

Executive Summary – Enforcement Matter – Case No. 43842
Equistar Chemicals, LP
RN100542281
Docket No. 2012-0665-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Channelview Complex, 8280 Sheldon Road, Channelview, Harris County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: August 31, 2012

Comments Received: No

Penalty Information

Total Penalty Assessed: \$25,000

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$12,500

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$12,500

Name of SEP: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: \$18,750

Applicable Penalty Policy: September 2011

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Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: October 25, 2011 to November 9, 2011

Date(s) of NOE(s): February 27, 2012

Violation Information

Failed to prevent unauthorized emissions. Since this emissions event was caused by a sudden loss of steam and Respondent did not have a backup steam supply, Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Permit No. 1768, Special Conditions No. 1, Federal Operating Permit No. O1426, Special Terms and Conditions No. 28, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

Respondent has worked diligently with its external steam supplier to address performance issues and to improve reliability of the steam supply by submitting several design and work practice corrective action recommendations to prevent recurrence of emissions events due to the same cause as Incident No. 160864. The external steam supplier was in agreement with Respondent's corrective action recommendations on December 2, 2011.

Technical Requirements:

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

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Kimberly Morales, Enforcement Division, Enforcement Team 5, MC R-12, (713) 422-8938; Debra Barber, Enforcement Division, MC 219, (512) 239-0412

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

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Equistar Chemicals, LP
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Docket No. 2012-0665-AIR-E

Respondent: Michael Van Der Snick, Site Manager, Equistar Chemicals, LP, 8280 Sheldon Road, Channelview, Texas 77530

Respondent's Attorney: N/A

Attachment A
Docket Number: 2012-0665-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Equistar Chemicals, LP
Payable Penalty Amount:	Twenty-Five Thousand Dollar (\$25,000)
SEP Amount:	Twelve Thousand Five Hundred Dollars (\$12,500)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Texas Air Quality Control Region 216 – Houston-Galveston

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for 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

Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Houston-Galveston AERCO** for the **Clean Cities/Clean Vehicles Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration’s Congestion Mitigation/Air Quality Funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the Environmental Protection Agency (“EPA”). SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate

Equistar Chemicals, LP
Agreed Order - Attachment A

matter filters, nitrogen oxides reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the EPA or the California Air Resources Board.

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 particulate emissions of buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

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, Respondent must contribute the SEP amount to the Third-Party Recipient. Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP amount, 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. 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 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:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

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 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

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, 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 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 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	27-Feb-2012	Screening	23-Mar-2012	EPA Due	
	PCW	23-Mar-2012				

RESPONDENT/FACILITY INFORMATION

Respondent	Equistar Chemicals, LP		
Reg. Ent. Ref. No.	RN100542281		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	43842	No. of Violations	1
Docket No.	2012-0665-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

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 37 NOVs with same/similar violations, 34 NOVs with dissimilar violations, seven orders with denial of liability, one order without denial of liability, two court orders with denial of liability, and repeat violator classification. Reduction for 11 notices of intent to conduct an audit and six 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 indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes
 No deferral is recommended for Findings Orders.

PAYABLE PENALTY

Screening Date 23-Mar-2012

Docket No. 2012-0665-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 3 (September 2011)

Case ID No. 43842

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator Kimberly Morales

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>)	37	185%
	Other written NOVs	34	68%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	7	140%
	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 judgments or consent decrees meeting criteria</i>)	2	60%
	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%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 455%

>> Repeat Violator (Subtotal 3)

Yes

Adjustment Percentage (Subtotal 3) 25%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for 37 NOVs with same/similar violations, 34 NOVs with dissimilar violations, seven orders with denial of liability, one order without denial of liability, two court orders with denial of liability, and repeat violator classification. Reduction for 11 notices of intent to conduct an audit and six disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 480%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 23-Mar-2012
Respondent Equistar Chemicals, LP
Case ID No. 43842
Reg. Ent. Reference No. RN100542281
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Docket No. 2012-0665-AIR-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Permit No. 1768, Special Conditions No. 1, Federal Operating Permit No. O1426, Special Terms and Conditions No. 28, and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to prevent unauthorized emissions. Specifically, the Respondent released 18,924.17 pounds ("lbs") of carbon monoxide, 4,647.38 lbs of volatile organic compounds, and 2,219.04 lbs of nitrogen oxides from the OP-1 Flare, Emissions Point Number 38E01, during an emissions event (Incident No. 160864) that began on October 20, 2011 and lasted 23 hours. The emissions event occurred when an external steam supplier experienced electrical failure resulting in a loss of steam to the Plant. Since this emissions event was caused by a sudden loss of steam and the Respondent did not have a backup steam supply, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="100.0%"/>
Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="0.0%"/>

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment

Violation Events

Number of Violation Events Number of violation days

mark only one with an x	daily	<input checked="" type="checkbox"/>
	weekly	<input type="checkbox"/>
	monthly	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>

Violation Base Penalty

One daily event is recommended.

Good Faith Efforts to Comply

Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	<input type="checkbox"/>	(mark with x)

Notes

The Respondent completed corrective actions on December 2, 2011, prior to the February 27, 2012 NOE.

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 43842
Req. Ent. Reference No. RN100542281
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	20-Oct-2011	2-Dec-2011	0.12	\$29	n/a	\$29

Notes for DELAYED costs

Estimated expense to implement measures and procedures designed to prevent a loss of steam to the plant. The Date Required is the date of the emissions event. The Final Date is the date that corrective actions were completed.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$29

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600124705	Equistar Chemicals, LP	Classification: AVERAGE	Rating: 4.91
Regulated Entity:	RN100542281	CHANNELVIEW COMPLEX	Classification: AVERAGE	Site Rating: 9.80
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER		HG0033B
	AIR OPERATING PERMITS	PERMIT		1426
	AIR OPERATING PERMITS	PERMIT		2174
	AIR OPERATING PERMITS	PERMIT		2175
	AIR OPERATING PERMITS	PERMIT		2176
	AIR OPERATING PERMITS	PERMIT		2177
	AIR OPERATING PERMITS	PERMIT		2178
	AIR OPERATING PERMITS	PERMIT		2179
	AIR OPERATING PERMITS	PERMIT		2180
	AIR OPERATING PERMITS	PERMIT		2181
	AIR OPERATING PERMITS	PERMIT		2182
	AIR OPERATING PERMITS	PERMIT		2183
	AIR OPERATING PERMITS	PERMIT		2184
	AIR OPERATING PERMITS	PERMIT		2185
	POLLUTION PREVENTION PLANNING	ID NUMBER		P00405
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID		TXD058275769
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)		30030
	INDUSTRIAL AND HAZARDOUS WASTE	PERMIT		50117
	WASTEWATER	PERMIT		WQ0000391000
	WASTEWATER	EPA ID		TX0003531
	AIR NEW SOURCE PERMITS	REGISTRATION		93432
	AIR NEW SOURCE PERMITS	REGISTRATION		93977
	AIR NEW SOURCE PERMITS	PERMIT		1768
	AIR NEW SOURCE PERMITS	PERMIT		2128
	AIR NEW SOURCE PERMITS	PERMIT		2933
	AIR NEW SOURCE PERMITS	PERMIT		2936
	AIR NEW SOURCE PERMITS	PERMIT		3130A
	AIR NEW SOURCE PERMITS	PERMIT		3294
	AIR NEW SOURCE PERMITS	PERMIT		6245
	AIR NEW SOURCE PERMITS	PERMIT		6387
	AIR NEW SOURCE PERMITS	PERMIT		8125
	AIR NEW SOURCE PERMITS	REGISTRATION		10586
	AIR NEW SOURCE PERMITS	REGISTRATION		10700

AIR NEW SOURCE PERMITS	REGISTRATION	10812
AIR NEW SOURCE PERMITS	REGISTRATION	11735
AIR NEW SOURCE PERMITS	REGISTRATION	12334
AIR NEW SOURCE PERMITS	REGISTRATION	13849
AIR NEW SOURCE PERMITS	REGISTRATION	15348
AIR NEW SOURCE PERMITS	REGISTRATION	12341
AIR NEW SOURCE PERMITS	PERMIT	22779
AIR NEW SOURCE PERMITS	REGISTRATION	23079
AIR NEW SOURCE PERMITS	PERMIT	24677
AIR NEW SOURCE PERMITS	PERMIT	24887
AIR NEW SOURCE PERMITS	REGISTRATION	30868
AIR NEW SOURCE PERMITS	REGISTRATION	32136
AIR NEW SOURCE PERMITS	REGISTRATION	32629
AIR NEW SOURCE PERMITS	REGISTRATION	33899
AIR NEW SOURCE PERMITS	REGISTRATION	34897
AIR NEW SOURCE PERMITS	REGISTRATION	42948
AIR NEW SOURCE PERMITS	REGISTRATION	47487
AIR NEW SOURCE PERMITS	REGISTRATION	50141
AIR NEW SOURCE PERMITS	REGISTRATION	50142
AIR NEW SOURCE PERMITS	REGISTRATION	50165
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0033B
AIR NEW SOURCE PERMITS	REGISTRATION	52720
AIR NEW SOURCE PERMITS	REGISTRATION	54098
AIR NEW SOURCE PERMITS	REGISTRATION	88680
AIR NEW SOURCE PERMITS	REGISTRATION	76017
AIR NEW SOURCE PERMITS	REGISTRATION	75881
AIR NEW SOURCE PERMITS	REGISTRATION	76313
AIR NEW SOURCE PERMITS	AFS NUM	4820100075
AIR NEW SOURCE PERMITS	PERMIT	49120
AIR NEW SOURCE PERMITS	PERMIT	49130
AIR NEW SOURCE PERMITS	REGISTRATION	74110
AIR NEW SOURCE PERMITS	REGISTRATION	73859
AIR NEW SOURCE PERMITS	REGISTRATION	72948
AIR NEW SOURCE PERMITS	REGISTRATION	72946
AIR NEW SOURCE PERMITS	REGISTRATION	74051
AIR NEW SOURCE PERMITS	REGISTRATION	74563
AIR NEW SOURCE PERMITS	REGISTRATION	74181
AIR NEW SOURCE PERMITS	REGISTRATION	74944
AIR NEW SOURCE PERMITS	REGISTRATION	74949

