

Executive Summary – Enforcement Matter – Case No. 41208
EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY
RN100542844
Docket No. 2011-0300-IWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

IWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Mobil Chemical Beaumont Chemical Plant BMCP, 2775 Gulf States Utility Road, Beaumont, Jefferson County

Type of Operation:

Petrochemical plant authorized to treat and discharge wastewater

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 24, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$23,900

Amount Deferred for Expedited Settlement: \$4,780

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$9,560

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$9,560

Name of SEP: Jefferson County Government Cheek Community First Time Sewer

Service for Low Income Home Owners

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002

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RN100542844
Docket No. 2011-0300-IWD-E

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: November 23, 2010
Date(s) of NOE(s): January 6, 2011

Violation Information

Failed to comply with permitted effluent limits, for total zinc, [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000462000 Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that by March 31, 2010, the Respondent completed a Wet Effects Ratio ("WER") study at the Facility and based on the results of the WER study, on July 16, 2010, a permit amendment was submitted to the TCEQ proposing revised total zinc limits.

Technical Requirements:

1. The Order will require the Respondent to implement and complete a Supplemental Environmental Project ("SEP"). (See Attachment A).
2. The Order will also require the Respondent to within 270 days submit written certification demonstrating compliance with the permitted effluent limitations of TPDES Permit No. WQ0000462000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations which are in effect at the time of certifying compliance.

Litigation Information

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

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Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Marty Hott, Enforcement Division, Enforcement Team 1, MC 169, (512) 239-2587; Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495

TCEQ SEP Coordinator: Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732

Respondent: Robert Tully, Plant Manager, MOBIL CHEMICAL COMPANY, Post Office Box 3868, Beaumont, Texas 77704

Respondent's Attorney: N/A

Attachment A
Docket Number: 2011-0300-IWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

The Respondent: EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY

Penalty Amount: Nineteen Thousand One Hundred Twenty Dollars (\$19,120)

SEP Offset Amount: Nine Thousand Five Hundred Sixty Dollars (\$9,560)

Type of SEP: Pre-approved SEP

Third-Party Recipient: Jefferson County Government *Cheek Community First Time Sewer Service for Low Income Home Owners*

Location of SEP: Jefferson County

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Jefferson County Government** to be used for the *Cheek Community First Time Sewer Service for Low Income Home Owners* project. Specifically, SEP monies will be used to provide first time sewer service for low-income residential customers in the Candlelight and Martel Subdivisions (Cheek Community) located in the western area of Jefferson County. This area has open sewage pits or poorly maintained septic systems which are a hazard to human health and the environment. SEP Funds will be used to install wastewater infrastructure and a low pressure sewer system consisting of grinder pump stations located at each home. The project will be administered in accordance with federal, state, and local environmental laws and regulations.

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

B. Environmental Benefit

The wastewater portion of this SEP will provide a discernible environmental benefit by preventing the release of sewage into the environment. Raw sewage can carry bacteria, viruses, protozoa (parasitic organisms), helminthes (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis (causing stomach cramps and diarrhea) to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. People can be exposed through:

- Sewage in drinking water sources.
- Direct contact in areas of public access such as in lawns or streets, or waters used for recreation.
- Shellfish harvested from areas contaminated by raw sewage.
- Inhalation and skin absorption.

Sewage overflows may cause damage to the environment. A key concern with sewage overflows is the effect on rivers, lakes, streams, or aquifer systems. In addition to potential spread of disease, sewage in the environment contributes excess nutrients, metals, and toxic pollutants that contaminate water quality, cause excess algae blooms, and kill fish and other organisms in aquatic habitats.

The drinking water portion of this project will protect water sources for drinking, recreation and wildlife from contamination from the failing treatment systems, and protect public health from contaminated drinking water supplies.

C. Minimum Expenditure

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

2. Performance Schedule

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

Jefferson County Auditor's Office
Attention: Eva Collier
1149 Pearl Street 7th Floor
Beaumont Texas 77701

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

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

6. Clean Texas Program

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

recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	10-Jan-2011	Screening	24-Feb-2011	EPA Due	
	PCW	23-Feb-2011				

RESPONDENT/FACILITY INFORMATION	
Respondent	EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY
Reg. Ent. Ref. No.	RN100542844
Facility/Site Region	10-Beaumont
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	41208	No. of Violations	1
Docket No.	2011-0300-IWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Marty Hott
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes Enhancement for 12 months of self-reported effluent violations, 10 NOVs with dissimilar violations, 14 agreed orders with a denial of liability, and one agreed order without a denial of liability. Reduction for three notices of intended audits and two disclosures of violations.

Culpability Enhancement **Subtotal 4**

Notes The Respondent does not meet the culpability criteria.

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

Economic Benefit Enhancement* **Subtotal 6**

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

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

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

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

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 24-Feb-2011

Docket No. 2011-0300-IWD-E

PCW

Respondent EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY

Policy Revision 2 (September 2002)

Case ID No. 41208

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100542844

Media [Statute] Water Quality

Enf. Coordinator Marty Hott

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>)	12	60%
	Other written NOVs	10	20%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	14	280%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	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>)	3	-3%
	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>)	2	-4%
<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) 378%

>> **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 12 months of self-reported effluent violations, 10 NOVs with dissimilar violations, 14 agreed orders with a denial of liability, and one agreed order without a denial of liability. Reduction for three notices of intended audits and two disclosures of violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 378%

Screening Date 24-Feb-2011

Docket No. 2011-0300-IWD-E

PCW

Respondent EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY

Policy Revision 2 (September 2002)

Case ID No. 41208

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100542844

Media [Statute] Water Quality

Enf. Coordinator Marty Hott

Violation Number 1

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000462000 Effluent Limitations and Monitoring Requirements No. 1

Violation Description Failed to comply with permitted effluent limits, as documented during a record review conducted on November 23, 2010 and shown in the attached table.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent 0%

Matrix Notes

A simplified model was used to evaluate total zinc to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. As a result of these discharges, human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 2

61 Number of violation days

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

Violation Base Penalty \$5,000

Two monthly events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$5,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$681

