

Executive Summary – Enforcement Matter – Case No. 41755
Shell Oil Company and Shell Chemical LP
RN100211879
Docket No. 2011-0860-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Shell Oil Deer Park, 5900 Highway 225, Deer Park, Harris County

Type of Operation:

Petroleum refinery and chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2011-1311-AIR-E and 2011-2121-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: November 25, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$64,525

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$32,263

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$32,262

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

Compliance History Classifications:

Person/CN601405145 - Average

Person/CN601542012 - Average

Site/RN - Average

Major Source: CN601405145 and CN601542012 Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002

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RN100211879
Docket No. 2011-0860-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: April 21, 2011 through May 4, 2011; April 11, 2011; April 11, 2011 through April 15, 2011; June 13, 2011; August 4, 2011; May 31, 2011 through June 2, 2011; and June 3, 2011 through June 28, 2011

Date(s) of NOE(s): May 21, 2011; May 26, 2011; May 28, 2011; June 8, 2011; July 30, 2011; August 3, 2011; August 18, 2011; and August 24, 2011

Violation Information

1. Shell Chemical LP failed to submit a complete and accurate Permit Compliance Certification (“PCC”) for Federal Operating Permit (“FOP”) No. O2108 for the January 1, 2010 through December 31, 2010 certification period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O2108, General Terms and Conditions (“GTC”).]

2. Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1668 for the January 1, 2010 through December 31, 2010 certification period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1668, GTC].

3. Shell Chemical LP failed to submit the PCC within 30 days from the end of the certification period [30 TEX. ADMIN. CODE §§ 122.143(4), 122.146(1) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1948, GTC].

4. Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1943 for the January 1, 2010 through December 31, 2010 certification period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1943, GTC].

5. Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1947 for the January 1, 2010 through December 31, 2010 certification period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1947, GTC].

6. Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1945 for the January 1, 2010 through December 31, 2010 certification period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1945, GTC].

7. Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1946 for the January 1, 2010 through December 31, 2010 certification period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1946, GTC].

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8. Shell Oil Company failed to submit a complete and accurate PCC for FOP No. O1669 for the January 1, 2010 through December 31, 2010 certification period [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1669, GTC].

9. Shell Oil Company failed to report all deviations on the January 1, 2010 through June 30, 2010 semi-annual deviation report [30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1669, GTC].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondents have implemented the following corrective measures at the Plant:

a. On April 27, 2011, Shell Oil Company submitted a revised PCC for FOP No. O1669 for the January 1, 2010 through December 31, 2010 certification period; and

b. On May 12, 2011, Shell Chemical LP submitted revised PCCs for FOP Nos. O2108, O1668, O1943, O1945, O1946, O1947, and O1948 for the certification period of January 1, 2010 through December 31, 2010.

Technical Requirements:

1. The Order will require the Respondents to implement and complete a Supplemental Environmental Project (“SEP”). (See SEP Attachment A)

2. The Order will also require the Respondents to:

a. Within 90 days, implement measures and procedures designed to improve operational practices to ensure that PCCs and semi-annual deviation reports are submitted in an accurate and timely manner; and

b. Within 105 days, submit written certification demonstrating compliance with Ordering Provision No. 2.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

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Shell Oil Company and Shell Chemical LP
RN100211879
Docket No. 2011-0860-AIR-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Heather Podlipny, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2603; Debra Barber, Enforcement Division, MC 219, (512) 239-0412.

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

Respondent: Steven Hansen, Manager, Environmental Affairs, Shell Chemical LP, P.O. Box 100, Deer Park, Texas 77536

Mark Byrd, General Manager, Deer Park Site, Shell Oil Company and Shell Chemical LP, P.O. Box 100, Deer Park, Texas 77536

Respondent's Attorney: N/A

Attachment A
Docket Number: 2011-0860-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	Shell Oil Company and Shell Chemical LP
Payable Penalty Amount:	Sixty-Four Thousand Five Hundred Twenty-Five Dollars (\$64,525)
SEP Amount:	Thirty-Two Thousand Two Hundred Sixty-Two Dollars (\$32,262)
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 the Respondents to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondents 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 (“FHWA”) 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 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.

Shell Oil Company and Shell Chemical LP
Agreed Order - Attachment A

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

The Respondents certify 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

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondents must contribute the SEP amount to the Third-Party Recipient. The Respondents 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, the Respondents shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Recipient. The Respondents shall mail a copy of the check and transmittal letter to:

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

4. Failure to Fully Perform

If the Respondents do not perform their 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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	15-Aug-2011	Screening	22-Aug-2011	EPA Due	12-Feb-2012
	PCW	22-Sep-2011				

RESPONDENT/FACILITY INFORMATION	
Respondent	Shell Oil Company
Reg. Ent. Ref. No.	RN100211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	41755	No. of Violations	2
Docket No.	2011-0860-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Heather Podlipny
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$1,100**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **720.0%** Enhancement **Subtotals 2, 3, & 7** **\$7,920**

Notes
 Enhancement for 14 orders with denial of liability, 11 orders without denial of liability, one court order with denial of liability, 14 NOVs with same/similar violations, and 57 NOVs with dissimilar violations.
 Reduction for 21 Notices of Intent to conduct audits, for nine Disclosures of Violations and for an environmental management system.

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

Notes
 The Respondent does not meet the culpability criteria.