AIR NEW SOURCE PERMITS	REGISTRATION	76778
AIR NEW SOURCE PERMITS	REGISTRATION	76791
AIR NEW SOURCE PERMITS	REGISTRATION	77318
AIR NEW SOURCE PERMITS	REGISTRATION	77619
AIR NEW SOURCE PERMITS	REGISTRATION	77640
AIR NEW SOURCE PERMITS	REGISTRATION	76693
AIR NEW SOURCE PERMITS	REGISTRATION	78024
AIR NEW SOURCE PERMITS	REGISTRATION	78069
AIR NEW SOURCE PERMITS	REGISTRATION	78128
AIR NEW SOURCE PERMITS	REGISTRATION	78108
AIR NEW SOURCE PERMITS	REGISTRATION	77631
AIR NEW SOURCE PERMITS	REGISTRATION	78278
AIR NEW SOURCE PERMITS	REGISTRATION	78343
AIR NEW SOURCE PERMITS	REGISTRATION	78191
AIR NEW SOURCE PERMITS	REGISTRATION	78252
AIR NEW SOURCE PERMITS	REGISTRATION	78560
AIR NEW SOURCE PERMITS	REGISTRATION	78173
AIR NEW SOURCE PERMITS	REGISTRATION	78197
AIR NEW SOURCE PERMITS	REGISTRATION	78772
AIR NEW SOURCE PERMITS	REGISTRATION	78381
AIR NEW SOURCE PERMITS	REGISTRATION	78819
AIR NEW SOURCE PERMITS	REGISTRATION	79261
AIR NEW SOURCE PERMITS	REGISTRATION	79431
AIR NEW SOURCE PERMITS	REGISTRATION	79460
AIR NEW SOURCE PERMITS	REGISTRATION	78599
AIR NEW SOURCE PERMITS	REGISTRATION	78978
AIR NEW SOURCE PERMITS	REGISTRATION	80296
AIR NEW SOURCE PERMITS	REGISTRATION	80137
AIR NEW SOURCE PERMITS	REGISTRATION	80914
AIR NEW SOURCE PERMITS	REGISTRATION	80689
AIR NEW SOURCE PERMITS	REGISTRATION	80597
AIR NEW SOURCE PERMITS	REGISTRATION	81543
AIR NEW SOURCE PERMITS	REGISTRATION	81190
AIR NEW SOURCE PERMITS	REGISTRATION	81189
AIR NEW SOURCE PERMITS	REGISTRATION	81759
AIR NEW SOURCE PERMITS	REGISTRATION	81636
AIR NEW SOURCE PERMITS	REGISTRATION	81630
AIR NEW SOURCE PERMITS	REGISTRATION	82226

AIR NEW SOURCE PERMITS	REGISTRATION	81716
AIR NEW SOURCE PERMITS	REGISTRATION	81930
AIR NEW SOURCE PERMITS	REGISTRATION	82538
AIR NEW SOURCE PERMITS	REGISTRATION	84818
AIR NEW SOURCE PERMITS	REGISTRATION	90128
AIR NEW SOURCE PERMITS	REGISTRATION	95323
AIR NEW SOURCE PERMITS	REGISTRATION	90882
AIR NEW SOURCE PERMITS	REGISTRATION	87006
AIR NEW SOURCE PERMITS	REGISTRATION	95981
AIR NEW SOURCE PERMITS	REGISTRATION	84079
AIR NEW SOURCE PERMITS	REGISTRATION	84091
AIR NEW SOURCE PERMITS	PERMIT	83799
AIR NEW SOURCE PERMITS	REGISTRATION	84183
AIR NEW SOURCE PERMITS	REGISTRATION	84715
AIR NEW SOURCE PERMITS	REGISTRATION	84149
AIR NEW SOURCE PERMITS	REGISTRATION	84502
AIR NEW SOURCE PERMITS	REGISTRATION	84076
AIR NEW SOURCE PERMITS	REGISTRATION	84651
AIR NEW SOURCE PERMITS	REGISTRATION	84381
AIR NEW SOURCE PERMITS	REGISTRATION	85308
AIR NEW SOURCE PERMITS	REGISTRATION	99088
AIR NEW SOURCE PERMITS	REGISTRATION	101438
AIR NEW SOURCE PERMITS	EPA ID	N142
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1270
AIR NEW SOURCE PERMITS	REGISTRATION	99419
AIR NEW SOURCE PERMITS	PERMIT	99167
AIR NEW SOURCE PERMITS	EPA ID	N146
AIR NEW SOURCE PERMITS	REGISTRATION	98423
AIR NEW SOURCE PERMITS	REGISTRATION	99663
AIR NEW SOURCE PERMITS	EPA ID	N140
AIR NEW SOURCE PERMITS	EPA ID	N144
AIR NEW SOURCE PERMITS	REGISTRATION	101585
AIR NEW SOURCE PERMITS	REGISTRATION	101590
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1280
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1272
AIR NEW SOURCE PERMITS	REGISTRATION	98647
AIR NEW SOURCE PERMITS	REGISTRATION	96384
UNDERGROUND INJECTION CONTROL	PERMIT	WDW036
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1011578

WATER LICENSING	LICENSE	1011578
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30030
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0033B

Location: 8280 SHELDON ROAD, CHANNELVIEW, HARRIS COUNTY, TEXAS

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: March 22, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 22, 2007 to March 22, 2012

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

Name: Kimberly Morales Phone: (713) 422-8938

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. If YES, when did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2011 Repeat Violator: YES

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: 05/22/2008 ADMINORDER 2007-1230-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: Permit # 2128 SC 1 PA

Description: As evidenced by Findings of Fact No. 3, Equistar failed to prevent unauthorized emissions during an April 4, 2007 emissions event, in violation of Air Permit No. 2128, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

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

Rqmt Prov: TCEQ Air Permit #2933, SC#1 PA

Description: As evidenced by Findings of Fact No. 4, Equistar failed to prevent unauthorized emissions during a January 8, 2007 emissions event, in violation of Air Permit No. 2933, Special Condition No. 1, 30 TEX. ADMIN. CODE §§ 115.722(c)(1) and 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were unauthorized, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

Effective Date: 06/19/2008 ADMINORDER 2007-0493-AIR-E

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)
Rqmt Prov: FOP O-02177 SC 10 OP
FOP O-02177 SC 1A OP
NSR 22779 SC 8(E) PA
Description: Failed to cap 4 open-ended lines.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: FOP O-02177 SC 10 OP
FOP O-02177 SC 1A OP
NSR 22779 SC 6(A) PA
Description: Failed to operate flare within required heat input of 300 Btu/scf.
Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: FOP O-02177 SC 1.J(ii) OP
Description: Failed to report corrective actions within the required time frame.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: FOP O-01277 SC 1.J(ii) OP
Description: Failed to calibrate the Poly Butadiene unit flare analyzer.
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.121
5C THC Chapter 382, SubChapter D 382.085(b)
5C THSC Chapter 382 382.054
Description: Failed to obtain authorization for emissions sources and their associated emissions prior to operation.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: FOP O-02177 SC 10 OP
NSR 49120 SC 1 PA
Description: Failed to comply with permitted emissions limits.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: FOP O-02177 SC 1A OP
Description: Failed to maintain sufficient records to demonstrate continuous compliance with VOC water separator exemption criteria.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: FOP O-02177 SC 10 OP
FOP O-02177 SC 1A OP
NSR 22779 SC 8(I) PA
Description: The Respondent failed to repair a leaking valve during a scheduled shutdown.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.127(b)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: FOP O-02181 SC 1A OP
Description: Failed to use a continuous monitoring recorder on the Methanol Skid (ECULR2MEOH).
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter C 115.244
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 6C(iv) OP
Description: Failed to perform daily inspections of the fuel dispensing facilities.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 6B(ii) OP
FOP O-02181 SC1A OP
Description: Failed to provide proper emissions control for waste material.
Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 7A OP
FOP O-02181 SC1A OP
Description: Failed to comply with restrictions on engine operating hours in an ozone nonattainment area.
Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 1A OP
FOP O-02181 SC 7E OP
Description: Failure to record the start and stop times of diesel pump.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.144(4)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 1A OP
Description: Failed to demonstrate VOC reduction efficiency for the ECUABEAST bio-treatment unit.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to timely conduct flare analyzer calibrations.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to comply with the requirements of malfunction reporting for the wastewater steam stripper (EUTT8802).
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter 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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 1A OP
FOP O-02181 SC 22 OP
NSR 2128 SC 8(E) PA
Description: Failed to equip open ended lines with a cap, blind flange, plug, or a second valve.
Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Terms and Conditions OP
Description: Failed to include PBR claims in a FOP.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02178 SC 10 OP
FOP O-02178 SC 1A OP

NSR 24677 SC 1 PA

Description: Exceeded permitted emissions limits from tank TK-2810.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: FOP O-02178 SC 10 OP

NSR 24677 SC 11F PA

NSR 24677 SC 13 PA

Description: Failed to install rupture disc and pressure gauges on three safety relief valves (EPM F28E00) in the Styrene Maleic Anhydride unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: STC 10 OP

Description: Failed to accurately represent operating temperatures for tote EPN 28E37 in the permit representations.

Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: FOP -02178 SC 10 OP

NSR 24677 SC 9C PA

Description: Failed to perform closed loop cumene sampling.

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.213(a)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: FOP O-02178 SC 1A OP

Description: Failed to maintain continuous records of fuel flow for Heater MSMHT2801B.

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)

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

Rqmt Prov: FOP O-02178 SC 3 OP

Description: Failed to prevent visible emissions from Dust Collector EPN28E29.

Effective Date: 10/01/2008

COURTORDER

Classification: Moderate

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

Description: Failure to control emissions from cooling towers OP1, OP2, and East Plant under MAERT limits.

Classification: Moderate

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

Description: Failure to properly define for cooling towers OP1 and OP2, VOC in the exhaust air from the air stripping system(either ppmv or lb/VOC/gal) at which a leak into cooling water will be assumed.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(A)

Description: Failure to report upset emissions of benzene from cooling towers.