Violation Final Penalty Total \$23,900

This violation Final Assessed Penalty (adjusted for limits) \$23,900

Economic Benefit Worksheet

Respondent EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY
Case ID No. 41208
Reg. Ent. Reference No. RN100542844
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	31-May-2010	10-Oct-2011	1.36	\$681	n/a	\$681

Notes for DELAYED costs

Estimated cost to evaluate the Facility to determine the causes of the effluent violations and complete corrective actions. Date required is the first month of noncompliance. Final date is the expected date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$681

EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY
TPDES Permit No. WQ0000462000
Docket No. 2011-0300-IWD-E
Case No. 41208

EFFLUENT VIOLATION TABLE		
Months	Total Zinc Daily Avg. Conc.	Total Zinc Daily Max. Conc.
	Limit = 0.249 mg/L	Limit = 0.527 mg/L
May 2010	0.462	0.630
June 2010	0.884	0.884

Avg. = average

Max. = maximum

mg/L = milligrams per Liter

Conc. = concentration

Compliance History

Customer/Respondent/Owner-Operator:	CN602761413	EXXONMOBIL OIL CORPORATION	Classification: AVERAGE	Rating: 3.49
Regulated Entity:	RN100542844	MOBIL CHEMICAL BEAUMONT CHEMICAL PLANT BMCP	Classification: AVERAGE	Site Rating: 5.21
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)		30047
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID		TXD000449694
	AIR OPERATING PERMITS	ACCOUNT NUMBER		JE0062S
	AIR OPERATING PERMITS	PERMIT		1173
	AIR OPERATING PERMITS	PERMIT		2201
	AIR OPERATING PERMITS	PERMIT		1354
	AIR OPERATING PERMITS	PERMIT		2292
	AIR OPERATING PERMITS	PERMIT		2293
	AIR OPERATING PERMITS	ACCOUNT NUMBER		JE0064O
	AIR OPERATING PERMITS	PERMIT		1354
	AIR OPERATING PERMITS	PERMIT		2292
	AIR OPERATING PERMITS	PERMIT		2293
	POLLUTION PREVENTION PLANNING	ID NUMBER		P00436
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION		1230089
	WASTEWATER	PERMIT		WQ0002029000
	WASTEWATER	EPA ID		TX0068934
	WASTEWATER	PERMIT		WQ0000462000
	WASTEWATER	EPA ID		TX0004227
	AIR NEW SOURCE PERMITS	AFS NUM		4824500009
	AIR NEW SOURCE PERMITS	REGISTRATION		93373
	AIR NEW SOURCE PERMITS	REGISTRATION		93549
	AIR NEW SOURCE PERMITS	REGISTRATION		93538
	AIR NEW SOURCE PERMITS	REGISTRATION		94022
	AIR NEW SOURCE PERMITS	REGISTRATION		93430
	AIR NEW SOURCE PERMITS	REGISTRATION		93724
	AIR NEW SOURCE PERMITS	REGISTRATION		92996
	AIR NEW SOURCE PERMITS	REGISTRATION		92524
	AIR NEW SOURCE PERMITS	REGISTRATION		92221
	AIR NEW SOURCE PERMITS	REGISTRATION		93201
	AIR NEW SOURCE PERMITS	REGISTRATION		91572
	AIR NEW SOURCE PERMITS	REGISTRATION		92777
	AIR NEW SOURCE PERMITS	PERMIT		7799
	AIR NEW SOURCE PERMITS	REGISTRATION		10248
	AIR NEW SOURCE PERMITS	REGISTRATION		10249
	AIR NEW SOURCE PERMITS	REGISTRATION		10575
	AIR NEW SOURCE PERMITS	REGISTRATION		10728
	AIR NEW SOURCE PERMITS	PERMIT		11238
	AIR NEW SOURCE PERMITS	PERMIT		11791
	AIR NEW SOURCE PERMITS	REGISTRATION		13942
	AIR NEW SOURCE PERMITS	REGISTRATION		14021
	AIR NEW SOURCE PERMITS	REGISTRATION		15160
	AIR NEW SOURCE PERMITS	PERMIT		18838
	AIR NEW SOURCE PERMITS	REGISTRATION		41728
	AIR NEW SOURCE PERMITS	REGISTRATION		44969
	AIR NEW SOURCE PERMITS	REGISTRATION		44976
	AIR NEW SOURCE PERMITS	REGISTRATION		44975
	AIR NEW SOURCE PERMITS	REGISTRATION		44973
	AIR NEW SOURCE PERMITS	REGISTRATION		44971
	AIR NEW SOURCE PERMITS	REGISTRATION		48054
	AIR NEW SOURCE PERMITS	REGISTRATION		48163
	AIR NEW SOURCE PERMITS	REGISTRATION		50210
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER		JE0062S
	AIR NEW SOURCE PERMITS	PERMIT		1295
	AIR NEW SOURCE PERMITS	REGISTRATION		10194
	AIR NEW SOURCE PERMITS	REGISTRATION		10242
	AIR NEW SOURCE PERMITS	REGISTRATION		11641
	AIR NEW SOURCE PERMITS	REGISTRATION		11642
	AIR NEW SOURCE PERMITS	REGISTRATION		11983
	AIR NEW SOURCE PERMITS	REGISTRATION		12105
	AIR NEW SOURCE PERMITS	REGISTRATION		12362
	AIR NEW SOURCE PERMITS	REGISTRATION		12575
	AIR NEW SOURCE PERMITS	REGISTRATION		13789
	AIR NEW SOURCE PERMITS	REGISTRATION		14492
	AIR NEW SOURCE PERMITS	PERMIT		19366
	AIR NEW SOURCE PERMITS	PERMIT		19950
	AIR NEW SOURCE PERMITS	REGISTRATION		23327
	AIR NEW SOURCE PERMITS	REGISTRATION		24243
	AIR NEW SOURCE PERMITS	REGISTRATION		24975
	AIR NEW SOURCE PERMITS	REGISTRATION		26126
	AIR NEW SOURCE PERMITS	REGISTRATION		26152

