C THSC Chapter 382 382.085(b)
FOP #O-01315, General Terms & Conditions OP

Description: Failure to maintain monthly car seal inspection records for June 2008 and July 2008. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-1315, General Terms & Conditions OP

Description: Failure to operate within the allowable annual downtime limit of 5% for PE 6 and PE 7 Cooling Towers (EPN's: 260, and 307) and the PE 7 HRVOC Flare (EPN: 308) from December 31, 2007 to January 1, 2008. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(6)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C # 1.G.(v) OP

Description: Failure to operate GPH, HAC Tr2, HAC Tr4, PE7-1, and PE7-2 vents within the HRVOC operational parameters. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(ii)(I)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-1315, General Terms & Conditions OP

Description: Failure to conduct weekly HRVOC GC calibration checks on the PE 6 HRVOC Flare (EPN: 216). The weekly calibration checks were performed beyond the seven day period from March 13, 2008 to March 15, 2008. (Category C4 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)
5C THSC Chapter 382 382.085(b)
FOP # O-01315, ST & C#11 OP
FOP # O-01315, ST & C#1A OP
NSR Permit No. 4437A/PSD-TX-808, SC#3H PA

Description: Failure to attach a tag on a leaking screwed connector and a pressure gauge for the Polyethylene 8 Plant piping fugitives (EPN: 406) in VOC/HAP service from December 16, 2007 to January 22, 2008 and September 30, 2008. (Category C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(6)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
 FOP # O-01315, ST & C #1A OP
 FOP #O-01315, ST & C #11 OP
 NSR Permit No. 4437A/PSD-TX-808, SC#8A PA

Description: Failure to prevent plastic pellets from spilling over due to the sock filters over-pressuring on September 1, 2008. (Category B1 Violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP #O-01315, General Terms & Conditions OP

Description: failure to maintain daily Method 21 calibration records for PE6 fugitives from July 20, 2008 to July 30, 2008; August 8, 2008 to August 27, 2008; and September 9, 2008 to September 28, 2008. (Category C1 Violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.355(1)
 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-01315, ST & C #11 OP
 FOP #O-01315, ST & C #1A OP
 NSR Permit No. 4437A/PSD-TX-808, SC#3F PA

Description: Failure to calibrate the monitoring instrument analyzer on a daily basis prior to monitoring components for the PE 7 piping fugitives (EPN: 306), PE8 piping fugitives (EPN: 406), and PP piping fugitives (EPN: 801) units for the periods of July 25, 2007, August 7, 2007, and September 4, 2007. (Category C1 Violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP # O-01315, ST & C #11 OP
 NSR Permit No. 4437A/PSD-TX-808, SC#1 PA

Description: **Failure to prevent an exceedance of the CO hourly emission CAP limit for the Activator No. 5 HEPA Filter due to an incorrect representation for the activation of a certain catalyst from November 15, 2004 to March 31, 2008. (Category B1 Violation)**

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP #O-01315, ST & C# 11 OP
 NSR Permit No. 4437A/PSD-TX-808, SC#1 PA

Description: **failure to prevent an exceedance of the VOC hourly emission CAP limits for the PE 6/7 Flare (EPN: 308), PE 8 Flare (EPN: 408), and the PP Flare (EPN: 216) on June 19, 2007. (Category B13 Violation)**

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP #O-01315, ST & C#11 OP
 NSR Permit No. 4437A/PSD-TX-808, SC#1 PA

Description: Failure to accurately calculate emission CAP calculations and CAP calculation records were not completed within three months of the the end of each month for the PE 6/7 Flare (EPN: 308), PE 8 Flare (EPN: 408), and the PP Flare (EPN: 216) from June 1, 2007 through December 31, 2007. (Category B1 Violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)
 5C THSC Chapter 382 382.085(b)
 FOP #O-01315, General Terms & Conditions OP

Description: Failure to represent a particulate matter emission source in NSR Permit No. 4437A/PSD-TX-808 that is used in the transportation of fluff (Category C1 Violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP #O-01315, ST & C #3A(iv)(1) OP