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter A 335.2

30 TAC Chapter 335, SubChapter B 335.43

Description: Unauthorized discharges into the East basin were noted

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failed to prevent unauthorized emissions of 4,380 pounds (lbs) of unspecified volatile organic compounds (VOCs), 1,511 lbs of butadiene, and 1,095 lbs of butene during an emissions event on September 1, 2003 that lasted three minutes.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)

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

Description: Failed to report all individually listed compounds or mixtures of air contaminants in an

emissions event notification. Specifically, VOCs were not speciated.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent the unauthorized release of 173 pounds (lbs) of volatile organic compounds (VOCs), including 30 lbs of Highly Reactive VOCs from the Condensate Pot (D-3655) during an emissions event that began on April 21, 2004 and lasted for 170 hours and 45 minutes.

Classification: Moderate

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

Description: Failed to properly notify the TCEQ of an emissions event that began on July 14, 2004. Specifically, Equistar failed to identify the common name of the facility which incurred the emissions event in the Initial Notification.

Classification: Moderate

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

Rqmt Prov: General Condition No. 8 PERMIT

Description: Failed to comply with permitted emission limits during an emissions event that began on July 14, 2004 and lasted for three hours and 30 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent the unauthorized release of 6,100 pounds of propylene from the Propylene Product Drum (D-4687) during an emissions event that began on June 23, 2004 and lasted for two hours.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent the unauthorized release of 340 lbs of propylene and 17 lbs of propane from a pressure relief valve in Exchanger E-36232 during an emissions event that began on July 14, 2004 and lasted for 3,057 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly notify the TCEQ of an emissions event that began on July 22, 2004. Specifically, Equistar failed to speciate VOCs in the Initial Notification and Final Report.

Classification: Moderate

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

Rqmt Prov: Permit No. 1768, General Condition No. 8 PERMIT
Permit No. 2936, Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emission limits during an emissions event that began on July 22, 2004 and lasted for 200 hours.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 2128, GC No. 8 PERMIT

Description: Failed to prevent a unauthorized emissions of 990 pounds ("lbs") of 1,3 butadiene during an avoidable emissions event that occurred on November 23, 2004 and lasted three minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit #1768, GC #8 PERMIT

Description: Failed to prevent unauthorized emissions of 119.35 pounds (lbs) of benzene and 154.69 lbs of volatile organic compounds during an emissions event that occurred on April 1, 2005 and lasted 200 hours and 30 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Permit #6387, GC #8 PERMIT

Description: Failed to prevent unauthorized emissions of 25 pounds (lbs) of 1,3-butadiene, 603 lbs of N-butane, 1,756 lbs of butene, 155 lbs of isobutane, and 7 lbs of propylene during an emissions event that occurred on May 24, 2005 and lasted 2 hours. These emissions are not permitted. Since this emissions event was avoidable

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 24887, GC #8 PERMIT

Description: Failed to prevent a unauthorized emissions of 1,532 lbs of propylene and 10 lbs of isobutane during an avoidable emissions event that occurred on July 1, 2004 and lasted 4 hours and 54 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 2 PERMIT

Description: Failed to properly seal the end of a lines containing volatile organic compounds ("VOCs") and hazardous air pollutants ("HAPs"). Specifically, VOC and HAP concentrations detected from 10 plugs in the Methyl Tertiary Butyl Ether ("MTBE") and Butadiene ("C4 Recovery") units.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 10E PERMIT

Special Condition 1E PERMIT

Special Condition 2C PERMIT

Description: Failed to equip each open-ended line or valve with a cap, blind flange, plug, or second valve. Specifically, two valves in the East Tank Farm, one line in the Alkylation Unit, and one line in the C4 Recovery Unit were not equipped with a cap, blind flange, plug, or second valve.

Classification: Moderate

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

Rqmt Prov: 2128, SC No.7A PERMIT

Description: Failed to perform monthly monitoring of the East Plant Cooling Tower, Emission Point Number ("EPN") 24E04. Specifically, streams from six headers returning water to the cooling tower to a single monitoring point were combined prior to monitoring, but required to monitor the six headers individually.

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: 2128, SC No. 7B PERMIT

Description: Failed to maintain an emission rate below the allowable emission limit for EPN 24E04. Specifically, a canister sample was taken at Header Number 2 and results revealed emissions were 6.16 lbs per hour ("lbs/hr"), but the permitted limit is 3.23 lbs/hr.

Classification: Moderate

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

Description: Failed to represent the product and process information properly in the renewal application dated August 2004 for Permit No. 24887. Specifically, alkylates were not separated into C5s, C6s, C8s, C9s, and C10s. The alkylates contain 3 to 6% of isopentane and more than 1,102 tons per year is being produced.

Effective Date: 01/28/2010

ADMINORDER 2008-1085-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 1768, SC#1 PA

Description: the Respondent failed to prevent the Superheaters A and B flow elements from collecting moisture which caused the Superheaters to trip on November 24, 2007, resulting in the release of 2,383 pounds of volatile organic compounds, 2,461 pounds of carbon monoxide, and 278 pounds of nitrogen oxides from the Olefins Plant 1 over a three hour period. Since the emission event was avoidable, the demonstrations for affirmative defense in 30 TEX. ADMIN CODE § 101.222 were not met.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition #1 PERMIT
Description: Failure to prevent leak on the wall of Tank 3112 which resulted in unauthorized emissions.

Effective Date: 03/20/2010 ADMINORDER 2008-1474-AIR-E

Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)
5C THSC Chapter 382 382.085(b)
Description: Failure to conduct Extra Ordinary Effort repair attempts within 14 days.

Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: FOP O-2174 General Terms and COnditions OP
Description: LB failed to report all instances of deviations on Deviation Reports.

Classification: Major
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-02174 STC 21 OP
NSR 2933 SC 1 PA
Description: Failure to maintain Regenerative Vent R-4360A emissions within the MAERT.

Effective Date: 07/11/2010 ADMINORDER 2009-1593-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition (SC) #1A OP
Description: Failed to equip the gauge float wells with bolts or fasteners on the covers of the roof openings of Tanks 3111A, 3111B, and 3113, to ensure that the openings are air tight.

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: SC #1 PERMIT
SC #18 OP
Description: Failed to comply with the hourly emission limit of 1.65 lbs/hr for VOCs and 0.14 lbs/hr for 1,3 butadiene intermittently from January 6, 2009 (the date the bankruptcy petition was filed) to present. Specifically, emissions from Regeneration Vent, EPN 3E05, for Reactors R-309 A, R-309 B, and R-309 C, exceeded permitted limits as documented by the results of sampling conducted for six one-hour samples per reactor on December 11 through 12, 2005 and December 31, 2005 and an update provided on May 2

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

Rqmt Prov: No. 6387, Special Condition #3 PERMIT
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,876 lbs of VOCs, including 3,414 lbs of HRVOCs, from Vessel D-1217 in the Methyl Tertiary Butyl Ether Unit during an avoidable emissions event (Incident No. 118631) that began January 8, 2009 and lasted one hour and 30 minutes. The emissions were the result of a liquid filled line being isolated on both ends without proper thermal expansion relief and with used gaskets. Since this emissions event could have been

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions and exceeded the 1,200 lbs per hour ("lbs/hr") emission limit for HRVOCs. Specifically, the Respondent released 6,133 lbs of VOCs, including 5,611 lbs of HRVOCs, 5,502 lbs of CO, and 642 lbs of NOx from the OP1 Flare, emission point number ("EPN")

38E01, in the Olefins 1 Unit during an avoidable emissions event (Incident No. 118546) that began January 7, 2009 and lasted three hours and 50 minutes. The emissions were the result of the plugging of a tube in

Classification: Minor

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

Description: Failed to report the estimated total quantities for the compounds released during Incident No. 118546 in the final emissions event report. Specifically, the Respondent reported only the amount of contaminants that were over the permitted limit, instead of the total amount of contaminants emitted.

Classification: Moderate

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

Rqmt Prov: No. 2933, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 967.37 lbs of carbon monoxide ("CO"), 612 lbs of the highly reactive VOC ("HRVOC") ethylene, and 93.2 lbs of nitrogen oxides ("NOx") during an avoidable emissions event (Incident No. 122734) that began April 13, 2009 and lasted six hours. The deethanizer pressure control valve ("DPCV"), PV-46060, failed to control the tower pressure during an acetylene converter upset and operators were not trained to put the DPCV, P

Classification: Moderate

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

Rqmt Prov: No. 2128, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,371 pounds ("lbs") of volatile organic compounds ("VOC"), including 1,970 lbs of the Hazardous Air Pollutant ("HAP") 1,3-butadiene from Tank 6 in the East Plant Tank Farm during an avoidable emissions event (Incident No. 125702) that began June 17, 2009 and lasted four minutes. A two inch vent nozzle became plugged resulting in an increase in pressure in Tank 6. The Respondent was unable to detect the rise in press

Classification: Minor

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

Description: Failed to submit an administratively complete and accurate final report for Incident No. 125702. Specifically, the final report submitted on June 30, 2009 did not include the permit number for the facility that experienced the upset.

Effective Date: 08/09/2010

ADMINORDER 2009-0263-AIR-E

Classification: Moderate

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

Rqmt Prov: 1768/SC # 1 PERMIT

Description: Failed to comply with the carbon monoxide ("CO") emission limit of 0.05 pounds per hour ("lbs/hr") and the nitrogen oxide ("NOx") emission limit of 6.1 lbs/hr for the Atlas Copco Air Compressor (EPN OP1EN1), in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 1768, Special Condition No. 1, as documented during a record review conducted on January 21, 2009. Specifically, a reference method stack test conducted on December 18, 2007 yielded res

Classification: Moderate

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

Rqmt Prov: TCEQ Permit No. 1768, SC #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,197.3 lbs of VOC, including the following HAPs: 294.3 lbs of 1,3-butadiene, 272.6 lbs of benzene, 122.5 lbs of hexane and 30.4 lbs of toluene and the following HRVOCs: 422.8 lbs of butene, 2,097.5 lbs of ethylene and 1,351.9 lbs of propylene from the C-3501B piping in the Olefins 1 Unit during an avoidable emissions event that began Decemeber 4, 2008 and lasted 12 hours and 45 minutes. The emissions were the result

Effective Date: 02/05/2011

ADMINORDER 2010-0243-IHW-E

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter C 335.69(b)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(b)

Description: Failed to prevent the accumulation of hazardous waste for more than 90 days without

authorization. Specifically, analytical results dated March 31, 2005 indicated that stormwater in tank nos. TK-2303A, TK-2310A and TK-2310B, exceeded the toxicity characteristic for lead of 5.0 milligrams per liter. These tanks are part of the IPOH Unit which, according to the Respondent, was taken out-of service in the early 1990s. Per 40 CFR § 261.4(c), hazardous waste began accumulating in the tanks on Marc

Classification: Moderate

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

Description: Failed to update the Facility's NOR to accurately reflect waste management activities. Specifically, the following waste management activities needed to be added to the NOR: waste stream for wastewaters generated from the manufacturing process; waste streams for wastes stored in tanks nos. TK-2303A and B, and TK-2310A and B; and tanks nos. TK-2303A and B, and TK-2310A and B as waste management units.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.4

30 TAC Chapter 335, SubChapter A 335.8(b)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.197

Description: Failed to prevent the unauthorized discharge of industrial solid waste adjacent to waters in the state and to perform closure of waste management facilities from which an unauthorized discharge has occurred, in violation of 30 TEX. ADMIN. CODE §§ 335.4 and 335.8(b) and 40 CFR § 265.197, as documented during an investigation conducted on August 3, 2009. Specifically, the investigator observed liquid leaking onto a concrete pad which served as secondary containment for tank nos. TK-2303A and B an

Effective Date: 05/08/2011

ADMINORDER 2010-0335-AIR-E

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 2933, Special Condition #1 PERMIT

Description: Failure to prevent unauthorized emissions; specifically, Equistar failed to maintain the butene flow and the Motor Operated Valve feed to the reactor.