AIR NEW SOURCE PERMITS	REGISTRATION	32200
AIR NEW SOURCE PERMITS	REGISTRATION	32614
AIR NEW SOURCE PERMITS	REGISTRATION	32865
AIR NEW SOURCE PERMITS	REGISTRATION	34347
AIR NEW SOURCE PERMITS	REGISTRATION	34780
AIR NEW SOURCE PERMITS	REGISTRATION	34427
AIR NEW SOURCE PERMITS	REGISTRATION	37362
AIR NEW SOURCE PERMITS	REGISTRATION	40289
AIR NEW SOURCE PERMITS	REGISTRATION	41445
AIR NEW SOURCE PERMITS	REGISTRATION	42983
AIR NEW SOURCE PERMITS	REGISTRATION	43123
AIR NEW SOURCE PERMITS	REGISTRATION	41935
AIR NEW SOURCE PERMITS	REGISTRATION	44863
AIR NEW SOURCE PERMITS	REGISTRATION	44991
AIR NEW SOURCE PERMITS	REGISTRATION	44990
AIR NEW SOURCE PERMITS	REGISTRATION	46421
AIR NEW SOURCE PERMITS	REGISTRATION	72115
AIR NEW SOURCE PERMITS	REGISTRATION	53384
AIR NEW SOURCE PERMITS	REGISTRATION	55190
AIR NEW SOURCE PERMITS	REGISTRATION	83294
AIR NEW SOURCE PERMITS	REGISTRATION	76364
AIR NEW SOURCE PERMITS	REGISTRATION	76365
AIR NEW SOURCE PERMITS	REGISTRATION	75511
AIR NEW SOURCE PERMITS	REGISTRATION	76058
AIR NEW SOURCE PERMITS	AFS NUM	4824500087
AIR NEW SOURCE PERMITS	PERMIT	56360
AIR NEW SOURCE PERMITS	REGISTRATION	71524
AIR NEW SOURCE PERMITS	REGISTRATION	71675
AIR NEW SOURCE PERMITS	REGISTRATION	71387
AIR NEW SOURCE PERMITS	REGISTRATION	71388
AIR NEW SOURCE PERMITS	REGISTRATION	50767
AIR NEW SOURCE PERMITS	REGISTRATION	54743
AIR NEW SOURCE PERMITS	REGISTRATION	73014
AIR NEW SOURCE PERMITS	REGISTRATION	72706
AIR NEW SOURCE PERMITS	REGISTRATION	72936
AIR NEW SOURCE PERMITS	REGISTRATION	73733
AIR NEW SOURCE PERMITS	REGISTRATION	72767
AIR NEW SOURCE PERMITS	REGISTRATION	74662
AIR NEW SOURCE PERMITS	REGISTRATION	75162
AIR NEW SOURCE PERMITS	REGISTRATION	75328
AIR NEW SOURCE PERMITS	REGISTRATION	75304
AIR NEW SOURCE PERMITS	REGISTRATION	76710
AIR NEW SOURCE PERMITS	REGISTRATION	76456
AIR NEW SOURCE PERMITS	REGISTRATION	77711
AIR NEW SOURCE PERMITS	REGISTRATION	89622
AIR NEW SOURCE PERMITS	REGISTRATION	78058
AIR NEW SOURCE PERMITS	REGISTRATION	78903
AIR NEW SOURCE PERMITS	REGISTRATION	78554
AIR NEW SOURCE PERMITS	REGISTRATION	78861
AIR NEW SOURCE PERMITS	REGISTRATION	78170
AIR NEW SOURCE PERMITS	REGISTRATION	78284
AIR NEW SOURCE PERMITS	REGISTRATION	83702
AIR NEW SOURCE PERMITS	REGISTRATION	79796
AIR NEW SOURCE PERMITS	REGISTRATION	79510
AIR NEW SOURCE PERMITS	REGISTRATION	80418
AIR NEW SOURCE PERMITS	REGISTRATION	79874
AIR NEW SOURCE PERMITS	REGISTRATION	80937
AIR NEW SOURCE PERMITS	REGISTRATION	80540
AIR NEW SOURCE PERMITS	REGISTRATION	80827
AIR NEW SOURCE PERMITS	REGISTRATION	81318
AIR NEW SOURCE PERMITS	REGISTRATION	81813
AIR NEW SOURCE PERMITS	REGISTRATION	81905
AIR NEW SOURCE PERMITS	REGISTRATION	81541
AIR NEW SOURCE PERMITS	REGISTRATION	82391
AIR NEW SOURCE PERMITS	REGISTRATION	84011
AIR NEW SOURCE PERMITS	REGISTRATION	94632
AIR NEW SOURCE PERMITS	REGISTRATION	94716
AIR NEW SOURCE PERMITS	REGISTRATION	94227
AIR NEW SOURCE PERMITS	REGISTRATION	94021
AIR NEW SOURCE PERMITS	REGISTRATION	87842
AIR NEW SOURCE PERMITS	REGISTRATION	84807
AIR NEW SOURCE PERMITS	REGISTRATION	88053
AIR NEW SOURCE PERMITS	REGISTRATION	91320
AIR NEW SOURCE PERMITS	REGISTRATION	87749
AIR NEW SOURCE PERMITS	REGISTRATION	87572
AIR NEW SOURCE PERMITS	REGISTRATION	86629

AIR NEW SOURCE PERMITS	REGISTRATION	84781
AIR NEW SOURCE PERMITS	REGISTRATION	88072
AIR NEW SOURCE PERMITS	REGISTRATION	84611
AIR NEW SOURCE PERMITS	REGISTRATION	87570
AIR NEW SOURCE PERMITS	REGISTRATION	86103
AIR NEW SOURCE PERMITS	REGISTRATION	84001
AIR NEW SOURCE PERMITS	EPA ID	PAL15
AIR NEW SOURCE PERMITS	REGISTRATION	82725
AIR NEW SOURCE PERMITS	REGISTRATION	87214
AIR NEW SOURCE PERMITS	REGISTRATION	88017
AIR NEW SOURCE PERMITS	REGISTRATION	84535
AIR NEW SOURCE PERMITS	REGISTRATION	84067
AIR NEW SOURCE PERMITS	REGISTRATION	84315
AIR NEW SOURCE PERMITS	REGISTRATION	82468
AIR NEW SOURCE PERMITS	REGISTRATION	88670
AIR NEW SOURCE PERMITS	REGISTRATION	87219
AIR NEW SOURCE PERMITS	REGISTRATION	86098
AIR NEW SOURCE PERMITS	REGISTRATION	88356
AIR NEW SOURCE PERMITS	REGISTRATION	90584
AIR NEW SOURCE PERMITS	REGISTRATION	88031
AIR NEW SOURCE PERMITS	REGISTRATION	90458
AIR NEW SOURCE PERMITS	REGISTRATION	92650
AIR NEW SOURCE PERMITS	REGISTRATION	92533
WATER LICENSING	LICENSE	1230089
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30047
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	JE0062S