Description: Failure to observe for visible emissions from the Tank Farm Filters (EPN: 39A), SE PP Hopper Car Loading (EPN: 39Df), Pellet Silo A Filter (EPN: 817B), Pellet Silo C Filter (EPN: 817C), and the Seed Powder Service Drum Vent #YV53448. (Category C1 Violation)

Self Report? NO **Classification:** Minor

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

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 60.482-7(a)
 5C THSC Chapter 382 382.085(b)
 FOP # O-01315, ST & C#1A OP
 FOP #O-01315, ST & C#11 OP
 NSR Permit No. 4437A/PSD-TX-808, SC#3F PA
 NSR Permit No. 4437A/PSD-TX-808, SC#5F PA

Description: Failure to monitor valves in VOC and HRVOC service on a monthly and quarterly basis in the in the PE 7 piping fugitives (EPN: 306), PE8 piping fugitives (EPN: 406), and PP piping fugitives (EPN: 801) units for the periods of November 15, 2004 through September 30, 2008. (Category B1 Violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP #O-01315, ST & C #11 OP
 NSR Permit No. 4437A/PSD-TX-808, SC#1 PA

Description: **Failure to prevent an exceedance of the VOC emission CAP routine and MSS limits for the PE6/7 Flare (EPN: 308), PE8 Flare (EPN: 408), and the PP Flare (EPN: 216) from December 1, 2007 to March 31, 2008. (Category B1 Violation)**

Date: 09/22/2009 (764038)

Self Report? NO **Classification:** Moderate

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

Description: Failed to submit Initial Notification within 24 hours of discovery of the emissions event.

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT

Description: **Failure to prevent unauthorized emissions during an emissions event. Chevron Phillips failed to prevent the partial plugging of the distributor plate.**

Date: 10/31/2009 (805067)

Self Report? YES **Classification:** Moderate

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

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

Date: 11/19/2009 (747538) **CN600303614**

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 FOP STC 13A ORDER
 FOP STC 1A ORDER
 NSR 5562A, SC 17C PERMIT
 NSR 5562A, SC 4C PERMIT

Description: **Failure to operate the K-Resin Main Flare without visible emissions. (CATEGORY C7 violations)**

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1)
 5C THSC Chapter 382 382.085(b)
 FOP SC 13 ORDER
 FOP STC 1A ORDER
 NSR 5562A, SC 14F PERMIT
 NSR 5562A, SC 17B PERMIT

Description: Failure to maintain five (5) daily Method 21 calibration records between July 8, 2008 and July 30, 2008. (CATEGORY C3 violations)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 FOP STC 13 ORDER
 NSR 5562A, SC 17C PERMIT
 NSR 5562A, SC 4A PERMIT
Description: Failure to maintain the net heating value of waste gas for K-Resin main flare at 300 BTu/scf. (CATEGORY B19g1 violation)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
 5C THSC Chapter 382 382.085(b)
 FOP STC 13A ORDER
 FOP STC 1A ORDER
 NSR 5562A, SC 14-I PERMIT

Description: Failure to install and maintain Delay of Repair tags from December 1, 2008 through February 27, 2009. (CATEGORY C3 violation)

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
 5C THSC Chapter 382 382.085(b)
 FOP STC 13A ORDER
 FOP STC 1A ORDER
 NSR 5562A, SC 14-I PERMIT

Description: Failure to make first attempt and final repair on a VOC valve between January 26, 2009 and February 26, 2009. (CATEGORY C3 violation)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(10)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP STC 1A ORDER

Description: Failure to maintain Firewater pump engine #1 and #2 operating hours from exceeding the 100 hour limitation. (CATEGORY C7 violation)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP STC 2F ORDER

Description: Failure to create a final record within two weeks of the end date of the emission event. (CATEGORY C3)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 5C THSC Chapter 382 382.085(b)
 FOP STC 13A ORDER
 FOP STC 1A ORDER
 FOP STC 1H(v) ORDER
 NSR 5562A, SC 14E PERMIT

Description: Failure to seal open-ended line on a tubing bleeder located on the Neohexene flare header. (CATEGORY C10 violation)