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

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

Total EB Amounts **\$47**
 Approx. Cost of Compliance **\$750**
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$9,020**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$9,020**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$9,020**

DEFERRAL **0.0%** Reduction **Adjustment** **\$0**

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 **\$9,020**

Screening Date 22-Aug-2011

Docket No. 2011-0860-AIR-E

PCW

Respondent Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No. 41755

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Heather Podlipny

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>)	14	70%
	Other written NOVs	57	114%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	14	280%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	11	275%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	1	30%
	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>)	21	-21%
	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>)	9	-18%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	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) 720%

>> **Repeat Violator (Subtotal 3)**

No

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes

Enhancement for 14 orders with denial of liability, 11 orders without denial of liability, one court order with denial of liability, 14 NOVs with same/similar violations, and 57 NOVs with dissimilar violations. Reduction for 21 Notices of Intent to conduct audits, for nine Disclosures of Violations and for an environmental management system.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 720%

Screening Date: 22-Aug-2011

Docket No.: 2011-D860-AIR-E

PCW

Respondent: Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No.: 41755

PCW Revision October 30, 2008

Reg. Ent. Reference No.: RN100211879

Media [Statute]: Air

Enf. Coordinator: Heather Podlipny

Violation Number: 1

Rule Cite(s): 30 Tex. Admin. Code §§ 122.143(4) and 122.146(1), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O1669, General Terms and Conditions ("GTC")

Violation Description: Failed to submit a complete and accurate Permit Compliance Certification ("PCC") for FOP No. O1669 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 29, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.

Base Penalty: \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
		X		10%

Matrix Notes: Approximately 50% of the rule requirement was not met.

Adjustment: \$9,000

\$1,000

Violation Events

Number of Violation Events: 1 Number of violation days: 86

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty: \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal: \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount: \$27

Violation Final Penalty Total: \$8,200

This violation Final Assessed Penalty (adjusted for limits): \$8,200

Economic Benefit Worksheet

Respondent Shell Oil Company
Case ID No. 41755
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	30-Jan-2011	26-Feb-2012	1.07	\$27	n/a	\$27
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for improving the recordkeeping system for submittal of timely and accurate PCC reports. The Date Required is the date the PCC was due and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$27

Screening Date: 22-Aug-2011
 Respondent: Shell Oil Company
 Case ID No.: 41755

Docket No.: 2011-0860-AIR-E

PCW

Policy Revision 2 (September 2002)
 PCW Revision October 30, 2008

Reg. Ent. Reference No.: RN100211879

Media [Statute]: Air

Enf. Coordinator: Heather Podlipny

Violation Number: 2

Rule Cite(s): 30 Tex. Admin. Code 55.122.143(4) and 122.145(2)(A), Tex. Health & Safety Code 5.382.085(b), and FOP No. 01669, GTC

Violation Description: Failed to report all deviations on the January 1, 2010 through June 30, 2010 semi-annual deviation report. Specifically, six deviations for Incident Nos: 134370, 134702, 133881, 134703, 136587, and 139463 were not reported.

Base Penalty: \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
				X	

More than 70% of the rule requirement was met.

Adjustment: \$9,900

\$100

Violation Events

Number of Violation Events: 1 387 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty: \$100

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction: \$0

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

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

Violation Subtotal: \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount: \$20

Violation Final Penalty Total: \$820

This violation Final Assessed Penalty (adjusted for limits): \$820

Economic Benefit Worksheet

Respondent Shell Oil Company
Case ID No. 41755
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 2

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	\$250	30-Jul-2010	26-Feb-2012	1.58	\$20	n/a	\$20
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs
 Estimated cost for improving the recordkeeping system for submittal of accurate deviation reports. The Date Required is the date the deviation report was due and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$20



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	23-May-2011	Screening	26-May-2011	EPA Due	12-Feb-2012
	PCW	1-Sep-2011				

RESPONDENT/FACILITY INFORMATION	
Respondent	Shell Chemical LP
Reg. Ent. Ref. No.	RN100211879
Facility/Site Region	12-Houston
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	41755	No. of Violations	7
Docket No.	2011-0860-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Heather Podligny
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$8,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1		
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>		
Compliance History	553.0% Enhancement	Subtotals 2, 3, & 7
		\$47,005

Notes Enhancement for ten orders with denial of liability, 11 orders without denial of liability, 13 NOVs with same/similar violations, and 28 NOVs with dissimilar violations. Reduction for 17 Notices of Intent to conduct audits, for eight Disclosures of Violations, and for an environmental management system.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$27
Approx. Cost of Compliance \$500
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$55,505
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$55,505
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$55,505
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$55,505
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Screening Date 26-May-2011

Docket No. 2011-0860-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 41755

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Heather Podlipny

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	13	65%
	Other written NOVs	28	56%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	10	200%
	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	11	275%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	17	-17%
	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>)	8	-16%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	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) 553%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for ten orders with denial of liability, 11 orders without denial of liability, 13 NOVs with same/similar violations, and 28 NOVs with dissimilar violations. Reduction for 17 Notices of Intent to conduct audits, for eight Disclosures of Violations, and for an environmental management system.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 553%

Screening Date 26-May-2011

Docket No. 2011-0860-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 41755

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Heather Podlipny

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4) and 122.146(1), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit ("FOP") No. O2108, General Terms and Conditions ("GTC")

Violation Description

Failed to submit a complete and accurate Permit Compliance Certification ("PCC") for FOP No. O2108 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
		X	