Location: 2775 GULF STATES UTILITY ROAD, BEAUMONT, JEFFERSON COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: February 17, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 17, 2006 to February 17, 2011

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

Name: Marty Hott Phone: (512) 239-2587

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: 03/06/2006 ADMINORDER 2004-2052-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

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

Description: Failure to identify in the initial report for an emissions event, the estimated total quantities and the authorized emissions limits for the compound descriptive type of the individually listed compounds or mixtures of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the HP and LP Flares that occurred from September 27, 2004 to September 28, 2004.

Classification: Minor

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

Description: Failure to identify in the final report for an emissions event, the estimated total quantities and the authorized emissions limits for the compound descriptive type of the individually listed compounds or mixtures of air contaminants.

Classification: Moderate

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

Description: Failure to submit a copy of the final record for a reportable emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event.

Effective Date: 06/26/2006

ADMINORDER 2006-0007-AIR-E

Classification: Moderate

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

Rqmt Prov: 1 PERMIT

Description: Failure to prevent unauthorized emissions and comply with Special Condition 1 of Permit 18838 for emissions which occurred at the Refinery Tank Farm (EPN EF-11) and the Paraxylene Unit stage III crystallizer pump (EPN EF-17).

Effective Date: 07/14/2006

ADMINORDER 2005-1903-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799, Special Condition 1 PERMIT

Description: Failed to comply with permitted and visible emissions limits.

Classification: Minor

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

Description: Failed to submit a timely emission event report.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Minor

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emissions limits.

Effective Date: 08/28/2006

ADMINORDER 2006-0132-AIR-E

Classification: Moderate

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

Rqmt Prov: 7799 PERMIT

Description: Failed to maintain an emission rate below the allowable emission limits specified in Air NSR Permit No. 7799/PSD-TX-860

Classification: Minor

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

Description: Failed to submit a copy of the final record for a reportable emissions event which occurred on November 14, 2005 no later than two weeks after the end of the emissions event.

Classification: Moderate

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

Description: Failed to maintain an emission rate below the allowable emission limits specified in Air NSR Permit No. 7799/PSD-TX-860.

Effective Date: 05/25/2007

ADMINORDER 2006-1743-AIR-E

Classification: Moderate

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

Rqmt Prov: 7799 PERMIT

Description: Failure to comply with emissions limits as found in the Maximum Allowable Emissions Rate Table (MAERT) of TCEQ Permit 7799.

Effective Date: 06/29/2007 ADMINORDER 2006-1703-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to comply with the High Pressure Flare maximum allowable emission rates for volatile organic compounds, carbon monoxide, and nitric oxides on April 9, 2006 due to an emissions event at the USC I Unit.

Effective Date: 01/12/2008 ADMINORDER 2007-0259-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: 7799, PSD-TX-860, Special Condition 1 PERMIT
Description: Failure to maintain an emission rate below the allowable emission limit.

Effective Date: 01/28/2008 ADMINORDER 2007-0811-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: 7799 Special Condition 1 PERMIT
FOP O-01173 General Terms and Conditions OP
FOP O-01173 Special Condition 20 OP
Description: Failed to properly operate emission control equipment during normal operations, which resulted in an emission of volatile organic compounds ("VOCs") above the maximum allowable emission rate

Effective Date: 06/19/2008 ADMINORDER 2007-1840-IWD-E
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: Effluent Limits PERMIT
Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self reported data.

Effective Date: 10/23/2008 ADMINORDER 2003-1455-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 7799/PSD-TX-860, Special Condition 1 PERMIT
Description: Failing to prevent the unauthorized emission of air contaminants.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: 7799/PSD-TX-860, SC1 PERMIT
Description: Failing to prevent the unauthorized emission of air contaminants.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failing to properly notify the regional office of the TCEQ of an emissions event which began on November 1, 2002, at 9:41 AM and ended at 11:30 AM.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 7799/PSD-TX-860, Special Condition 1 PERMIT
Description: Failing to prevent the unauthorized emission of an air contaminant.

Effective Date: 10/23/2008 ADMINORDER 2004-0125-AIR-E
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit a final emissions event notification within two weeks after the end of an emissions event on October 7, 2003. This event ended at 11:07 AM on October 7, 2003 and was therefore required to be submitted by October 21, 2003. However, the final report was not received until October 23, 2003.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: 7799/PSD-TX-860, SPECIAL CONDITION 1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event at the chemical plant on October 7, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

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

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failure to maintain an emission rate within the Maximum Allowable Emission Rate Table ("MAERT") limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

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

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failing to maintain an emission rate within the MAERT limits.

Effective Date: 12/04/2008 ADMINORDER 2008-0781-AIR-E

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 7799 and PSD-TX-860, Special Condition 1 PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rate Table emissions limits during an emissions event.

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

Effective Date: 03/12/2009 ADMINORDER 2008-1231-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: 7799 and PSD-TX-860, Special Condition 1 PERMIT

O-01173, General Terms and Conditions OP

O-01173, Special Condition 20 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,797.33 pounds ("lbs") of volatile organic compounds ("VOC") from the Low Pressure Flare and 2,423.18 lbs of VOCs from the Ethylene Unit, due to the failure of a contractor to properly set and test the Current Transformer ratio for breaker GB3555, during an avoidable emissions event that began May 14, 2008 and lasted 115 hours and 19 minutes.