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 115, SubChapter H 115.781(b)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP STC 13A ORDER
 FOP STC 1A ORDER
 FOP STC 1H(v) ORDER
 NSR 5562A, SC 14F PERMIT
 NSR 5562A, SC 15F PERMIT
 NSR 5562A, SC 6F PERMIT
 NSR 5562A, SC 8F PERMIT

Description: Failure to monitor 1192 components from February 28, 2008 through October 1,

2008. (CATEGORY B19g1 violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 115, SubChapter H 115.781(b)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(h)(3)
5C THSC Chapter 382 382.085(b)
FOP STC 1A ORDER
FOP STC 1H(v) ORDER
Description: Failure to monitor annually in Neohexene Plant three (3) VOC and HRVOC
difficult-to-monitor valves from February 28, 2005 through May 31, 2008.
(CATEGORY B19g1 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
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 STC 13A ORDER
FOP STC 1H ORDER
NSR 5562A, SC 13C PERMIT
NSR 5562A, SC 13E PERMIT
NSR 5562A, SC 14F PERMIT
NSR 5562A, SC 6M PERMIT
NSR 5562A, SC 8N PERMIT
Description: Failure to quarterly monitor one hundred eighty (180) VOC and HRVOC flanges
from February 28, 2005 through October 1, 2008. (CATEGORY B19g1 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.781(f)(1)
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 STC 13A ORDER
FOP STC 1H(v) ORDER
NSR 5562A, SC 15E PERMIT
NSR 5562A, SC 8E PERMIT
Description: Failure to monitor annually eight hundred seventy eight (878) VOC and HROC
connectors in K-Resin Train 4 from February 28, 2005 through July 31, 2008.
(CATEGORY B19g1 violation)

Date: 12/31/2009 (805069) CN600303614
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 04/15/2010 (790017) CN600303614
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 2F OP
Description: Failure to create the final record for 8 separate non-reportable (recordable)
emission events within two weeks of the event occurring. (CATEGORY C3
violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
SC 3E PERMIT
ST&C 13 OP
ST&C 1A OP
Description: Failure to maintain caps or plugs, resulting in open ended lines (OELS).
(CATEGORY C10 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
SC 3H PERMIT

Description: ST&C 13 OP
 ST&C 1A OP
 Failure to tag the component with a visual leak tag. (CATEGORY C1 violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 ST&C 1A OP

Description: Failure to make the extraordinary repairs on HRVOC valves within the required timeframe. (CATEGORY C1 violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.786(d)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to perform the emission calculations for delay of repair (DOR) components in HRVOC service. (CATEGORY B1 violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
 5C THSC Chapter 382 382.085(b)
 SC 3F PERMIT
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to conduct follow up monitoring on one connector that was placed back into VOC service. (CATEGORY C1 violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.781(g)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to transfer the 1 HRVOC connector monitoring event from the datalogger to the database within 7 days of the event. (CATEGORY C3 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 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)
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to provide notification within 10 days following the installation of new components. (CATEGORY B3 violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to report all HRVOC connectors in the HRVOC semi-annual report. (CATEGORY C3 violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
 5C THSC Chapter 382 382.085(b)
 SC 7C PERMIT
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to maintain the flare resulting in a smoking flare. (CATEGORY C4 violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 SC 7A PERMIT
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to maintain the minimum net heating value of waste gas above 300 BTU/scf. (CATEGORY C4 violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(a)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(b)(2)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
 5C THSC Chapter 382 382.085(b)
 SC 7B PERMIT
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to continuously record the presence of the flare or pilot light flame with the thermocouples. (CATEGORY C4 violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 8(B)(2) PERMIT
 ST&C 13 OP
 ST&C 3.A.iv.1 OP

Description: Failure to perform quarterly visual particulate observations on vents. (CATEGORY C1 violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 8(B)(3) PERMIT
 ST&C 13 OP

Description: Failure to perform monthly visual particulate observations on vents. (CATEGORY C1 violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 8(B)(1) PERMIT
 ST&C 13 OP

Description: Failure to perform weekly visual particulate observations on vents. (CATEGORY C1 violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(6)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to stay within the monitored parameters for production rates during normal operations. (CATEGORY B13 violation)