See addendum for information regarding federal actions.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	04/05/2007	(532607)
2	04/10/2007	(532608)
3	04/23/2007	(539454)
4	04/12/2007	(541831)
5	08/24/2007	(543303)
6	08/24/2007	(543306)
7	07/30/2007	(543338)
8	08/03/2007	(543345)
9	04/12/2007	(554839)
10	07/18/2007	(556815)

11 06/27/2007 (560042)
12 08/09/2007 (562982)
13 08/10/2007 (562990)
14 08/09/2007 (563012)
15 08/10/2007 (563023)
16 09/28/2007 (563816)
17 08/20/2007 (564294)
18 08/20/2007 (564331)
19 08/20/2007 (564360)
20 09/28/2007 (564856)
21 09/28/2007 (564932)
22 08/10/2007 (564946)
23 10/04/2007 (565773)
24 10/10/2007 (565969)
25 09/28/2007 (566320)
26 10/10/2007 (566558)
27 07/18/2007 (566602)
28 10/10/2007 (566616)
29 07/24/2007 (567353)
30 12/07/2007 (568047)
31 12/07/2007 (568066)
32 12/07/2007 (568076)
33 12/07/2007 (568153)
34 12/07/2007 (568347)
35 12/07/2007 (568368)
36 08/06/2007 (568530)
37 08/06/2007 (568542)
38 11/26/2007 (570252)
39 11/26/2007 (570313)
40 11/26/2007 (570316)

41 11/26/2007 (570346)
42 11/26/2007 (570400)
43 08/23/2007 (571675)
44 10/12/2007 (571938)
45 10/15/2007 (572176)
46 10/12/2007 (572220)
47 10/12/2007 (572252)
48 10/12/2007 (572267)
49 10/12/2007 (572362)
50 10/12/2007 (572404)
51 03/23/2007 (574937)
52 04/23/2007 (574938)
53 05/23/2007 (574939)
54 06/25/2007 (574940)
55 07/28/2007 (574941)
56 04/18/2007 (593172)
57 10/16/2007 (593759)
58 11/19/2007 (594272)
59 01/02/2008 (595848)
60 03/06/2008 (596061)
61 11/28/2007 (596225)
62 01/03/2008 (599518)
63 01/02/2008 (599541)
64 01/03/2008 (599950)
65 01/08/2008 (600740)
66 01/10/2008 (600765)
67 08/06/2007 (607498)
68 08/22/2007 (607499)
69 09/24/2007 (607500)
70 12/17/2007 (608808)

71 06/16/2008 (610615)
72 08/11/2008 (610620)
73 04/04/2008 (610663)
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75 03/06/2008 (610691)
76 01/29/2008 (610831)
77 03/27/2008 (611770)
78 01/10/2008 (613652)
79 01/23/2008 (614499)
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81 01/28/2008 (615871)
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83 03/19/2008 (616201)
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86 03/19/2008 (616259)
87 04/10/2008 (616840)
88 10/23/2007 (619405)
89 11/19/2007 (619406)
90 12/27/2007 (619407)
91 07/03/2008 (636094)
92 06/17/2008 (636281)
93 08/11/2008 (637040)
94 04/24/2008 (637133)
95 03/26/2008 (637649)
96 08/27/2008 (638212)
97 05/06/2008 (638391)
98 05/06/2008 (638445)
99 05/06/2008 (638471)
100 05/08/2008 (638556)
101 05/23/2008 (639094)

102 05/16/2008 (639245)
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106 07/07/2008 (654572)
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109 12/05/2008 (654874)
110 02/13/2009 (657092)
111 02/25/2008 (671910)
112 03/20/2008 (671911)
113 01/22/2008 (671912)
114 10/17/2008 (679974)
115 10/17/2008 (680354)
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118 09/08/2008 (681362)
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121 08/01/2008 (681437)
122 07/18/2008 (681438)
123 04/23/2010 (681746)
124 06/06/2008 (682324)
125 08/13/2008 (682388)
126 10/22/2008 (682983)
127 12/11/2008 (683007)
128 02/12/2009 (683026)
129 07/09/2008 (683399)
130 12/17/2008 (685609)
131 07/10/2008 (685750)

132 10/28/2008 (685998)
133 10/29/2008 (686367)
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137 12/15/2008 (686403)
138 12/15/2008 (686411)
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140 10/31/2008 (686446)
141 10/15/2008 (686481)
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146 07/30/2008 (687221)
147 10/29/2008 (687350)
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152 06/24/2008 (689832)
153 12/04/2008 (700744)
154 11/07/2008 (701030)
155 07/09/2009 (701940)
156 12/04/2008 (702100)
157 10/13/2008 (704398)
158 11/20/2008 (704732)
159 11/20/2008 (704907)
160 10/29/2008 (705305)
161 05/26/2009 (705763)

162 11/21/2008 (706552)
163 05/01/2009 (707130)
164 12/05/2008 (707275)
165 11/25/2008 (707993)
166 02/18/2010 (709462)
167 01/16/2009 (709781)
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295 02/24/2010 (789730)
296 05/11/2010 (789904)
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298 02/25/2010 (790175)
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300 02/23/2010 (792035)
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304 04/19/2010 (792541)
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307 05/06/2010 (794255)
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328 08/24/2009 (804330)
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331 11/23/2009 (804333)
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337 07/09/2010 (826626)
338 07/02/2010 (826702)
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342 06/25/2010 (827423)
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372 11/10/2010 (871859)
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386 12/23/2010 (885006)
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389 12/28/2010 (885540)
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435 10/05/2011 (949110)
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463 01/23/2012 (981000)
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466 12/28/2011 (984261)
467 02/17/2012 (987727)
468 02/17/2012 (987787)
469 02/17/2012 (987798)
470 03/14/2012 (989961)
471 01/23/2012 (990562)

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

Date: 03/31/2007 (574938) CN600124705
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: 04/11/2007 (532608) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to include Polyols loading emissions in federal operating permit O-02179.

Date: 04/18/2007 (593172) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 07/24/2007 (567353) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
No. 1768, Special Condition No. 1 PERMIT
Description: Equistar failed to prevent a hole in a 1/4 inch nipple off of the flow orifice of the charge gas compressor.

Date: 07/31/2007 (607499) CN600124705
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2007 (543338) CN600124705
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-02175 SC 12 OP
FOP O-02175 SC 1A OP
NSR 6245 SC 7(E) PA
Description: Failure to equip lines in VOC service with caps/plugs from January 24 through December 6, 2006 (NSR 6245; FOP O-02175).

Self Report? NO Classification: Moderate
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)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02175 SC 12 OP
FOP O-02175 SC 1A OP
NSR 6245 SC 7(H) PA
Description: Failure to equip leaking pumps in VOC and HRVOC service with the required tags from January 10 through May 8, 2006 (NSR 6245; FOP O-02175).

Self Report? NO Classification: Moderate
Citation: 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 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02175 SC 12 OP
FOP O-02175 SC 1A OP
NSR 6245 SC 7(I) PA
Description: Failure to repair pumps and connectors within the required time frames (NSR 6245; FOP O-02175).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(iv)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02175 SC 1A OP
Description: Failure to submit an accurate semiannual report on August 29, 2006 for fugitive equipment leak components subject to NSPS subpart VV to indicate that leaking pumps were on delay of repair list (NSR 6245; FOP O-02175).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(vii)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02175 SC 1A OP
Description: Failure to submit an accurate semiannual report on August 29, 2006 for fugitive equipment leak components subject to NSPS subpart VV to indicate the reason that leaking pumps were on delay of repair list (NSR 6245; FOP O-02175).

Self Report? NO Classification: Moderate
Citation: 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 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02175 SC 12 OP
FOP O-02175 SC 1A OP
NSR 6245 SC 7 PA
Description: Equistar failed to include 21 connectors and 8 valves in the C5 Recovery LDAR monitoring program (NSR 6245; FOP O-02175).

Date: 11/30/2007 (619407) CN600124705
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 03/06/2008 (610691) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)

5C THSC Chapter 382 382.085(b)
O-02180 Special Condition #1A OP

Description: Failure to have the required bolts on the float well gauges.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02180 Special Condition #1J OP

Description: Failure to conduct the initial and quarterly multi-point calibrations.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49130 Special Condition #8A PERMIT
5C THSC Chapter 382 382.085(b)
O-02180 Special Condition #1(J) OP
O-02180 Special Condition #11 OP

Description: Failure to not exceed actual flare tip velocity.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(v)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)
5C THSC Chapter 382 382.085(b)
O-02180 Special Condition #1A OP

Description: Failure to seal the tank's, MIPTK2615, vacuum vent that was found open during an annual inspection.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02180 Special Condition #1(I) OP

Description: Failure to conduct engine testing during appropriate operating hours.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(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)
O-02180 Special Condition #11 OP
O-02180 Special Condition #1J OP
Special Condition #8A PERMIT

Description: Velocity to the flare, MIPFL2501, was exceeded during the process of activating the reactor catalyst during nine one hour periods.
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 Part 60, Subpart VV 60.482-6
49130 Special Condition #5E PERMIT
5C THSC Chapter 382 382.085(b)
O-02180 Special Condition #11 OP
O-02180 Special Condition #1A OP
O-02180 Special Condition #1J OP

Description: Failure to prevent one open-ended line found in VOC service.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49130 Special Condition #8A PERMIT
5C THSC Chapter 382 382.085(b)
O-02180 Special Condition #11 OP

O-02180 Special Condition #1J OP
Description: Permit limits to the flare, MIPFL2501, were exceeded due to incorrect factor used in permit calculation.