Effective Date: 08/31/2009 ADMINORDER 2009-0314-AIR-E

Classification: Minor

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

Rqmt Prov: 18838 and PSD-TX-843 Special Condition 1 PERMIT

Special Conditions 1 and 22 PERMIT

Description: Failed to comply with permitted emissions limits. Specifically, during an emissions event on August 22, 2008, improper disconnection procedures occurred during unloading operations at the Plants Aromatics Wharf, resulting in an estimated 619 pounds of toluene emissions over a ten minute period.

Effective Date: 12/04/2010 ADMINORDER 2010-0671-AIR-E

Classification: Moderate

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

Rqmt Prov: FOP O-02292, General Terms and Condition OP

FOP O-02292, Special Condition 10 OP

NSR Permit 1295 Special Condition IV-6-A PERMIT

Description: Failure to demonstrate 98.5% control of VOC for Train B during the stack test performed on December 17, 2009. EIC A,8,c,1,H MOD 2,D

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	12/28/06	(261352)
2	02/27/06	(455014)
3	04/28/06	(458040)
4	04/13/06	(458301)
5	04/18/06	(458326)
6	05/01/06	(460605)
7	04/21/06	(461141)
8	05/03/06	(461386)
9	04/21/06	(461550)
10	06/09/06	(464823)
11	05/11/06	(465117)
12	02/21/06	(468276)
13	03/20/06	(468277)
14	07/27/06	(483687)
15	07/26/06	(484018)
16	07/26/06	(484019)
17	07/28/06	(484021)
18	09/21/06	(489166)
19	09/11/06	(489225)
20	08/10/06	(497294)
21	04/24/06	(498092)
22	05/22/06	(498093)
23	06/22/06	(498094)
24	06/22/06	(498095)
25	08/18/06	(509390)
26	09/22/06	(511416)
27	01/19/07	(513430)
28	11/18/06	(515852)
29	11/14/06	(515867)
30	12/12/06	(515914)
31	03/18/09	(516007)
32	11/30/06	(519280)
33	11/30/06	(519476)
34	07/17/06	(520112)
35	08/21/06	(520113)
36	11/27/06	(531085)
37	01/19/07	(532314)
38	12/11/06	(533458)
39	02/14/07	(535407)
40	02/14/07	(535431)
41	02/14/07	(537204)
42	03/30/07	(538598)
43	03/30/07	(538639)
44	02/28/07	(539164)
45	03/21/07	(543226)
46	05/04/07	(543280)
47	10/24/06	(544371)
48	11/15/06	(544372)
49	06/19/07	(556679)
50	05/21/07	(558462)
51	05/21/07	(558475)
52	05/31/07	(558479)
53	05/31/07	(558487)
54	07/06/07	(561820)
55	07/06/07	(563442)
56	07/06/07	(564834)
57	07/24/07	(564898)
58	08/16/07	(570339)

59	08/06/07	(571035)
60	08/06/07	(571036)
61	08/29/07	(571493)
62	10/24/07	(573702)
63	10/15/07	(573833)
64	10/15/07	(573835)
65	10/15/07	(573836)
66	10/15/07	(573862)
67	02/27/07	(575107)
68	03/19/07	(575108)
69	04/24/07	(575109)
70	05/21/07	(575110)
71	06/22/07	(575111)
72	04/24/07	(575112)
73	01/22/07	(575113)
74	11/01/07	(593551)
75	11/20/07	(596165)
76	11/20/07	(596220)
77	11/20/07	(596223)
78	11/26/07	(596817)
79	11/12/07	(598319)
80	11/06/07	(598961)
81	12/27/07	(600710)
82	07/20/07	(601548)
83	08/22/07	(601549)
84	12/11/06	(601550)
85	01/14/08	(611160)
86	02/29/08	(614580)
87	02/29/08	(614800)
88	01/30/08	(616600)
89	02/29/08	(618536)
90	10/17/07	(619454)
91	10/17/07	(619455)
92	11/15/07	(619456)
93	02/25/08	(636532)
94	02/27/08	(637150)
95	05/05/08	(637371)
96	04/07/08	(638797)
97	04/29/08	(639047)
98	04/29/08	(639051)
99	04/29/08	(639053)
100	04/29/08	(639054)
101	04/29/08	(639063)
102	04/24/08	(641272)
103	04/09/08	(641396)
104	04/08/08	(641496)
105	05/14/08	(646375)
106	05/08/08	(654390)
107	02/20/08	(671963)
108	02/26/08	(671964)
109	01/23/08	(671965)
110	01/09/08	(671966)
111	01/23/08	(671967)
112	07/10/08	(679904)
113	07/17/08	(679912)
114	05/30/08	(680544)
115	07/31/08	(684037)
116	07/30/08	(684455)
117	07/31/08	(684459)

118	07/30/08	(684462)
119	08/25/08	(685145)
120	07/08/08	(685566)
121	09/04/08	(689152)
122	05/22/08	(689883)
123	10/08/08	(699998)
124	08/27/08	(700966)
125	02/27/09	(707353)
126	06/30/08	(710658)
127	07/18/08	(710659)
128	08/20/08	(710660)
129	10/29/08	(710661)
130	01/09/09	(722874)
131	02/18/09	(722915)
132	02/03/09	(723099)
133	02/03/09	(723109)
134	02/03/09	(723183)
135	02/03/09	(723186)
136	11/24/08	(727427)
137	11/24/08	(727428)
138	12/19/08	(727429)
139	02/23/09	(735783)
140	02/23/09	(735787)
141	04/15/09	(737172)
142	04/06/09	(741334)
143	05/14/09	(743500)
144	06/03/09	(743535)
145	06/19/09	(745946)
146	06/19/09	(745949)
147	06/19/09	(745951)
148	06/04/09	(745987)
149	07/29/09	(746225)
150	05/21/09	(746537)
151	07/08/09	(747777)
152	07/08/09	(747783)
153	07/08/09	(747790)
154	07/16/09	(749872)
155	02/17/09	(750185)
156	03/23/09	(750186)
157	01/26/09	(750187)
158	08/28/09	(760791)
159	07/20/09	(762824)
160	09/10/09	(763138)
161	05/22/09	(768296)
162	09/28/09	(777636)
163	11/05/09	(778327)
164	10/26/09	(780014)
165	11/18/09	(782004)
166	11/19/09	(782655)
167	01/27/10	(783108)
168	12/23/09	(784451)
169	12/17/09	(784608)
170	12/17/09	(784609)
171	12/17/09	(784610)
172	12/10/09	(785055)
173	12/17/09	(785417)
174	01/27/10	(785498)
175	01/27/10	(785535)
176	02/19/10	(789706)