Percent 10%

Matrix Notes

Approximately 50% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

101 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$27

Violation Final Penalty Total \$6,530

This violation Final Assessed Penalty (adjusted for limits) \$6,530

Economic Benefit Worksheet

Respondent: Shell Chemical LP
Case ID No.: 41755
Reg. Ent. Reference No.: RN100211879
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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	30-Jan-2011	26-Feb-2012	1.07	\$27	n/a	\$27
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for improving the recordkeeping system for submittal of timely and accurate PCC reports. The Date Required is the date the PCCs were due and the Final Date is the estimated date of compliance.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$27

Screening Date 26-May-2011

Docket No. 2011-0860-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 41755

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Heather Podlipny

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.146(1), Tex. Health & Safety Code § 382.085(b), and FOP No. O1668, GTC

Violation Description

Failed to submit a complete and accurate PCC for FOP No. O1668 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
		X	

Percent 10%

Matrix Notes

Approximately 50% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

101 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$1,000

One single event is recommended

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$6,530

This violation Final Assessed Penalty (adjusted for limits) \$6,530

Economic Benefit Worksheet

Respondent: Shell Chemical LP
Case ID No.: 41755
Reg. Ent. Reference No.: RN100211879
Media: Air
Violation No.: 2

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Costs are included in the economic benefit for violation 1.

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

\$0

TOTAL

\$0

Screening Date 26-May-2011

Docket No. 2011-0860-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 41755

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Heather Podlipny

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4), 122.146(1) and 122.146(2), Tex. Health & Safety Code § 382.085(b), and FOP No. 01948; GTC

Violation Description

Failed to submit the PCC within 30 days from the end of the certification period. Specifically, the PCC for FOP No. 01948 for the January 1, 2010 through December 31, 2010 certification period was not submitted until April 28, 2011.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

101 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$2,500

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$16,325

This violation Final Assessed Penalty (adjusted for limits) \$16,325

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 41755
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 3

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Costs are included in the economic benefit for violation 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 26-May-2011

Docket No. 2011-0860-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 41755

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Heather Podlipny

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4) and 122.146(1), Tex. Health & Safety Code § 382.085(b), and FOP No. 01943, GTC

Violation Description

Failed to submit a complete and accurate PCG for FOP No. 01943 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCG was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCG did not include the correct certification period of January 1, 2010 through December 31, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
		X	

Percent 10%

Matrix Notes

Approximately 50% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

101 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$6,530

This violation Final Assessed Penalty (adjusted for limits) \$6,530

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 41755
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 4

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Costs are included in the economic benefit for violation 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 26-May-2011

Docket No. 2011-0860-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 41755

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Heather Podlprny

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4) and 122.146(1), Tex. Health & Safety Code § 382.085(b), and FOP No. 01947, GTC

Violation Description

Failed to submit a complete and accurate PCC for FOP No. 01947 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor
		x	

Percent 10%

Matrix Notes

Approximately 50% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

101 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes

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

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$6,530

This violation Final Assessed Penalty (adjusted for limits) \$6,530

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 41755
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 5

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Costs are included in the economic benefit for violation 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 26-May-2011
Respondent Shell Chemical LP
Case ID No. 41755
Reg. Ent. Reference No. RN100211879
Media [Statute] Air
Enf. Coordinator Heather Podlipny

Docket No. 2011-0860-AIR-E

PCW

Policy Revision 2 (September 2002)
 PCW Revision October 30, 2008

Violation Number 6
Rule Cite(s)

30 Tex. Admin. Code §§ 122.143(4) and 122.146(1), Tex. Health & Safety Code § 382.085(b), and FOP No. O1945, GTC

Violation Description

Failed to submit a complete and accurate PCC for FOP No. O1945 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Matrix Notes	Falsification			Percent
	Major	Moderate	Minor	
Approximately 50% of the rule requirement was not met.		X		10%

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0:0% Reduction

\$0

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

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

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$6,530

This violation Final Assessed Penalty (adjusted for limits) \$6,530

Economic Benefit Worksheet

Respondent: Shell Chemical LP
Case ID No.: 41755
Reg. Ent. Reference No.: RN100211879
Media: Air
Violation No.: 6

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Costs are included in the economic benefit for violation 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date: 26-May-2011
Respondent: Shell Chemical LP
Case ID No.: 41755
Reg. Ent. Reference No.: RN100211879
Media [Statute]: Air
Enf. Coordinator: Heather Podlipny

Docket No.: 2011-0860-AIR-E

PCW

Policy Revision 2 (September 2002)
 PCW Revision October 30, 2008

Violation Number: 7

Rule Cite(s): 30 Tex. Admin. Code §§ 122.143(4) and 122.146(1), Tex. Health & Safety Code § 382.085(b), and FOP No. O1946, GTC

Violation Description:

Failed to submit a complete and accurate PCC for FOP No. O1946 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.

Base Penalty: \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Matrix Notes	Falsification			Percent
	Major	Moderate	Minor	
Approximately 50% of the rule requirement was not met.		X		10%

Adjustment: \$9,000

\$1,000

Violation Events

	1	101	Number of violation days
mark only one with an x	daily		
	weekly		
	monthly		
	quarterly		
	semiannual		
	annual		
Single event	X		

Violation Base Penalty: \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

Notes:

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

Violation Subtotal: \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount: \$0

Violation Final Penalty Total: \$6,530

This violation Final Assessed Penalty (adjusted for limits): \$6,530

Economic Benefit Worksheet

Respondent Shell Chemical LP
Case ID No. 41755
Reg. Ent. Reference No. RN100211879
Media Air
Violation No. 7

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Costs are included in the economic benefit for violation 1.

Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Compliance History

Customer/Respondent/Owner-Operator:	CN601542012	Shell Oil Company	Classification: AVERAGE	Rating: 3.20
Regulated Entity:	RN100211879	SHELL OIL DEER PARK	Classification: AVERAGE	Site Rating: 12.72
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER		HG0659W
	AIR OPERATING PERMITS	PERMIT		1669
	AIR OPERATING PERMITS	PERMIT		1668
	AIR OPERATING PERMITS	PERMIT		1943
	AIR OPERATING PERMITS	PERMIT		1945
	AIR OPERATING PERMITS	PERMIT		1946
	AIR OPERATING PERMITS	PERMIT		1947
	AIR OPERATING PERMITS	PERMIT		1948
	AIR OPERATING PERMITS	PERMIT		2108
	AIR OPERATING PERMITS	PERMIT		1940
	AIR OPERATING PERMITS	PERMIT		1942
	AIR OPERATING PERMITS	PERMIT		3179
	POLLUTION PREVENTION PLANNING	ID NUMBER		P00619
	POLLUTION PREVENTION PLANNING	ID NUMBER		P07403
	WASTEWATER	PERMIT		WQ0000402000
	WASTEWATER	EPA ID		TX0004863
	WASTEWATER	PERMIT		WQ0000403000
	WASTEWATER	EPA ID		TX0004871
	WASTEWATER	EPA ID		TX0004871
	AIR NEW SOURCE PERMITS	REGISTRATION		92675
	AIR NEW SOURCE PERMITS	REGISTRATION		92386
	AIR NEW SOURCE PERMITS	REGISTRATION		92219
	AIR NEW SOURCE PERMITS	PERMIT		21262
	AIR NEW SOURCE PERMITS	REGISTRATION		54895
	AIR NEW SOURCE PERMITS	REGISTRATION		55312
	AIR NEW SOURCE PERMITS	REGISTRATION		75524
	AIR NEW SOURCE PERMITS	REGISTRATION		55869
	AIR NEW SOURCE PERMITS	REGISTRATION		76315
	AIR NEW SOURCE PERMITS	PERMIT		7855
	AIR NEW SOURCE PERMITS	REGISTRATION		11177
	AIR NEW SOURCE PERMITS	REGISTRATION		12152
	AIR NEW SOURCE PERMITS	REGISTRATION		12537
	AIR NEW SOURCE PERMITS	PERMIT		13373
	AIR NEW SOURCE PERMITS	REGISTRATION		13713
	AIR NEW SOURCE PERMITS	REGISTRATION		16429

AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	REGISTRATION	10888
AIR NEW SOURCE PERMITS	REGISTRATION	11096
AIR NEW SOURCE PERMITS	REGISTRATION	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	REGISTRATION	12829
AIR NEW SOURCE PERMITS	REGISTRATION	13678
AIR NEW SOURCE PERMITS	REGISTRATION	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	REGISTRATION	15262
AIR NEW SOURCE PERMITS	REGISTRATION	15365
AIR NEW SOURCE PERMITS	REGISTRATION	15499
AIR NEW SOURCE PERMITS	REGISTRATION	15940
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	REGISTRATION	24096
AIR NEW SOURCE PERMITS	REGISTRATION	27598
AIR NEW SOURCE PERMITS	REGISTRATION	29597
AIR NEW SOURCE PERMITS	REGISTRATION	32282
AIR NEW SOURCE PERMITS	REGISTRATION	33524
AIR NEW SOURCE PERMITS	REGISTRATION	34230
AIR NEW SOURCE PERMITS	REGISTRATION	34358
AIR NEW SOURCE PERMITS	REGISTRATION	35243
AIR NEW SOURCE PERMITS	REGISTRATION	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597

AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	REGISTRATION	41920
AIR NEW SOURCE PERMITS	REGISTRATION	41875
AIR NEW SOURCE PERMITS	REGISTRATION	42221
AIR NEW SOURCE PERMITS	REGISTRATION	42573
AIR NEW SOURCE PERMITS	REGISTRATION	42512
AIR NEW SOURCE PERMITS	REGISTRATION	43605
AIR NEW SOURCE PERMITS	REGISTRATION	42118
AIR NEW SOURCE PERMITS	REGISTRATION	45654
AIR NEW SOURCE PERMITS	REGISTRATION	45944
AIR NEW SOURCE PERMITS	REGISTRATION	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	REGISTRATION	70903
AIR NEW SOURCE PERMITS	REGISTRATION	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	REGISTRATION	54061
AIR NEW SOURCE PERMITS	REGISTRATION	50548
AIR NEW SOURCE PERMITS	REGISTRATION	52565
AIR NEW SOURCE PERMITS	REGISTRATION	52089
AIR NEW SOURCE PERMITS	REGISTRATION	52088
AIR NEW SOURCE PERMITS	REGISTRATION	50388
AIR NEW SOURCE PERMITS	REGISTRATION	50423
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974

AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	93992
AIR NEW SOURCE PERMITS	REGISTRATION	94547
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	87183
AIR NEW SOURCE PERMITS	REGISTRATION	95595
AIR NEW SOURCE PERMITS	REGISTRATION	96066
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	87871
AIR NEW SOURCE PERMITS	REGISTRATION	84538
AIR NEW SOURCE PERMITS	REGISTRATION	98473
AIR NEW SOURCE PERMITS	REGISTRATION	96915
AIR NEW SOURCE PERMITS	REGISTRATION	87173
AIR NEW SOURCE PERMITS	REGISTRATION	98644
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30007
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

Location: 5900 HIGHWAY 225, DEER PARK, TX, 77536

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: October 10, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 15, 2006 to August 15, 2011

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

Name: Heather Podlipny Phone: 239 - 2603

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? Yes
3. If Yes, who is the current owner/operator?