Date: 03/07/2008 (596061) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02179 SC 10 OP
NSR Permit 3130A SC 8E PA
Description: Failed to seal an open ended line.

Date: 03/27/2008 (611770) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(8)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.191(a)
PP II-C-2-h PERMIT
Description: Tank system assessment and certification was not adequate.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(8)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(e)(1)(iii)
PP-II-C-2-h PERMIT
Description: Coating for the secondary containment showed visible cracks.

Date: 03/31/2008 (689830) CN600124705
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: 04/04/2008 (610663) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)
Special Condition (SC) #1A OP
Description: Failed to equip the gauge float wells with bolts or fasteners on the covers of the roof openings of Tanks 3111A, 3111B, and 3113, to ensure that the openings are air tight.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC #1A OP

Description: Failure to have tank 3114's piping on the existing internal ladder way closed to the liquid from April 18, 2007 through July 27, 2007.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)
5C THSC Chapter 382 382.085(b)
SC #1 PERMIT
SC #s 1 and 15 OP

Description: Failure to have Tank 3102 floating roof set on the roof legs on August 23, 2006. This constitutes a violation of New Source Review (NSR) Permit #2936, Special Condition (SC) #1 and 40 CFR 63.119(b)(1). (B19(g)(1))

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.767(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
SC #1K(iv) OP
Description: Failure to have cooling tower differential pressure fall below 5 psig for one minute on October 7, 2006. (B19(g)(1))
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)
5C THSC Chapter 382 382.085(b)
SC #1A OP
SC #8E PERMIT
Description: Failure to have an open ended line in volatile organic compound (VOC) service on February 9, 2007. This constitutes a violation of NSR Permit #2936, SC #10, 30 TAC 115.352(4), and 40 CFR 63.167(a)(1). (C10)

Date: 05/02/2008 (610690) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.203(a)(12)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02181 Special Condition #1A OP
Description: Failure to prevent the diesel firewater pumps from exceeding the 100 hour runtime limit based on the rolling 12 month average.

Self Report? NO Classification: Minor
Citation: 2128 Special Condition #8E PERMIT
24887 Special Condition #1E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
49120 Special Condition #2D PERMIT
5C THSC Chapter 382 382.085(b)
6245 Special Condition #7E PERMIT
O-02181 Special Condition #1(l) OP
O-02181 Special Condition #1A OP
O-02181 Special Condition #22 OP
Description: Failure to seal 8 open-ended lines in VOC service.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02181 Special Condition #1(l) OP
Description: Failure to perform the yearly preventative maintenance (PM).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter C 115.244
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02181 Special Condition #6D OP

Description: Failure to conduct the Stage II vapor recovery daily inspection.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter S 106.433(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02181 Special Condition #22 OP

Description: Failure to properly seal three containers of a solvent that were left open in the unit.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(f)
5C THSC Chapter 382 382.085(b)

O-02181 Special Condition #1A OP
Description: Failure to maintain continuous monitoring data in historian for the Alkyl Flare volumetric flow.

Date: 06/16/2008 (610615) CN600124705
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(H)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)
5C THSC Chapter 382 382.085(b)
FOP No. O-2183 ST&C 12 OP
Permit No. 8125, SC 1 PERMIT

Description: RE had unauthorized emissions of VOC for Methanol Tank TK-5102.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)
FOP O-2183 ST&C 12 OP
Permit No. 8125, SC 2B PERMIT

Description: RE failed to ensure that the cap on the gauge float well was kept air-tight with a bolt or fastener on three tanks.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
FOP No. O-2183, ST&C 12 OP
FOP No. O-2183, ST&C 1A OP
Permit No. 8125, SC 6 PERMIT

Description: RE had failed to seal 3 open-ended lines in VOC service.

Date: 06/17/2008 (636281) CN600124705
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition #15 OP
Special Condition #1E PERMIT

Description: Failure to seal 20 open-ended lines in VOC service.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition #15 OP
Special Condition #1F PERMIT

Description: Failure to monitor two valves in VOC service.

Date: 07/03/2008 (636094) CN600124705
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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
SC #18 OP
SC #8E PERMIT
Special Condition (SC) #1A OP

Description: failure to seal twenty-five open ended lines in volatile organic compound service.
(Category C10)

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
SC #18 OP

Description: Failed to comply with the hourly emission limit of 1.65 lbs/hr for VOCs and 0.14 lbs/hr for 1,3 butadiene intermittently from January 6, 2009 (the date the bankruptcy petition was filed) to present. Specifically, emissions from Regeneration Vent, EPN 3E05, for Reactors R-309 A, R-309 B, and R-309 C, exceeded permitted limits as documented by the results of sampling conducted for six one-hour samples per reactor on December 11 through 12, 2005 and December 31, 2005 and an update provided on May 2

Self Report? NO Classification: Minor

Citation: 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 H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
SC #18 OP
SC #1A OP
SC #8I PERMIT

Description: failure to tag a leaking seal.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
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 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)
SC #1 OP
SC #18 OP
SC #8I PERMIT

Description: Failure to make a first attempt for repair on two leaking components (Category C4 violation).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC #1A OP

Description: failure to follow Reference Method 21 for twenty-five components

Date: 07/18/2008 (681438) CN600124705

Self Report? NO Classification: Moderate

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

Description: Failure to prevent an electrical power loss and the mechanical failure of a Process Safety Valve Bellow which resulted in flaring and a Process Safety Valve Bellow leak.

Date: 07/30/2008 (687221) CN600124705

Self Report? NO Classification: Moderate

Citation: #2933 S.C. 1 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

Description: Failure to meet the affirmative defense for Incident #108500 regarding a pipe failure in D-4333.

Date: 08/01/2008 (681437) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition #1 PERMIT
Description: Failure to prevent a hole in the first feed system line which resulted in a release of volatile organic compounds.

Date: 08/11/2008 (610620) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to collect flair HRVOC samples by the 10th hour after analyzer malfunction.

Self Report? NO Classification: Minor
Citation: 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)
5C THSC Chapter 382 382.085(b)
SC 8H PERMIT
ST&C 10 OP
Description: Failure to tag leaking component in VOC service.

Date: 08/11/2008 (637040) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Conditions, No. 4A PERMIT
Special Terms and Conditions, No. 18 OP
Special Terms and Conditions, No. 1A OP
Description: Failure to control emissions of VOC from a process safety valve (PSV) 99PVRLS00 on MTBE Tank TK-19.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions, No. 1A OP
Description: Failure to keep the cover on a gauge float well air-tight with a bolt or fastener on tank TK-37.

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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition No. 6E PERMIT
Special Terms and Conditions, No. 18 OP
Special Terms and Conditions, No. 1H OP
Description: Failure to seal 15 open-ended valves or lines with a cap, blind flange, plug or a second valve.

Date: 08/13/2008 (682388) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
TCEQ Air Permit #2128, SC# 1 PA
Description: Equistar failed to prevent the seal leak from pump P-368B while adjusting the pump shaft during the coupling of the motor to the pump.

Date: 08/27/2008 (638212) CN600124705

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 Part 60, Subpart VV 60.482-6
 5C THSC Chapter 382 382.085(b)
 FOP O-02175 Special Condition 12 OP
 Permit 6245, Special Condition 7H PERMIT

Description: Failure to cap open-ended lines.

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 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
 5C THSC Chapter 382 382.085(b)
 FOP No. O-02175, Special Conditions 12 OP
 Permit No. 6245, Special Condition 7H PERMIT

Description: Failure to tag compressor seal.

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)(1)
 5C THSC Chapter 382 382.085(b)
 FOP No. O-02175, Special Condition 12 OP
 Permit 6245, Special Condition 7H PERMIT

Description: Failure to monitor valves.

Date: 08/29/2008 (681367) CN600124705

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-02174 STC 21 OP
 NSR Permit 2933 SC 13E PA

Description: LB failed to seal open ended lines

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-02174 STC 21 OP
 NSR 2933 SC 10 PA

Description: Failure to continuously monitor the fuel gas.

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-2174 STC 21 OP
 NSR 2933 SC 1 PA

Description: Failure to maintain hourly tank (Tk-48008 & Tk-4917) emissions within the MAERT.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(b)(1)
 5C THSC Chapter 382 382.085(b)

Description: Failed to submit test notification within required time frame.

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-02174 STC 21 OP
NSR 2933 SC 1 PA

Description: Failure to maintain Tk-48304 emissions within the MAERT, due to operations.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain furnace CO emissions within allowable limits.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)
FOP O-2174 STC 1A OP

Description: Failure to install proper bolts on floating roof tanks.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain diesel engine CO emissions less than limit.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT TT 63.1004(a)(1)(i)
5C THSC Chapter 382 382.085(b)
FOP O-02174 STC 1E OP
NSR 2933 SC 13F PA

Description: Failure to monitor valves in VOC/EMACT service
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)
5C THSC Chapter 382 382.085(b)
FOP O-2174 STC 21 OP
NSR 2933 SC 15 PA
NSR 2933 SC 16 PA

Description: Failure to monitor connectors in VOC service.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
5C THSC Chapter 382 382.085(b)
FOP O-2174 STC 1A OP

Description: Failure to continuously record parameters.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
5C THSC Chapter 382 382.085(b)
FOP O-2174 STC 1A OP
NSR 2933 SC 13 H PA

Description: Failure to tag leaking components

Date: 09/09/2008 (681362) CN600124705
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)
5C THSC Chapter 382 382.085(b)

Description: Failed to calibrate OP-1 GC Analyzer within specifications
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(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 O-1426 STC 22 OP
NSR Permit 1768 SC 13D PA

Description: Failed to maintain the OP-1 GC Analyzer downtime to less than 5%.