177	04/21/10	(794614)
178	03/22/10	(794770)
179	08/21/10	(797946)
180	05/07/10	(799026)
181	05/07/10	(799029)
182	04/21/10	(799036)
183	04/21/10	(799039)
184	04/21/10	(799044)
185	05/20/10	(801097)
186	02/22/10	(804461)
187	06/22/09	(804462)
188	07/21/09	(804463)
189	08/21/09	(804464)
190	07/21/09	(804465)
191	10/21/09	(804466)
192	11/24/09	(804467)
193	12/23/09	(804468)
194	01/21/10	(804469)
195	06/22/10	(824493)
196	07/21/10	(824498)
197	07/21/10	(824542)
198	06/14/10	(827039)
199	07/21/10	(829522)
200	03/18/10	(830810)
201	04/19/10	(830811)
202	05/21/10	(830812)
203	06/21/10	(846244)
204	08/21/10	(849559)
205	08/11/10	(866804)
206	08/18/10	(866805)
207	11/17/10	(870942)
208	11/04/10	(871105)
209	10/28/10	(871197)
210	10/28/10	(871204)
211	11/15/10	(871410)
212	11/04/10	(871712)
213	11/12/10	(872445)
214	11/12/10	(873070)
215	08/31/10	(873877)
216	12/01/10	(878665)
217	01/06/11	(878898)
218	08/18/10	(881478)
219	12/27/10	(884783)
220	02/03/11	(885236)
221	02/02/11	(885247)
222	01/18/11	(885987)
223	01/03/11	(886798)
224	01/19/11	(887395)
225	11/12/10	(888009)
226	02/01/11	(892449)
227	12/20/10	(896211)

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

Date 09/30/2006 (544371)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date 03/31/2007 (575109)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date 04/02/2007 (538639)
 Self Report? NO Classification: Minor
 Citation: 1295 Special Condition II-7 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP 2292 SC 10 OP
 Description: Failure to properly operate and maintain the Abator oxygen analyzer.
 Self Report? NO Classification: Minor
 Citation: 1295 Special Condition IV-5 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP 2292 Special Condition 10 OP
 Description: Failure to maintain the NOx concentration above 175 parts per million as required.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP O-02292 Special Condition 17A OP
 FOP O-02293 Special Condition 18A OP
 Description: Failure to comply with the FOP condition to comply with the Stratospheric Ozone Requirements as required by 40 CFR 82.156.
 Self Report? NO Classification: Moderate
 Citation: 19950 Special Condition 10(A) PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP 2293 Special Condition 10 OP
 Description: Failure to perform daily audible, visual, and olfactory observations in the Boron Trifluoride area.
 Self Report? NO Classification: Moderate
 Citation: 19366 Special Condition 7(B) PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 FOP 1354 Special Condition 11 OP
 Description: Failure to calibrate the fugitive emissions monitor in accordance with the manufacturer's recommendations.
 Date 04/30/2007 (575110)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date 07/30/2007 (534674)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to comply with TCEQ Permit No. 18897, General Conditions, which is in violation of 30 TAC §116.715(c)(9). Specifically, Western failed to identify all emission points involved in the emissions event, as required by 30 TAC §101.201(b)(1).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to comply with TCEQ Permit No. 18897, General Conditions, which is in violation of 30 TAC §116.715(c)(9). Specifically, Western failed to provide the compound descriptive type of all individually listed compounds or mixtures of air contaminants from all emission points involved in the emissions event, as required by 30 TAC §101.201(b)(1)(G).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(7)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to comply with TCEQ Permit No. 18897, Special Condition No.1, which is in violation of 30 TAC §116.715(c)(7). Specifically, Western exceeded the Sulfur Dioxide (SO2) emission limit of 227 pounds per hour (lbs/hr).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 Description: Failure to comply with Federal Operating Permit No. O-01264, Special Condition No.19. Specifically, Western failed to meet the conditions of TCEQ Permit No.18897, as required by 30 TAC §122.143(4).

Date 08/17/2007 (570339) CN602761413

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01173 General Terms and Conditions OP
FOP O-02201 General Terms and Conditions OP

Description: Failure to submit the semi-annual deviation reports within 30 days of the reporting period for FOPs O-02201 and O-01173.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart H 63.167
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02201 General Terms and Conditions OP
FOP O-02201 Special Condition 1A OP
FOP O-02201 Special Condition 26 OP
Permit 18838 Special Condition 14E PERMIT
Permit 18838 Special Condition 6 PERMIT

Description: Failure to replace two plugs on open ended lines in VOC service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart H 63.181(a)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02201 Special Condition 1A OP
FOP O-02201 Special Condition 26 OP
Permit 18838 Special Condition 6 PERMIT

Description: Failure to properly document criteria to determine leaks from dual sealed pumps based on design or operational experience.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.354(2)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 63, Subpart H 63.168
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01173 Special Condition 1A OP
FOP O-01173 Special Condition 20 OP
FOP O-02201 Special Condition 1A OP
FOP O-02201 Special Condition 26 OP
Permit 18838 Special Condition 14F PERMIT
Permit 18838 Special Condition 6 PERMIT
Permit 7799 Special Condition 18F PERMIT

Description: Failure to conduct quarterly monitoring of components in VOC service at several units during the deviation reporting periods for FOPs O-02201 and O-01173.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02201 General Terms and Conditions OP

Description: Failure to properly notify the TCEQ of Permits By Rule claimed by the company within 10 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.426(1)(B)
30 TAC Chapter 115, SubChapter E 115.426(1)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01173 General Terms and Conditions OP
FOP O-01173 Special Condition 1A OP

Description: Failure to maintain records in sufficient detail to demonstrate compliance with the 3 pounds of VOC per hour limit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01173 General Terms and Conditions OP
FOP O-01173 Special Condition 1A OP

Description: Failure to monitor 107 connectors within 30 days of being placed in VOC service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-01173 General Terms and Conditions OP
FOP O-01173 Special Condition 1A OP

Description: Failure to make a first attempt at repair within 5 days and repair within 15 days for one component.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(B)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02201 General Terms and Conditions OP

Description: Failure to provide notification of a deviation. A deviation for the failure to monitor 1,661 valves was made in the semi-annual deviation report for FOP O-01173, but should have been reported in the semi-annual deviation report for FOP O-02201.