Self Report? NO **Classification:** Moderate

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

Description: Failure to develop a resin factor for HHM 5202ST. (CATEGORY B1 violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 22.B.1 PERMIT
 ST&C 13 OP

Description: Failure to maintain continuous monitoring of offgas. (CATEGORY C3 violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 122, SubChapter B 122.142(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP

Description: Failure to authorize four engines (EPNs UtilPortComp1, UtilPortComp2, UtilPortComp3 and UtilPortComp4). (CATEGORY B3 violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
 5C THSC Chapter 382 382.085(b)

Description: Failure to conduct the required quarterly NOx and CO emissions testing on EPNs UtilPortComp1, UtilPortComp2, UtilPortComp3 and UtilPortComp4. (CATEGORY B1 violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Description: ST&C 2.E OP
 Failure to properly report the emissions from the engines, EPNs UtilPortComp1, UtilPortComp2, UtilPortComp3 and UtilPortComp4, in 2008 in the Emissions Inventory (EI). (CATEGORY B3 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter H 101.359(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1.E.vi OP

Description: Failure to properly report the emissions from the engines, EPNs UtilPortComp1, UtilPortComp2, UtilPortComp3 and UtilPortComp4, in 2008 in the 2008 ECT -1 Report. (CATEGORY B3 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.356(1)
 5C THSC Chapter 382 382.085(b)

Description: Failure to submit a revised Final Control Plan for Attainment Demonstration that included EPNs UtilPortComp1, UtilPortComp2, UtilPortComp3 and UtilPortComp4. (CATEGORY B3 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)
 5C THSC Chapter 382 382.085(b)

Description: Failure to include 4 vents in the Title V revisions that incorporated the MON (40 CFR 63, Subpart FFFF) regulation. (CATEGORY B3 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(d)(1)
 5C THSC Chapter 382 382.085(b)

Description: Failure to properly represent three storage tanks, Tank IDs HCS-95-02, HCS-95-07, and HCS 95-10, in the Title V permit as subject to the notification of construction and startup requirements of NSPS (40 CFR 60, Subpart Kb). (CATEGORY B3 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1 PERMIT
 ST&C 13 OP

Description: **Failure to prevent an exceedance of the VOC emission CAP limits for Normal Operations and Maintenance/Startup/Shutdown (MSS) for the PE 6/7 Flare (EPN 308), PE 8 Flare (EPN 408), and the PP Flare (EPN 216) from 10/01/2008 to 06/30/2009. (CATEGORY B13 violation)**

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1 PERMIT
 ST&C 13 OP

Description: **Failure to prevent an exceedance of the CO hourly emission CAP limit for Activator No. 5 HEPA Filter (EPN 1003) due to an incorrect permit representation for the activation of a certain catalyst from 10/01/2008 to 09/30/2009. (CATEGORY B13 violation)**

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(2)
 30 TAC Chapter 106, SubChapter K 106.263(g)
 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)
 ST&C 13 OP

Description: Failure to maintain the records required by PBR 106.263 for the transportation of fluff. (CATEGORY B3 violation)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 21 PERMIT
 ST&C 13 OP

Description: Failure to recalculated emissions from the "Non-Flare PP VOC Sources" and the "Non-Flare PE VOC Sources" emissions caps and EPN 900 using the new component counts. (CATEGORY B3 violation)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

ST&C 12 OP
 ST&C 1A OP
Description: Failure to maintain the lids in a closed position on three degreasers. (CATEGORY C4 violation)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP

Description: Failure to report all deviations during the correct deviation reporting periods.
 (CATEGORY C3 violation)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(b)(2)(ii)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to perform carseal inspections. (CATEGORY C1 violation)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to maintain equipment resulting in visible emissions during transfer operations. (CATEGORY C4 violation)

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
 5C THSC Chapter 382 382.085(b)

Description: Failure to record engine operating hours. (CATEGORY B3 violation)

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)
 5C THSC Chapter 382 382.085(b)

Description: Failure to permit the emergency firewater pump engine at the San Jacinto Water Treater, EPN SJWTFE102 in Federal Operating Permit (FOP) O-01315.
 (CATEGORY B18 violation)

Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2520(d)(2)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to include vents in the Notice of Compliance Status report. (CATEGORY B3 violation)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT W 60.482-1(f)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 SC 3F PERMIT
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to monitor three valves that became subject to the MON (40 CFR 63, Subpart FFFF) requirements on 05/10/2008. (CATEGORY C1 violation)

Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)(2)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT W 60.482-1(f)(1)
 5C THSC Chapter 382 382.085(b)
 SC 3I PERMIT
 ST&C 13 OP
 ST&C 1A OP

Description: Failure to make repairs by the deadlines for 1st attempt/final attempt repair requirements. (CATEGORY C1 violation)

Date: 05/31/2010 (846316) CN600303614
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/16/2010 (803564)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.11(c)
Description: Failure to perform the Manganese Oxide Correction correctly.
Self Report? NO Classification: Minor
Citation: TPDES Permit No. WQ0000815000 PERMIT
TWC Chapter 26 26.121
Description: Failure to prevent the unauthorized discharge of plastic pellets into the receiving stream.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit No. WQ0000815000 PERMIT
Description: Failure to maintain compliance with the permitted effluent limitation for Total Residual Chlorine.

F. Environmental audits.

Disclosure Date: 10/07/2005
Viol. Classification: Moderate
Rqmt Prov: PERMIT Air New Source Permit 5562A
Description: Review of emission data using extractive sampling and a portable flow meter indicate that the K-Resin finishing units emit chemical species that were either not represented or were speciated differently than originally represented in the 2003 amendment to permit 5562A and in the 2003 and 2004 emissions inventory.
Viol. Classification: Moderate
Rqmt Prov: PERMIT Air New Source Permit 4437A
Description: Review of emission data using extractive sampling and a portable flow meter indicate that the Polyethylene 6, 7, and 8 finishing units emit chemical species that were either not represented or were speciated differently than originally represented in the 2002 amendment to permit 4437A and in the 2003 and 2004 emissions

Notice of Intent Date: 07/19/2006 (490223)
Disclosure Date: 12/15/2006
Viol. Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.11(c)
Description: Failure to run duplicate pH readings for the compliance samples.
Viol. Classification: Minor
Rqmt Prov: PERMIT WQ 00815
Description: Failure to consistently sample Outfall 004.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
Rqmt Prov: PERMIT WQ 00815
Description: Failure to use a chain of custody form to track exact place, date and time of sample collection or measurement.

Notice of Intent Date: 11/06/2006 (458086)
Disclosure Date: 05/04/2007
Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11
30 TAC Chapter 335, SubChapter R 335.504
30 TAC Chapter 335, SubChapter C 335.62
Description: Failure to segregate waste.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173
30 TAC Chapter 335, SubChapter H 335.262(c)(2)(A)
30 TAC Chapter 335, SubChapter C 335.69(d)(2)
Description: Failure to properly manage satellite waste containers.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.13(a)
40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.13(d)

40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.14(e)

Description: Failure to manage universal waste appropriately.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to maintain NOR.

Viol. Classification: Minor

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(2)

30 TAC Chapter 335, SubChapter C 335.69(e)

Description: Storage of waste in accumulation area more than 90 days.

Viol. Classification: Major

Citation: 30 TAC Chapter 335, SubChapter B 335.41

30 TAC Chapter 335, SubChapter B 335.43

30 TAC Chapter 335, SubChapter A 335.6(a)

30 TAC Chapter 335, SubChapter C 335.61(f)

Description: Failure to use appropriate tank for storage of reactive D003 and ignitable D001.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.4(1)

Description: Failure to segregate small quantities of oil from wastewater stream.

Notice of Intent Date: 12/13/2006 (536530)

Disclosure Date: 03/25/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)

Description: Failure to certify calibration gases.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)

Description: Failure to complete corrective action for the analyzer and validate repaired failure following midpoint calibration check.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(3)

30 TAC Chapter 115, SubChapter H 115.766(a)(6)

Description: Failure to maintain records of repair and downtime within a week of the activity.

Viol. Classification: Moderate

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

Description: Failure to maintain the 5% allowable downtime.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)

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

Description: Failure to take required manual samples during periods of downtime.