OWNOPR	Shell Deer Park Refining Company
OWNOPR	Shell Chemical LP
OWNOPR	Shell Oil Company
OWN	Equilon Enterprises LLC
OPR	Shell Oil Products Company, L.L.C.
OWN	Deer Park Refining Limited Partnership
OWN	Shell Oil Company
OWNOPR	Shell Chemical Company
4. If Yes, who was/were the prior owner(s)/operator(s)?

OWNOPR	Deer Park Refining Limited Partnership
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5. When did the change(s) in owner or operator occur?

02/01/2011	OWNOPR	Deer Park Refining Limited Partnership
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6. Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 08/29/2006

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of low sulfur diesel fuel and heavy crude oil sludge in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
30 TAC Chapter 101, SubChapter A 101.5
30 TAC Chapter 111, SubChapter B 111.201

Description: Shell caused, suffered, allowed the outdoor burning of natural gas in such concentration and of such duration to interfere with the normal use and enjoyment of property and caused a freeway closure.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)

Rqmt Prov: mact rates PERMIT

Description: Exceeded maximum allowable emission rates for hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: Discharged approximately 327 pounds of unspciated VOC resulting in air contaminants in such concentration and duration so as to interfere with the normal use and enjoyment of property in teh area.

Effective Date: 08/15/2008 ADMINORDER 2007-2001-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: No. #21262, Special Condition #1 PERMIT
Description: Failed to prevent unauthorized emissions.

Effective Date: 08/15/2008 ADMINORDER 2008-0079-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. 3179, SC 6 PERMIT
Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342., in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Effective Date: 09/22/2008 ADMINORDER 2007-1789-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Shell failed to prevent an avoidable emissions event.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382, SubChapter D 382.085(b)
Description: Failure to keep a flame present at a flare at all times.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008 ADMINORDER 2007-1472-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: No.1968, Special Condition #1, MAERT PERMIT
Description: Shell failed to prevent an avoidable emissions event that resulted in the release of a large quantity of VOCs.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.3214, Special Condition #1 PERMIT
Description: failed to comply with permitted emissions limits.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
5C THSC Chapter 382, SubChapter D 382.085(b)
Description: Failure to list the compound descriptive type for the emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 3219, Gen Condition 8 PERMIT
Description: failed to comply with permitted emissions limits

Effective Date: 11/06/2008 ADMINORDER 2007-1218-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.3173, Special Condition #1 PERMIT
Description: Failure to install the metallurgically correct cap to a pump causing a leak to develop on a pump.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 9334, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Description: Failed to notify the TCEQ Region Office of an emission event within 24 hours.

Effective Date: 11/17/2008 ADMINORDER 2008-0283-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: NSR Permit 3219 and PST-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 7,275 lbs of sulfur dioxide, 38.50 lbs of CO, 5.33 lbs of NOx, 77.30 lbs of H2S, 304.3 lbs of volatile organic compounds, and 0.70 lbs of particulate matter were released through the East Property Flare in the Catalytic Cracker Feed Hydrotreater Unit during an emissions event (Incident No. 99227) that occurred on October 24, 2007 and lasted one hour and 50 minutes.

Effective Date: 12/04/2008 ADMINORDER 2008-0635-AIR-E

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

Rqmt Prov: NSR 3173, SC 1 PERMIT
O-01948, SC 13(A) OP

Description: Failed to maintain the VOC MAER of 0.52 lbs per hour at Vent V118 for six hours from April 2, 2007 to August 30, 2007.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions from the East Property Flare on December 16, 2007.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)

5C THSC Chapter 382 382.085(b)

Description: Failed to provide information within 14 days of the Additional Information Request dated February 11, 2008.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the Coker Flare on February 4, 2008.

Effective Date: 12/04/2008

ADMINORDER 2006-0328-MLM-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT
TCEQ Flex Air Permit 21262/PSDTX928, SC1 PERMIT

Description: Shell failed to prevent the unauthorized release of air contaminants into the atmosphere.

Classification: Minor

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

Description: Shell failed to comply with emissions event reporting requirements.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #21262, SC1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219/PSD-TX-974, G.C. 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 3179, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to properly seal open-ended lines.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THSC Chapter 382 382.085(b)

Description: Shell failed to monitor new valves which were put into service at the OP-3 unit on a monthly basis.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 21262, Special Condition 1 PERMIT
Permit No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 21262, SC #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Shell failed to submit an emissions event report within two weeks after the end of the event.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit 3179, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 2162/PSDTX 928, S.C. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(3)(i)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)

Rqmt Prov: Permit 50099, Provision V.1.2.b. PERMIT

Description: Shell failed to comply with BIF operating parameters for the total ash feed rate, by not revising the data in the Distributed Control Systems for the correct level of ash being fed into the unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Minor

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

Description: Shell failed to identify the preconstruction authorization number in the final report submitted to the agency for the facility involved in the emissions event, which occurred on June 15, 2005, in the CCU.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. No. 1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 3219/ PSD-TX-974, G.C. 8 PERMIT

Description: Shell failed to comply with the permitted emission limits.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 3173, Special Condition 13 PERMIT

Description: Shell failed to comply with the permitted emission limits.