Date 08/31/2007 (575112)
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date 01/15/2008 (611160)
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)
O-02292, General Terms and Conditions OP
O-02292, Special Condition 10 OP
Permit 1295, Special Condition I-12 PERMIT
Description: Failure to submit a permit alteration request identifying pressure drops for the catalyst unit baghouses by June 30, 2007, as required by Permit 1295, Special Condition I-12.

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)
O-01354, General Terms and Conditions OP
O-01354, Special Condition 11 OP
Permit 19366, Special Condition 6A PERMIT
Description: Failure to sample the carbon adsorber at least quarterly to determine whether breakthrough of volatile organic compounds was occurring, as required by Special Condition 6A of permit 19366.

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)
O-01354, General Terms and Conditions OP
O-01354, Special Condition 11 OP
Permit 19366, Special Condition 6C PERMIT
Description: Failure to replace the carbon canister within two years of the date the canister was placed in service, as required by Special Condition 6C of Permit 19366.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
O-01354, General Terms and Conditions OP
Description: Failure to report a deviation (failure to replace the carbon canister within two years of the date the canister was placed in service) during the semi-annual reporting period of April 18, 2006, through October 17, 2006).

Date 05/31/2008 (710658)
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 07/11/2008 (679904) CN602761413

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.27(b)
5C THSC Chapter 382 382.085(b)
Description: Failure to return the emissions/inspection fees basis form within 60 days of the date of receipt from the agency.

Self Report? NO Classification: Minor
Citation: 18838, PSD-TX-843, Special Condition 15F PERMIT
18838, PSD-TX-843, Special Condition 6 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THSC Chapter 382 382.085(b)
O-02201, General Terms and Conditions OP
O-02201, Special Condition 13 OP
O-02201, Special Condition 1A OP
O-02201, Special Condition 26 OP
Description: Failure to monitor 2 valves and 38 flanges during the first quarter of 2007.

Self Report? NO Classification: Minor
Citation: 18838, PSD-TX-843, Special Condition 15E PERMIT
18838, PSD-TX-843, Special Condition 6 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
O-02201, General Terms and Conditions OP
O-02201, Special Condition 13 OP
O-02201, Special Condition 1A OP
O-02201, Special Condition 26 OP
Description: Failure to operate, on two separate occasions, a line in volatile organic compound service equipped with a cap, blind flange, or plug.

Self Report? NO Classification: Minor
Citation: 18838, PSD-TX-843, Special Condition 15H PERMIT
18838, PSD-TX-843, Special Condition 6 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)
O-02201, General Terms and Conditions OP
O-02201, Special Condition 13 OP
O-02201, Special Condition 1A OP
O-02201, Special Condition 26 OP
Description: Failure to repair 1 connector within 15 days of discovery of a leak.

Self Report? NO Classification: Minor
Citation: 18838, PSD-TX-843, Special Condition 6 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.100
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)
O-02201, General Terms and Conditions OP
O-02201, Special Condition 13 OP
O-02201, Special Condition 1A OP
O-02201, Special Condition 26 OP
Description: Failure to make a first attempt at repair on three leaking valves and four connectors in the Paraxylene Unit no later than five calendar days after the leak was found.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.27(b)
5C THSC Chapter 382 382.085(b)
Description: Failure to return the emissions/inspection fees basis form within 60 days of the date of receipt from the agency.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
5C THSC Chapter 382 382.085(b)
Description: Failure to monitor two valves and two flanges within 30 days of being placed into service.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.560
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)
5C THSC Chapter 382 382.085(b)
O-01173, General Terms and Conditions OP
O-01173, Special Condition 17 OP
O-01173, Special Condition 1A OP
Description: Failure to make a first attempt at repair on three leaking valves no later than five calendar days after the leak was found.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
7799, PSD-TX-860, Special Condition 12B PERMIT
O-01173, General Terms and Conditions OP
O-01173, Special Condition 1A OP
O-01173, Special Condition 20 OP
Description: Failure to conduct the fourth quarter, 2007, Cylinder Gas Audit at the EH47 boiler carbon monoxide continuous emissions monitor.
Date 12/31/2008 (750187)

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date 02/18/2009 (722915)

Self Report? NO Classification: Minor
Citation: 1295 Special Condition I-12 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02292, General Terms and Conditions OP
O-02292, Special Condition 10 OP
Description: Failure to record the differential pressure across each baghouse at the Catalyst Unit at least once per day.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02293, General Terms and Conditions OP
O-02293, Special Condition 12 OP
Description: Failure to submit a Form PI-7 by March 31, 2006, summarizing all uses of Permit by Rule 106.261 in 2005.

Date 02/28/2009 (750186)
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date 05/31/2009 (804462)
 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 07/29/2009 (746225) CN602761413
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(5)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Description: Failure to provide required information in a deviation report.
 Date 08/31/2009 (804465)
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date 05/21/2010 (801097) CN602761413
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 1 PERMIT
 Special Condition 26 OP
 Description: Failure to prevent the occurrence of unauthorized emissions at the water treating unit.
 Date 05/31/2010 (846244)
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date 06/30/2010 (866804)
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date 08/23/2010 (797946)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01173 OP
 O-02201 OP
 Description: Failure to monitor components within 30 days of being placed in volatile organic compound service.
 Date 11/16/2010 (871410) CN602761413
 Self Report? NO Classification: Minor
 Citation: 1295, Special Condition IV-9 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 10 OP
 Description: Failure to conduct ammonia grab sampling of the ERS Train B in the 2nd quarter of 2010.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Condition 10 OP
 Special Condition II-5 PERMIT
 Description: Failure to direct all vent streams through the abator when the calciner vapor space temperature reaches 280 degrees.
 Date 11/30/2010 (896211)
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

Notice of Intent Date: 01/19/2007 (541324)
No DOV Associated

Notice of Intent Date: 04/18/2008 (681804)
Disclosure Date: 04/27/2009

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)

Rqmt PERMIT Permit 18838
PERMIT Permit 7799

Description: Failure to identify 26 valves; 63 connectors; and 2 relief valves.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1025(b)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)

Rqmt PERMIT Permit 18838
PERMIT Permit 7799

Description: Failure to complete quarterly monitoring for 26 new valves, 2 new PRVs, 63 connectors, 131 valves, and 613 connectors.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(11)

Description: Failure to monitor 63 connectors within 30 days of being place in VOC service.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(i)(2)

Description: Failure to meet the 3% difficult to monitor limit in a unit.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(7)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(7)(ii)

Rqmt PERMIT Permit 18838
PERMIT Permit 7799

Description: Failure to provide adequate explanation for some difficult to monitor components in accordance with HON requirements.