Notice of Intent Date: 04/17/2007 (558795)

No DOV Associated

Notice of Intent Date: 01/10/2008 (636242)

No DOV Associated

Notice of Intent Date: 02/11/2009 (739402)

No DOV Associated

Notice of Intent Date: 03/24/2009 (742450)

Disclosure Date: 09/21/2009

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(d)(2)

40 CFR Part 60, Subpart DDD 60.565(b)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(b)(2)(ii)

Description: Failure to properly identify all valves in the Polyethylene plant 6 DDD Engineering Vent plan. Specifically, 97 valves required to be described in the DDD Engineering Vent plan were not included and 41 valves were determined to not be applicable to the regulation. These additional valves are not included in the list of components reviewed each month for car seal status, nor are the change in positions logged as required, since they are not in the plant program for DDD car seal monitoring.

Notice of Intent Date: 08/21/2009 (768010)

No DOV Associated

Notice of Intent Date: 08/27/2009 (776282)

Disclosure Date: 02/25/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46

Description: Failure to record chlorine usage weekly.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109

Description: Failure to ensure fecal sampling is representative of entire system.

Notice of Intent Date: 10/14/2009 (782657)

No DOV Associated

Notice of Intent Date: 11/17/2009 (794517)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

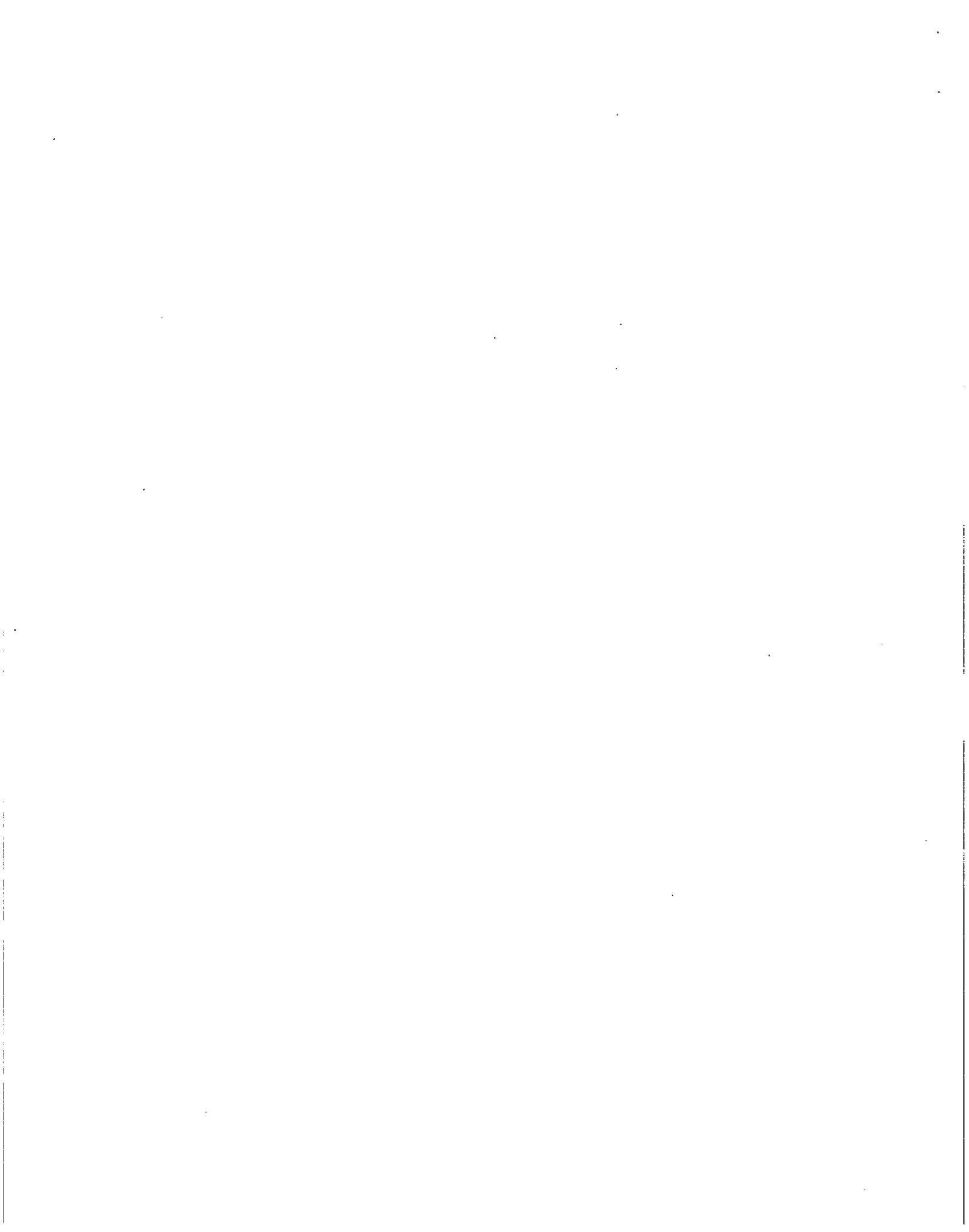
N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN § **BEFORE THE**
ENFORCEMENT ACTION §
CONCERNING §
CHEVRON PHILLIPS CHEMICAL § **TEXAS COMMISSION ON**
COMPANY LP §
RN102018322 § **ENVIRONMENTAL QUALITY**