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

Description: Shell failed to submit an initial notification of an emissions event within the 24-hour period for the emissions event that occurred on June 28, 2006 at Tank T-75A.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.3178, Special Condition No.1 PERMIT

Description: Shell failed to comply with the permitted emission limits.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT

Description: Shell failed to prevent an unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Flexible Air Permit No. 21262, SC1 PERMIT

Description: Shell failed to prevent an avoidable emissions event.

Effective Date: 02/08/2009 ADMINORDER 2007-0837-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that started on December 5, 2005.

Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a PI-7 Form within 10 days following modification of the three storage tanks.

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(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 G 63.113(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC #2 PERMIT

Description: Failed to comply with the 20 ppm HAP limit for Spent Air Incinerator H9200.

Classification: Moderate

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

Rqmt Prov: FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC#1 PERMIT

Description: Failed to comply with the 9.0 lbs/hr acetone emissions limit for Spent Air Incinerator H9200.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to comply with the 20 ppm VOC emissions limit for Spent Air Incinerator H9200.

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21E PERMIT

Description: Failed to maintain a cap, plug, or blind flange on all open-ended lines.

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 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21H PERMIT

Description: Failed to maintain a leaking component tag on leaking components until the component is repaired.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to make a first attempt to repair a leaking component within five days after discovery.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(E)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, General Terms & Conditions OP

Description: Failed to maintain all required monitoring analysis data.

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 A 63.11(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #14 PERMIT

Description: Failed to perform continuous monitoring of the flare pilot flame.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)

30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945 General Terms & Conditions OP

Description: Failed to submit an annual compliance certification and deviation report within 30 days after the reporting period.

Classification: Moderate

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

Rqmt Prov: No.3219 and PSD-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions during a December 14, 2006 emissions event.

Classification: Moderate

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

Rqmt Prov: No.3219, MAERT PERMIT

PSD-TX-974 PERMIT

Description: Failed to prevent unauthorized emissions during a February 1, 2007 emissions event.

Effective Date: 06/15/2009

ADMINORDER 2008-1621-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent the shutdown of the compressor.

Classification: Moderate

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

Rqmt Prov: FOP O-01669, General Terms & Conditions OP

Description: Failure to submit the annual Permit Compliance Certification within 30 days of the end of the certification period.

Effective Date: 08/23/2009

ADMINORDER 2008-1092-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 21262 AND PSD-TX-928, SC No. 1 PERMIT

Description: Shell exceeded permit limits during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: Permit PERMIT

Description: Failed to prevent the unauthorized emissions of: 2,540 lbs of VOC, 12 lbs of H2S, 452 lbs of NOx, 3,248 lbs of CO, and 1,216 lbs of SO2 released from the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare during an emissions event that occurred on March 7, 2008 and lasted 4 hours and 0 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent plugging of level transmitter (LT-257) tap.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent an electrical short during installation of additional alarm at SRU Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent wet gas compressor malfunction.

Classification: Moderate

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

Rqmt Prov: MAERT PERMIT

Description: Failed to prevent the shutdown of the SRUs.

Effective Date: 08/31/2009 ADMINORDER 2008-1925-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC 1 PA

Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the North Property Flare on June 18, 2008.

Classification: Moderate

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

Rqmt Prov: General Condition 8, NSRP 3219/PSDTX974 PA

Description: Failed to prevent unauthorized emissions from the OP-2 Elevated Flare, OP-3 Elevated Flare, and from the OP-3 Ground Flare on June 29, 2008

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC No. 1 PERMIT

Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the North Property Flare on July 17, 2008.

Classification: Minor

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

Description: Failed to timely provide information requested by the TCEQ Houston Regional Office regarding the July 17, 2008 emissions event.

Effective Date: 10/31/2009 ADMINORDER 2009-0465-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, an emissions event occurred from November 13 through 15, 2008, due to accumulation of rain resulting from clogged drain lines on a floating tank roof (Emission Point No. TOL905), that lasted for 38 hours and 44 minutes, resulting in the release of 10,169.40 pounds of volatile organic compounds.