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)
 FOP 1426 General Terms and Conditions OP
 Description: Failed to report all instances of deviations.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 5C THSC Chapter 382 382.085(b)
 FOP O-1426 STC 22 OP
 NSR Permit 1768 SC 14E PA
 Description: Failed to maintain a seal on open-ended lines.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to maintain HRVOC emissions within 1,200 lbs/hr cap.

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-1426 STC 22 OP
 NSR Permit 1768 SC 10 PA
 Description: Failed to continuously monitor the fuel gas.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.345(c)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to submit test report within 60 days.

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 H 63.181(b)
 5C THSC Chapter 382 382.085(b)
 FOP O-1426 STC 1A OP
 FOP O-1426 STC 22 OP
 NSR Permit 1768 SC 14H PA
 Description: Failed to tag a leaking component, upon discovery.

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-1426 STC 22 OP
 NSR Permit 1768 SC 5E PA
 Description: Failed to install submerged fill pipe on storage tanks.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT K 60.112(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(a)(2)(vi)
 5C THSC Chapter 382 382.085(b)
 FOP O-1426 STC 1A OP
 Description: Failed to install float well gauge bolts.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.345(b)(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to submit post RATA within 15 days.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.766(a)(6)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to complete the HRVOC Corrective Action Plan.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(f)(1)
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
5C THSC Chapter 382 382.085(b)
Description: Failed to perform Cylinder Gas Audit in accordance with audit specifications.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter G 117.8140(b)
5C THSC Chapter 382 382.085(b)
Description: Failed to test diesel engine on a quarterly basis.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
5C THSC Chapter 382 382.085(b)
FOP O-1426 STC 1A OP
Description: Failed to continuously record parameters.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)
5C THSC Chapter 382 382.085(b)
Description: Failed to conduct Extra-Ordinary Efforts.

Date: 10/31/2008 (727385) CN600124705
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2008 (705305) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)
FOP O-2174 STC 1A OP
Description: Failure to install proper bolts on floating roof tanks.

Date: 11/30/2008 (727386) CN600124705
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 12/05/2008 (707275) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
TCEQ Air Permit #1768, SC #1 PA
Description: Equistar failed to prevent the exchanger leak into Olefins 1 Cooling Tower which resulted in this emissions event.
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: Equistar failed to report the emissions event within 24 hours of discovery.

Date: 01/09/2009 (721591) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Equistar failed to prevent excess opacity during an abrasive transfer.

Date: 01/16/2009 (709781) CN600124705

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(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 A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
NSR 49130, Special Condition 8A PERMIT
O-02180 Special Condition 11 OP
Description: Failure to maintain the IPOH flare above the minimum net heating value of 300 BTU/scf for four one-hour periods on 10/26/2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)
5C THSC Chapter 382 382.085(b)
O-02180 Special Condition 1(A) OP

Description: Failure to conduct monthly pump monitoring on 23 pumps in the MIPFG unit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
49130, Special Condition 1 PERMIT
5C THSC Chapter 382 382.085(b)
O-02180 Special Condition 11 OP

Description: Failure to stay within their permitted emissions limits in the MAERT.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)
5C THSC Chapter 382 382.085(b)
O-02180, Special Condition 1(A) OP

Description: Failure to maintain the required bolt on the float well gauge on tank TK-3110, Unit ID MIPTK3310, and tank TK-2615, Unit ID MIPTK2615.

Date: 03/31/2009 (768262) CN600124705

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: 04/28/2009 (737713) CN600124705

Self Report? NO Classification: Minor

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

Description: Equistar Chemicals LP (Equistar), Channelview Complex, failed to provide the permit number governing the facilities involved in the emissions event.

Self Report? NO Classification: Moderate

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

Description: Equistar failed to prevent unauthorized emissions, by a leak due to improper installation, incorrect selection of the gasket, and the pre-existing piping misalignment in its PolyBD unit.

Date: 04/30/2009 (768263) CN600124705

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: 05/04/2009 (738986) CN600124705

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)

Description: Failure to utilize the proper analytical methods and techniques for total chlorine residual.

Date: 07/03/2009 (747361) CN600124705
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
No. 2933, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions; specifically, Equistar failed to maintain fuel gas to Superheaters F-48001A/B resulting in a shutdown, causing the CPI Separator vent stream to route 48.5 pounds of unauthorized Volatile Organic Compounds (VOCs) to the atmosphere.

Date: 07/07/2009 (744818) CN600124705
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)
Special Condition 4C PERMIT
Special Terms and Conditions 1A OP
Special Terms and Conditions 22 OP
Description: Failure to maintain steam going to flare resulting in a smoking flare. (CATEGORY C4 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 VV 60.482-2(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Description: Failure to conduct monthly pump monitoring on eleven (11) pumps. (CATEGORY C1 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Special Terms and Conditions 7B OP
Description: Failure to maintain the run time meter on Unit ID EUTG1111. (CATEGORY C4 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter B 111.205(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 3Fi OP
Description: Failure to provide fire extinguisher training notifications to the TCEQ and the local pollution control agency (Harris County) from 03/14/2007 through 03/27/2008. (CATEGORY B3 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.454(3)(B)
30 TAC Chapter 115, SubChapter E 115.412(1)(A)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 22 OP
Description: Failure to close the lid on the part washer after use. (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 deviation reporting period. (CATEGORY C3 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 23 OP

Description: Failure to maintain emissions on Unit ID ZMSENAIS during usage. (CATEGORY B14 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 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
5C THSC Chapter 382 382.085(b)
Special Condition 4B PERMIT
Special Terms and Conditions 1A OP
Special Terms and Conditions 22 OP

Description: Failure to maintain flare pilot flame records. (CATEGORY C3 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP

Description: Failure to maintain emissions on Unit ID ZMSENAIS during a quarterly stack test. (CATEGORY C4 violation)

Date: 07/15/2009 (747403) CN600124705

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 6I PERMIT
ST&C 18 PERMIT
ST&C 1A PERMIT

Description: Failure to repair 5 leaking components within the 15 calendar day limit (CATEGORY C4 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)
ST&C 1A PERMIT

Description: failure to conduct monthly monitoring on 63 pumps in March 2008 (CATEGORY B1 violation)

Date: 07/31/2009 (804330) CN600124705

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: 08/06/2009 (747389) CN600124705

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 11E PERMIT
Special Terms and Conditions 10 OP

Description: Failure to maintain lines resulting in open ended lines. (CATEGORY C10)

Date: 08/11/2009 (747513) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
40 CFR Part 61, Subpart V 61.242-2(a)(1)
5C THSC Chapter 382 382.085(b)
O-02182, SC 1.A PERMIT
Description: failed to perform monthly pump monitoring on 45 pumps in the Benzene/Toluene Unit in February and March of 2008.

Self Report? NO Classification: Minor
Citation: 2936, SC 7E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
O-02182, SC 1.A PERMIT
O-02182, SC 15 PERMIT
Description: failed to equip two open ended lines (OELs) with a cap or valve

Date: 08/18/2009 (747005) CN600124705
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-02179, ST & C #1A PERMIT
Description: Failure to maintain continuous fuel flow records for the Vapor Combustor. (C3)

Date: 08/19/2009 (764588) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Equistar failed to prevent the vent filter solenoid from malfunctioning, causing rupture disk (PSE-28098) to release an opacity of 100 (%) percent.

Date: 08/25/2009 (747519) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)
FOP #O-02184, ST & C #1A OP
Description: failure to perform monthly pump monitoring from February 29, 2008 through March 31, 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)(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 63.163(c)(1)
5C THSC Chapter 382 382.085(b)
FOP# O-02184, ST & C #18 OP
FOP# O-02184, ST & C #1A OP
NSR Permit No. 2128, SC#8I PA
Description: failed to re-monitor pump seal P-301A in a timely manner. (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)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
FOP# O-02184, SC#1A OP
FOP#O-02184, SC#18 OP
NSR 2128, SC#8I PA

Description: failed to calibrate the TVA monitoring instrument. (Category C1 Violation)
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 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
FOP# O-02184, ST & C #18 OP
FOP# O-02184, ST & C #1A OP
NSR Permit No. 2128, SC#8E PA

Description: failed to seal four open-ended lines in VOC service on November 27, 2007 through December 11, 2007, March 27, 2008, and June 4, 2008. (Category C10 violation)

Date: 08/31/2009 (747366) CN600124705
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 VV 60.482-2(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)
Special Condition No. 2(C) PERMIT
Special Terms and Conditions No. 1(A) OP
Special Terms and Conditions No. 12 OP

Description: failure to perform monthly pump monitoring. (Category B1 violation)

Date: 08/31/2009 (804331) CN600124705
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: 01/22/2010 (786477) CN600124705
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
No. 2933, Special Condition No. 21 PERMIT
Description: The F-3415 Heater emitted at a rate of 66.67% opacity averaged over a six-minute period.

Date: 02/02/2010 (784880) CN600124705
Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
5C THSC Chapter 382 382.085(b)
Description: Failure to maintain records of the pilot flame for flare EUTFL1701V (CATEGORY C3 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 4(D) PERMIT
Special Terms and Conditions 22 OP
Special Terms and Conditions 32 OP
Description: Failure to conduct the required annual calibration of the continuous flow monitoring system for flare EUTFL1701 and EUTFL607 (CATEGORY B1 Violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to conduct the required annual calibration of the continuous flow meter for the cooling tower heat exchange system ECUCT604 (CATEGORY B1 Violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1A OP
Description: Failure to record the operating time of stationary engine EUTENEOC with an elapsed run time meter (CATEGORY C3 Violation)

Date: 02/10/2010 (791001) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
No. 2128, Special Condition #1 PERMIT
Description: Equistar failed to maintain the Crude C4 line to Tank 43 which resulted in the release of 728.6 pounds (lbs.) of unauthorized volatile organic compounds (VOC).