AGREED ORDER **DOCKET NO. 2010-1550-AIR-E**

I. JURISDICTION AND STIPULATIONS

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

1. The Respondent owns and operates a petrochemical manufacturing plant at 1400 Jefferson Street in Pasadena, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about September 14, 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 Five Thousand One Hundred Fifty Dollars (\$5,150) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Thousand Sixty Dollars (\$2,060) of the administrative penalty and One Thousand Thirty Dollars (\$1,030) 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. Two Thousand Sixty Dollars (\$2,060) 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 failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.715(a) and 101.20(3), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit Nos. 4437A, PSDTX808, and N014M1, Special Condition No. 1, as documented during an investigation conducted on July 20, 2010. Specifically, 913.7 pounds ("lbs") of volatile organic compounds, 872.2 lbs of propylene, 112.7 lbs of nitrogen dioxide, and 966 lbs of carbon monoxide were released into the atmosphere due to the failure of the Propylene Splitter Reflux Pump seal, which was caused by the mechanical damage of the outboard seal due to excess of torque, excess wear due to poor lubrication, and exceeding the manufacturer's life expectancy for replacement. The emissions event (Incident No. 140539) that occurred on June 3, 2010 lasted nine hours and 35 minutes. Since the emissions event was avoidable by better operational and maintenance practices, the Respondent failed to meet the demonstration criteria for an affirmative defense in TEX. ADMIN. CODE § 101.222.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Chevron Phillips Chemical Company LP Docket No. 2010-1550-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Two Thousand Sixty Dollars (\$2,060) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provision of the SEP agreement.
3. 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 operational and maintenance procedures designed to prevent the failing of the Propylene C2 Splitter Reflux Pump seal in order to prevent the recurrence of emissions events due to the same/similar cause as Incident No. 140539; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification demonstrating compliance with Ordering Provision No. 3.a. The certification shall include detailed supporting documentation, including receipts, monitoring records, training records, and/or other records to demonstrate compliance, and be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the

information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

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

with a copy to:

Air Section, Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon the 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

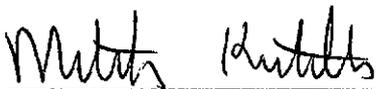
11/11/2011
Date

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

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

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

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


Signature

12/6/2010
Date

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

Plant Manager
Title

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

Attachment A
Docket Number: 2010-1550-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Chevron Phillips Chemical Company LP

Payable Penalty Amount: Four Thousand One Hundred Twenty Dollars (\$4,120)

SEP Amount: Two Thousand Sixty Dollars (\$2,060)

Type of SEP: Pre-approved

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

Location of SEP: Harris County

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

1. Project Description

A. Project

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

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

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

B. Environmental Benefit

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

C. Minimum Expenditure

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

2. Performance Schedule

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

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

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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