Notice of Intent Date: 07/21/2009 (765010)
Disclosure Date: 01/21/2010

Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain proper authorization to operate.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EXXONMOBIL OIL
CORPORATION DBA MOBIL
CHEMICAL COMPANY
RN100542844**

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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2011-0300-IWD-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 EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY ("the Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petrochemical plant authorized to treat and discharge wastewater located at 2775 Gulf States Utility Road in Beaumont, Jefferson County, Texas (the "Facility").
2. The Respondent has discharged industrial waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
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 January 11, 2011.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Twenty-Three Thousand Nine Hundred Dollars (\$23,900) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Nine Thousand Five Hundred Sixty Dollars (\$9,560) of the administrative penalty and Four Thousand Seven Hundred Eighty Dollars (\$4,780) 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. Nine Thousand Five Hundred Sixty Dollars (\$9,560) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that by March 31, 2010, the Respondent completed a Wet Effects Ratio ("WER") study at the Facility and based on the results of the WER study, on July 16, 2010, a permit amendment was submitted to the TCEQ proposing revised total zinc limits.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have failed to comply with permitted effluent limits, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000462000 Effluent Limitations and Monitoring Requirements No. 1, as documented during a record review conducted on November 23, 2010 and shown in the following table:

EFFLUENT VIOLATION TABLE		
Months	Total Zinc Daily Avg. Conc.	Total Zinc Daily Max. Conc.
	Limit = 0.249 mg/L	Limit = 0.527 mg/L
May 2010	0.462	0.630
June 2010	0.884	0.884

Avg. = average Max. = maximum mg/L = milligrams per Liter
Conc. = concentration

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: EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY, Docket No. 2011-0300-IWD-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, Nine Thousand Five Hundred Sixty Dollars (\$9,560) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that, within 270 days after the effective date of this Agreed Order, the Respondent shall submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0000462000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the

most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations which are in effect at the time of certifying compliance. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility 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.

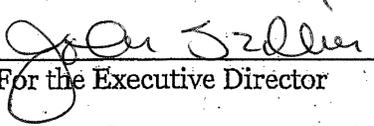
The determination of what constitutes good cause rests solely with the Executive Director.

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

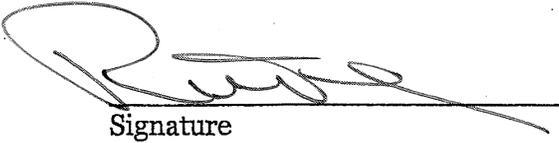
7/6/2011
Date

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

April 29, 2011
Date

ROBERT W TULLY
Name (Printed or typed)
Authorized Representative of
EXXONMOBIL OIL CORPORATION
dba MOBIL CHEMICAL COMPANY

PLANT MANAGER
Title

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

Attachment A
Docket Number: 2011-0300-IWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

The Respondent: EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY

Penalty Amount: Nineteen Thousand One Hundred Twenty Dollars (\$19,120)

SEP Offset Amount: Nine Thousand Five Hundred Sixty Dollars (\$9,560)

Type of SEP: Pre-approved SEP

Third-Party Recipient: Jefferson County Government *Cheek Community First Time Sewer Service for Low Income Home Owners*

Location of SEP: Jefferson County

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

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Jefferson County Government** to be used for the *Cheek Community First Time Sewer Service for Low Income Home Owners* project. Specifically, SEP monies will be used to provide first time sewer service for low-income residential customers in the Candlelight and Martel Subdivisions (Cheek Community) located in the western area of Jefferson County. This area has open sewage pits or poorly maintained septic systems which are a hazard to human health and the environment. SEP Funds will be used to install wastewater infrastructure and a low pressure sewer system consisting of grinder pump stations located at each home. The project will be administered in accordance with federal, state, and local environmental laws and regulations.

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

EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY
Agreed Order - Attachment A

B. Environmental Benefit

The wastewater portion of this SEP will provide a discernible environmental benefit by preventing the release of sewage into the environment. Raw sewage can carry bacteria, viruses, protozoa (parasitic organisms), helminthes (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis (causing stomach cramps and diarrhea) to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. People can be exposed through:

- Sewage in drinking water sources.
- Direct contact in areas of public access such as in lawns or streets, or waters used for recreation.
- Shellfish harvested from areas contaminated by raw sewage.
- Inhalation and skin absorption.

Sewage overflows may cause damage to the environment. A key concern with sewage overflows is the effect on rivers, lakes, streams, or aquifer systems. In addition to potential spread of disease, sewage in the environment contributes excess nutrients, metals, and toxic pollutants that contaminate water quality, cause excess algae blooms, and kill fish and other organisms in aquatic habitats.

The drinking water portion of this project will protect water sources for drinking, recreation and wildlife from contamination from the failing treatment systems, and protect public health from contaminated drinking water supplies.

C. Minimum Expenditure

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

2. Performance Schedule

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

Jefferson County Auditor's Office
Attention: Eva Collier
1149 Pearl Street 7th Floor
Beaumont Texas 77701

3. Records and Reporting

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

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

4. Failure to Fully Perform

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

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

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

5. Publicity

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

6. Clean Texas Program

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

EXXONMOBIL OIL CORPORATION dba MOBIL CHEMICAL COMPANY
Agreed Order – Attachment A

recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

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