Effective Date: 03/20/2010 ADMINORDER 2009-0806-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,514.6 pounds ("lbs") of volatile organic compounds ("VOC") [including 3.6 lbs of the Highly Reactive VOC ("HRVOC") ethylene and 884.2 lbs of the HRVOC propylene], 152.3 lbs of hydrogen sulfide, 82.7 lbs of nitrogen dioxide, 597.3 lbs of carbon monoxide, 16.8 lbs of particulate matter and 14,329.3 lbs of sulfur dioxide from the Distilling Hydrotreater ("DHT") Unit and the Catalytic Cracking Unit during an avoidable

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 7,520.79 lbs of VOC, 16.28 lbs of H2S, 147.84 lbs of benzene, 426.70 lbs of SO2, 51.50 lbs of nitrogen oxide, 372.10 lbs of CO, 8.60 lbs of PM, 103.89 lbs of ethane, 292.53 lbs of methane, 12.75 lbs of nitrogen and 2.15 lbs of hydrogen from Distillation Unit 2 during an avoidable emissions event (incident No. 119042) that began January 18, 2009 and lasted eight hours and four minutes. The event was caused the malfunction

Effective Date: 06/18/2010

ADMINORDER 2009-1789-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Shell failed to prevent unauthorized emissions. Shell Aromatics Concentration Unit operators caused unauthorized emissions when they landed the internal floating roof of tank, D-381. The operator failed to monitor the tank pump-out rates, and the tank level indication alarms. (Incident No. 125893). This resulted in the routing of emissions to the atmosphere.

Effective Date: 06/26/2010

ADMINORDER 2009-2090-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 125,980 pounds ("lbs") of volatile organic compounds, 262 lbs of benzene and 34 lbs of hydrogen sulfide from Distillation Unit 2 during an avoidable emissions event that began May 19, 2009 and lasted 20 minutes. The emissions event was the result of operators utilizing the No. 3 Crude Line even though water had accumulated in the line. The water flashed into steam which increased column pressure, resulting in the release

Effective Date: 07/11/2010

ADMINORDER 2009-1984-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
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. Specifically, the Respondent released 12,972 lbs of VOC, 5,816 lbs of CO and 1,062 lbs of NOx from flaring at the Olefins Flare System in the Olefins 3 Unit during an avoidable emissions event (incident No. 126985) that began July 19, 2009 and lasted nine hours and 58 minutes. The event was the result of an operator not following the established procedure for bypassing the Instrument Protection Function transmitters. As a result, the LI-5026Z transmitter

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 37.08 pounds of benzene from the Aromatics Concentration Unit during an avoidable emissions event (Incident No. 127526) that was discovered July 28, 2009 and lasted two hours. An internal floating roof of a storage tank was lowered to the point where the vacuum breaker opened releasing emissions to the atmosphere. The tank level alarm was improperly set, so there was no indication that the vacuum breaker had

Classification: Minor

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

5C THSC Chapter 382 382.085(b)

Description: Failed to submit the initial notification for Incident No. 127526 within 24 hours after the discovery of the event and failed to submit the final report within 14 days after the end of the event. Specifically, the initial notification was due July 29, 2009 but was not submitted until July 31, 2009, and the final report was due August 11, 2009 but was not submitted until August 12, 2009.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PA
Special Condition 13 OP

Description: Failed to comply with hourly VOC emission rates. Specifically, the Respondent exceeded the 0.98 lb/hour VOC limit for the C39 Scrubber Column Vent on 221 occasions and released an aggregate amount of 57.18 lbs of unauthorized VOC emissions over a total of 119 hours, from July 29 through September 11, 2008.

Classification: Moderate

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

Rqmt Prov: Permit No. 3179, Spec. Cond. No. 6 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 241.40 lbs of VOC, 121.70 lbs of CO and 25.20 lbs of NOx from the HIPA flare in the LPG Unit during an avoidable emissions event (Incident No. 127809) that began July 3, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review. The event was due to a faulty relief valve prematurely opening, allowing emissions to enter the flare. Since this emissions

Classification: Moderate

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

Rqmt Prov: Special Condition No. 6 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 278.40 lbs of volatile organic compounds ("VOC"), 240.10 lbs of carbon monoxide ("CO") and 39 lbs of nitrogen oxide ("NOx") from the Houston Isopropyl Alcohol ("HIPA") flare in the LPG ("Liquified Petroleum Gas") Unit during an avoidable emissions event (Incident No. 127810) that began July 15, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review

Effective Date: 10/25/2010

ADMINORDER 2009-1300-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
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)

Rqmt Prov: FOP O-02108 STC 15 OP
FOP O-02108 STC 1A OP
NSR 18576 SC 4A PERMIT
NSR 1968 SC 2 PERMIT
NSR 19849 SC 2A PERMIT
NSR 3173 SC 4 PERMIT
NSR 3179 SC 14 PERMIT

Description: Failed to maintain minimum heating value at the HIPA and A&S Flares.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02108 STC 15 OP
FOP O-02108 STC 1A OP

NSR 18576 SC 4A PERMIT
NSR 19849 SC 26 PERMIT

Description: Failed to meet the net heating value and exit velocity at the A&S Flare.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02108 STC 1A OP
FOP STC O-02108 15 OP
NSR 18576 SC 4B PERMIT
NSR 1968 SC 2 PERMIT
NSR 19849 SC 2B PERMIT

Description: Failed to maintain records of the pilot monitoring data at the A&S Flare from April 21, 2008 through December 31, 2008.

Effective Date: 02/05/2011 ADMINORDER 2010-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 133506. Since this emissions event could have been avoided through better maintenance practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 134189. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 134301. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.

Effective Date: 04/18/2011 ADMINORDER 2010-1331-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Since this emissions event could have been avoided by better operational practices and was reported late, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present affirmative defense were not met.

Classification: Minor

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

Description: Failed to submit the initial notification for Incident No. 136726 within 24 hours after the discovery of the event and failed to submit the final report within 14 days after the end of the event.