Date: 03/09/2010 (784797) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR, SC 7E PERMIT
SC1A and SC15A OP
Description: Failure to seal open-ended lines for Unit ID: MBTFG on January 27, 2009 and February 2, 2009. (CATEGORY C10 violation)

Date: 03/09/2010 (781119) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter G 117.8100(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition (ST&C) 1A OP
Description: Failure to conduct preventative maintenance checks on the humidity analyzers (Predictive Emission Monitors) for GRPHeat1 and GRPHeat3 during the period 3/15/2008 through 3/30/2009. (CATEGORY B1 Violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1K OP
Description: Failure to conduct extraordinary repair (EOR) in the unit OP1FG during 12/30/2008 through 1/12/2009. (Category C10 Violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.142(2)(A)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 6 OP
Description: Failure to secure a still well cover on the internal floating roof tank, TK38010, during the period 1/20/2009 through 2/26/2009. (CATEGORY C7 Violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(B)
30 TAC Chapter 115, SubChapter B 115.126(1)(C)
30 TAC Chapter 115, SubChapter B 115.144(3)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(a)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Terms & Conditions 1F & 11 OP
Description: Failure to maintain continuous records during the time frame of 5/5/2008 through 9/6/2008 for the superheater arch temperature, stripper bottoms temperature, and the flare pilot. The units listed are as follows: GRP-HEAT2, OP1TW3407, GRP-VENT2, OP1FL3801V, OP1SU38094, and OP1TK3458. (Category B3 Violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(B)
 5C THSC Chapter 382 382.085(b)
 Special Terms & Conditions 1A, 1K, & 11 OP

Description: Failure to maintain the required temperature of 1242 degrees Fahrenheit, on OP1HT804BV from 5/9/2008 through 8/11/2008. (Category B18 Violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)
 40 CFR Part 61, Subpart V 61.242-2(a)(1)
 5C THSC Chapter 382 382.085(b)
 Special Terms & Conditions 1F & 1A OP

Description: Failure to conduct monthly pump monitoring for a pump in OP1FG from 2/29/2008 through 3/31/2008. (Category C1 Violation)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138(c)(1)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1F OP

Description: Failed to continuously maintain the wastewater stripper (OP1TW3407) minimum temperature of 225 degrees Fahrenheit during the period 7/20/2008 through 8/15/2008

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 3A OP

Description: Failure to prevent visible emissions on 3/22/2008 of the portable air compressor (temporary). (Category C7 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 (SC) 11 PERMIT
 Special Term & Condition 22 OP

Description: Failure to maintain the 10 ppm limit ammonia slip on OP1HT3415 from 10/18/2007 through 9/4/2008. (Category B3 Violation)

Self Report? NO **Classification:** Moderate

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

Description: Failure to report as a deviations the monthly pump monitoring for OP1FG was not conducted in the reporting period, 09/15/2007 through 3/14/2008 and the limit of the ammonia slip for OP1HT3415 was not reported for the periods 9/15/2007 through 3/14/2008 and 3/15/2008 through 9/15/2008. (Category B3 Violation)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(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)
 Special Condition 1 PERMIT

Description: Special Term & Condition 22 OP
Failure to maintain the CO and NOx hourly permit limit and the annual permit limit on the diesel engine (OP1EN1) during the 10/01/2007 through 03/19/2009.
(Category B1 Violation)

Date: 04/06/2010 (784892) CN600124705
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)
5C THSC Chapter 382 382.085(b)
SC 1K(v) OP

Description: failed to complete repair of a leaking component in HRVOC service within 30 days of the discovery of the leak (C1)

Date: 04/22/2010 (792539) CN600124705
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 331, SubChapter D 331.64(c)
PROVISION VIII.A. PERMIT

Description: Failure to maintain a surface injection pressure gauge in proper working order.

Date: 04/29/2010 (784876) CN600124705
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 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
5C THSC Chapter 382 382.085(b)
Special Condition 5E PERMIT
Special Terms and Conditions 11 OP
Special Terms and Conditions 1A OP

Description: Failure to equip an open-ended line with a cap, blind flange, plug or second valve
(CATEGORY C10 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(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 H 63.171(b)
5C THSC Chapter 382 382.085(b)
Special Condition 5I PERMIT
Special Terms and Conditions 11 OP
Special Terms and Conditions 1A OP

Description: Failure to adequately identify pump 2633B as a DOR component (CATEGORY C4 Violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(iii)
5C THSC Chapter 382 382.085(b)
Special Condition 7A PERMIT
Special Condition 8A PERMIT
Special Terms and Conditions 11 OP
Special Terms and Conditions 1A OP

Description: Failure to maintain the exit velocity of flare FL-2501 (CATEGORY B18 Violation)

Date: 05/11/2010 (789904) CN600124705
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
No. 2128, Special Condition No. 1 PERMIT

Description: A gasket on the exchanger was improperly installed causing the leak.

Date: 05/14/2010 (794018) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THSC Chapter 382 382.085(b)
FOP SC 1H, SC 1A and SC 18 OP
New Source Review, SC 8E PERMIT
Description: Failure to seal three open-ended lines for Unit ID: EC4FG on April 14, 2009.
(CATEGORY C10 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)
30 TAC Chapter 115, SubChapter H 115.786(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
FOP SC 1A and SC 1H OP
Description: Failure to maintain daily calibration records for Unit ID: EC4FG on May 6, 2009
through May 7, 2009. (CATEGORY C1 violation)

Date: 05/17/2010 (800543) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
No. 1768, Special Condition 21 PERMIT
Description: It was determined that Equistar Chemicals LP exceeded the permitted allowable
at a rate of 66.67% opacity averaged over a six-minute period.

Date: 06/22/2010 (825556) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
No. 2128, Special Condition No. 1, PERMIT
Description: Equistar failed to prevent pressure safety valve, PSV-08141, on Tank 14 from
venting 342 lbs of 1,3-Butadiene, 464 lbs of butenes, 82 lbs of butane and 5 lbs
of unspecified VOC to the atmosphere.

Date: 06/30/2010 (798858) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
No. 1768, Special Condition No. 1 PERMIT
Description: Equistar failed to manage the pre-cut demethanizer level indicator in the Olefins 1
Unit resulting in a release to the OP I flare.

Date: 07/15/2010 (841139) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)
5C THSC Chapter 382 382.085(b)
FOP O-2174 STC 1A OP
Description: Failure to install proper bolts on floating roof tanks.

Date: 07/23/2010 (826293) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)

No. 2936, Special Condition No. 1 PERMIT

Description: Equistar failed to ensure that the pressure switch (PSH-40076) on Tank 4002 indicated high pressure, thereby resulting in a PVSV (weighted lid) hatch relief.

Date: 08/20/2010 (803099) CN600124705
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
SC 14E PERMIT
STC 21 OP

Description: Open ended lines (C10)
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
5C THSC Chapter 382 382.085(b)
STC 1J OP

Description: Failed to repair leaking components in HRVOC service within one week (C1).
Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(iv)

Description: Failed to repair leaking components in HRVOC service within one week (C1).
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 1 PERMIT
STC 21 OP

Description: Cooling tower exceeded hourly permitted emissions rate due to a leaking exchanger (C4).

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(e)(2)

Description: Failed to submit a LDAR periodic report for components in HAP service within the required timeframe (C3).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725
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 17 PERMIT
STC 1J and 21 OP

Description: Super heaters not monitored for compliance with HRVOC requirements (B18).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)
5C THSC Chapter 382 382.085(b)
SC 14 PERMIT
STC 21 OP

Description: LDAR components not monitored (B18).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(d)(2)
5C THSC Chapter 382 382.085(b)
SC 14H PERMIT
STC 21 OP

Description: Failure to keep "delay of repair" and "do not operate tags" on a pump that was found leaking (C4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)
30 TAC Chapter 115, SubChapter H 115.786(d)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1J OP

Description: Failure to provide calibration records during the annual HRVOC audit (C3).

Date: 09/30/2010 (881463) CN600124705
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 10/22/2010 (869961) CN600124705
Self Report? NO Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
No. 2936, Special Condition No. 1 PERMIT
Description: Equistar failed to ensure that the metallurgical integrity of the piping in the Benzene Toluene Unit was properly maintained, thereby resulting in a release of 69 pounds (lbs.) of benzene, and 17 lbs. of toluene to the atmosphere.

Date: 12/17/2010 (877802) CN600124705
Self Report? NO Classification: Moderate
Citation: No. 1768, Special Condition No. 1 PERMIT
Description: Equistar failed to prevent a leak from exchanger E-3701, causing a release of 54 pounds (lbs.) of benzene, 10 lbs of ethyl benzene, 34 lbs. of toluene, 16 lbs. of xylene, and 110 lbs. of other volatile organic compounds (VOC's) to the atmosphere.

Date: 06/01/2011 (879378) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THSC Chapter 382 382.085(b)
FOP #O-2181, ST&C 1A OP
FOP #O-2181, ST&C 22 OP
NSR #2128, SC 8E. PERMIT
Description: Failure to seal open-ended lines containing volatile organic compounds (VOCs).
[Category C10]

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
FOP #O-2181, ST&C 1A OP
FOP #O-2181, ST&C 22. OP
NSR #24887, SC 6A. PERMIT
Description: Failure to maintain minimum net heating value of the fuel feed (300 BTU/scf) to the Alkylation Flare (EPN 6E07). [Category B19.g.(1)]

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)
30 TAC Chapter 115, SubChapter H 115.786(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP #O-2181, ST&C 1(l)(v) OP
FOP #O-2181, ST&C 1A. OP
Description: Failure to maintain instrument calibration records as part of fugitive emissions

monitoring program. [Category C3]

Date: 06/03/2011 (859963) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Description: Failure to continuously measure gas fuel usage of the thermal oxidizer (EPN 69E04). [Category C1 violation]

Date: 08/31/2011 (877727) CN600124705
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Equistar failed to have the required bolt on the float well gauge on Tank 2615 from the period of August 20, 2009 through July 12, 2010. (Category C4 Violation)

Date: 09/30/2011 (949428) CN600124705
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)
No. 2933, Special Condition No. 1 PERMIT
Description: Equistar failed to replace the old flange bolts and the gasket during the 2011 turnaround and as a result the manway flange leaked 376 pounds (lbs.) of gaseous ethylene, 53 lbs. of propylene, 3 lbs. of 1,3-butadiene, 2 lbs. of acetylene, and 2 lbs. of propane. The duration of this event was 2 hours and 55 minutes. Category B; Attachment B 14.

Date: 12/15/2011 (970215) CN600124705
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)
No. 2933, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions due to a leak into the cooling water system from heat transfer exchangers E-4424 C/D. Subcategory: B14.

Date: 01/13/2012 (957645) CN600124705
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Failed to perform annual calibration of flare flow meter within required timeframe for flare FL3801 (Category B3)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
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 TT 63.1004(a)
5C THSC Chapter 382 382.085(b)
SC 15 PERMIT
STC 1A OP
STC 22 OP
Description: Failed to include 59 fugitive emission components in the LDAR program (Category B3)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 STC 1A OP
 STC 3 OP
 Description: Failed to prevent opacity from heater OP1HT3414 (Category B3)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
 5C THSC Chapter 382 382.085(b)
 STC 1A OP
 STC 22 OP
 Description: Failed to operate the super heaters at the minimum required temperature
 (Catgeroy B19.g.1)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 115, SubChapter H 115.782(b)(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 15 (I) PERMIT
 STC 22 OP
 STC 3 OP
 Description: Failure to repair a pump by the LDAR regulatory deadline (Category B3)

F. Environmental audits.

Notice of Intent Date: 07/30/2007 (593548)
 Disclosure Date: 10/05/2007
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355
 Description: Failure to complete the 2006 annual Method 21 inspections for all regulated oil/water separators, tanks and
 closed vent systems.
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355
 Description: Failure to conduct 2004, 2005 and 2006 annual Method 21 inspections for all regulated containers.

Notice of Intent Date: 08/16/2007 (593550)

No DOV Associated

Notice of Intent Date: 08/16/2007 (593554)

No DOV Associated

Notice of Intent Date: 10/02/2007 (595562)

Disclosure Date: 10/25/2007

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172

Rqmt Prov: PERMIT Operating Permit O-2181

Description: Failed to comply with Method 21 for regulated HON group 1 wastewater closed vent systems.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter H 115.786
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-10
40 CFR Part 60, Subpart VV 60.482-4
40 CFR Part 60, Subpart VV 60.482-7
40 CFR Part 60, Subpart VV 60.485
40 CFR Part 60, Subpart VV 60.487
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1
40 CFR Part 61, Subpart V 61.242-4
40 CFR Part 61, Subpart V 61.242-7
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Description: Failure to always perform initial and periodic monitoring and there were instances where new or replaced components were not monitored.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT K 60.112
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-10
40 CFR Part 60, Subpart VV 60.482-4
40 CFR Part 60, Subpart VV 60.482-7
40 CFR Part 60, Subpart VV 60.485
40 CFR Part 60, Subpart VV 60.487
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11
40 CFR Part 61, Subpart V 61.242-4
40 CFR Part 61, Subpart V 61.242-7
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Description: Failure to complete instances of first repair attempts and final repair attempts within the required timeframes.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-10
40 CFR Part 60, Subpart VV 60.482-4
40 CFR Part 60, Subpart VV 60.482-7
40 CFR Part 60, Subpart VV 60.485
40 CFR Part 60, Subpart VV 60.487
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11
40 CFR Part 61, Subpart V 61.242-4
40 CFR Part 61, Subpart V 61.242-7
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Description: Failure to properly classify equipment leaks. According to the records reviewed there were instances where equipment leaks were classified as "Repair Delayed" without meeting the applicable Delay of Repair requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.356
30 TAC Chapter 115, SubChapter H 115.780
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-10
40 CFR Part 60, Subpart VV 60.482-4
40 CFR Part 60, Subpart VV 60.482-7
40 CFR Part 60, Subpart VV 60.485
40 CFR Part 60, Subpart VV 60.487
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11
40 CFR Part 61, Subpart V 61.242-4
40 CFR Part 61, Subpart V 61.242-7
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Description: Failure to identify specific equipment for inclusion in the LDAR program and apply the appropriate regulatory applicability to each component in the LDAR database.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352
30 TAC Chapter 115, SubChapter D 115.356
30 TAC Chapter 115, SubChapter H 115.780
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Part 60, Subpart VV 60.482-10
40 CFR Part 60, Subpart VV 60.482-4
40 CFR Part 60, Subpart VV 60.482-7
40 CFR Part 60, Subpart VV 60.485
40 CFR Part 60, Subpart VV 60.487
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11
40 CFR Part 61, Subpart V 61.242-4
40 CFR Part 61, Subpart V 61.242-7
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181

Description: Failure to properly maintain records, specifically: Daily calibration records and LDAR records requiring

stream composition data.

Notice of Intent Date: 10/04/2007 (598705)

Disclosure Date: 07/03/2008

Viol. Classification: Minor

Citation: 40 CFR Chapter 136, SubChapter D, PT 136.136.1(b)

Rqmt Prov: PERMIT TPDES0003531

Description: Internal chain-of custodies in the years 2006, 2007 and 2008 were missing required information.

Notice of Intent Date: 10/04/2007 (598710)

Disclosure Date: 07/03/2008

Viol. Classification: Moderate

Rqmt Prov: PERMIT Operating Permit O-2181

Description: Failure to comply with Title V Operating Permit O-2181, Special Condition 31.

Notice of Intent Date: 10/04/2007 (598714)

Disclosure Date: 01/30/2008

Viol. Classification: Minor

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 A 335.6(c)

30 TAC Chapter 335, SubChapter C 335.62

Description: Failure to update the facility Notice of Registration.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(3)

Description: Failure to label tank D-3075 with the words "hazardous waste".

Viol. Classification: Minor

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT O 268.7(a)(2)

30 TAC Chapter 335, SubChapter O 335.431(c)(1)

Description: Failure to submit Land Disposal Restriction notifications with the initial shipment, nor maintain a copy in the facility file for two waste streams shipped to an offsite TSDF.

Viol. Classification: Minor

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT O 268.7(a)(7)

30 TAC Chapter 335, SubChapter O 335.431(c)(1)

Description: Failure to update facility files with a one time notice describing the generation, subsequent exclusion from the definition of hazardous or solid waste or exemption from RCRA Subtitle C regulation.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter E 335.112

30 TAC Chapter 335, SubChapter R 335.510

30 TAC Chapter 335, SubChapter R 335.511

Description: Failure to maintain/update the the required information to document solid and hazardous waste determinations.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.13(j)

30 TAC Chapter 335, SubChapter A 335.13(k)

Description: Failure to properly maintain manifest paperwork.

Notice of Intent Date: 04/07/2008 (654966)

No DOV Associated

Notice of Intent Date: 06/18/2008 (688531)

No DOV Associated

Notice of Intent Date: 09/11/2009 (777743)

No DOV Associated

Notice of Intent Date: 04/06/2010 (800681)

Disclosure Date: 09/13/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)

30 TAC Chapter 115, SubChapter H 115.782(b)

Description: Failure to repair six out of 105 components within the time periods required.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)

30 TAC Chapter 115, SubChapter H 115.782(a)

Description: Failure to ensure all leaking components are tagged. Specifically, 5 out of approximately 150 components were not tagged.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)

30 TAC Chapter 115, SubChapter H 115.786(d)

Description: Failure to ensure all calibration information is accurately recorded.

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
EQUISTAR CHEMICALS, LP
RN100542281**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2012-0665-AIR-E**

At its _____ agenda, the Texas Commission on Environmental Quality (“the Commission” or “TCEQ”) considered this agreement of the parties, resolving an enforcement action regarding Equistar Chemicals, 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 presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a chemical manufacturing plant at 8280 Sheldon Road in Channelview, 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. During a record review conducted from October 25 to November 9, 2011, TCEQ staff documented a release of 18,924.17 pounds ("lbs") of carbon monoxide, 4,647.38 lbs of volatile organic compounds, and 2,219.04 lbs of nitrogen oxides from the OP-1 Flare, Emissions Point Number 38E01, during an emissions event (Incident No. 160864) that began on October 20, 2011 and lasted 23 hours. The emissions event occurred when an external steam supplier experienced electrical failure resulting in a loss of steam to the Plant. The TCEQ determined that the emissions event was caused by a sudden loss of steam and the Respondent did not have a backup steam supply.
4. The Respondent received notice of the violations on March 3, 2012.
5. The Executive Director recognizes that the Respondent has worked diligently with its external steam supplier to address performance issues and to improve reliability of the steam supply by submitting several design and work practice corrective action recommendations to prevent recurrence of emissions events due to the same cause as Incident No. 160864. The external steam supplier was in agreement with the Respondent's corrective action recommendations on December 2, 2011.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), Permit No. 1768, Special Conditions No. 1, Federal Operating Permit No. O1426, Special Terms and Conditions No. 28, and TEX. HEALTH & SAFETY CODE § 382.085(b). Since this emissions event was caused by a sudden loss of steam and the Respondent did not have a backup steam supply, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Twenty-Five Thousand Dollars (\$25,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Twelve Thousand Five Hundred Dollars (\$12,500) of the administrative penalty. Twelve Thousand Five

Hundred Dollars (\$12,500) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

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

1. The Respondent is assessed an administrative penalty in the amount of Twenty-Five Thousand Dollars (\$25,000) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Equistar Chemicals, LP, Docket No. 2012-0665-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 4 above, Twelve Thousand Five Hundred Dollars (\$12,500) 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. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Tom Dawin
For the Executive Director

9/21/12
Date

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

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

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

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

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

Michael Van Der Snick
Signature

July 6, 2012
Date

Michael Van Der Snick
Name (Printed or typed)
Authorized Representative of
Equistar Chemicals, LP

Site Manager - Channelview
Title

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

Attachment A
Docket Number: 2012-0665-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Equistar Chemicals, LP
Payable Penalty Amount:	Twenty-Five Thousand Dollar (\$25,000)
SEP Amount:	Twelve Thousand Five Hundred Dollars (\$12,500)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Texas Air Quality Control Region 216 – Houston-Galveston

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for 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

Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **Houston-Galveston AERCO** for the **Clean Cities/Clean Vehicles Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration’s Congestion Mitigation/Air Quality Funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the Environmental Protection Agency (“EPA”). SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate

Equistar Chemicals, LP
Agreed Order - Attachment A

matter filters, nitrogen oxides reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the EPA or the California Air Resources Board.

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 particulate emissions of buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

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, Respondent must contribute the SEP amount to the Third-Party Recipient. Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP amount, 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. 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

Equistar Chemicals, LP
Agreed Order - Attachment A

4. Failure to Fully Perform

If 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:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

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 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

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, 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 Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.