Effective Date: 05/08/2011 ADMINORDER 2010-1439-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.173(a)(3)

40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)

Rqmt Prov: V.G.4.g. OP

Description: Failed to ensure that the leachate depth in the leachate collection/leak detection system does not exceed 12 inches above the liner. Specifically, based on review of the Leachate Log, a TCEQ investigator noted leachate levels above the maximum permitted level of 12 inches on 14 occasions in Cell 2 of the Site 104 Landfill located at the Plant.

Effective Date: 06/20/2011

ADMINORDER 2010-1351-MLM-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(E)(ii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PSD-TX-928 PERMIT

Description: Failing to provide first repair attempt records for three leaking pumps. Specifically, Tag Nos. 115830, 26001 and 40477 were detected to be leaking on April 11, 2007, April 10, 2007, and May 10, 2007. During an enforcement review meeting on December 17, 2009, leaking component records were requested; however, Respondent did not provide accurate records to demonstrate compliance for these pumps until October 20, 2010.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Part 61, Subpart V 61.242-7(d)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01669, SC 1(A) OP

FOP O-01669, SC 24 OP
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(I) PERMIT
SC 2, 3(A), 3(B), 4(D), 9(I) PERMIT

Description: Failing to repair or place the valve on delay of repair by the 15th day after the detection of a leak. Specifically, Tag. No. 41855 was detected leaking on February 13, 2007, and was not repaired until March 20, 2007.

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-01669, General Terms & Conditions OP

Description: Failing to report all instances of deviations. Specifically, a total of 7 deviations were missing from reports for the following time periods: November 22, 2006 through May 21, 2007, May 22, 2007 through November 21, 2007, November 22, 2007 through December 31, 2007, January 1, 2008 through June 30, 2008, and July 1, 2008 through December 31, 2008;

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)
5C THSC Chapter 382 382.085(b)

Description: Failing to prevent the exceedance of 3.5 pounds per gallon ("lbs/gal") volatile organic compounds ("VOC") on a daily basis. Specifically, EPN PAINTFE exceeded this limit on 98 occasions, with amounts ranging from 3.51 lbs/gal to 6.98 lbs/gal from January 2, 2008 through July 31, 2008.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
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)

Rqmt Prov: FOP O-01669, SC 1(A) OP
FOP O-01669, SC 24(A) OP
NSR 21262, SC 2 PERMIT
NSR 21262, SC 24 PERMIT
NSR 21262, SC 4 PERMIT
SC 2, 4, 24 PERMIT

Description: Failing to maintain a minimum of 300 British thermal units per standard cubic foot ("Btu/scf") for EPN COKEFLARE. Specifically, EPN COKEFLARE fell below the required heating value for a total of three hours on three separate days in January, May, and July, 2008, with heating values ranging from 238 Btu/scf to 231 Btu/scf.

Classification: Moderate

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

Rqmt Prov: FOP O-01669, SC 24(A) OP
General Condition 8 PERMIT
NSR 46535, SC 1 PERMIT

Description: Failing to maintain compliance with the MAERT for sulfur dioxide ("SO₂") for the Cracked Gas Hydrotreater Furnace ("EPN H36100"). Specifically, EPN H36100 emitted 7.3067 tons in 2007, and the allowed limit is 4.48 tons per year.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(2)(i)(E)

Rqmt Prov: Permit Provision (PP) V.I.3.b.(1) PERMIT

Description: Failing to maintain the minimum combustion temperature at the BIF of 1800 degrees Fahrenheit. Specifically, on March 26, 2009 and May 20, 2009, a total of three excursions occurred and the temperature fell to 1744.14, 1770.38, and 1721.2 degrees Fahrenheit, respectively.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)

Rqmt Prov: PP V.I.7.d. PERMIT

Description: Failing to test or document the rationale that the BIF was being tested at least every 30 days. Specifically, more than a 30 day gap was noted from September 10, 2008 through October 14, 2008, and from December 10, 2008 until January 29, 2009

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(d)

Rqmt Prov: PP V.I.7.e. PERMIT

Description: Failing to record observations in an inspection log or summary at the BIF area. Specifically, a phenol heavy waste stream had leaked around the pump in a secondary containment, the boiler water was leaking and being collected into a fracture tank, and the operator did not make any notations about these problems on the daily BIF inspection log.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC No. 1 PERMIT
Special Condition #1 PERMIT

Description: Failing to prevent the unauthorized release of air contaminants into the atmosphere when the V-5102 Crude Column was overpressured when the wash water entered the feed crude train at the DU2. Specifically, on May 17, 2009, during this two-minute emission event (Incident No. 124343) the following emissions were released: 7.587 tons of VOCs, 4 lbs. of hydrogen sulfide ("H₂S"), and 32 lbs of benzene. The TCEQ determined these emissions could have been avoided by better operational practices.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(2)(i)(E)

Rqmt Prov: V.I.3.b.1 OP

Description: Failing to maintain the minimum combustion temperature of 1800 degrees Fahrenheit while hazardous waste is being fed to the BIF unit. Specifically, Respondent fed hazardous waste to the BIF unit below the minimum combustion temperature on June 24, 2009, August 28, 2009, September 10, 2009, and September 19, 2009.

Effective Date: 06/20/2011 ADMINORDER 2010-1889-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 06/20/2011 ADMINORDER 2010-1538-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that occurred on May 7, 2010.

Effective Date: 07/31/2011 ADMINORDER 2010-2072-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: The Respondent is alleged to have failed to prevent unauthorized emissions from the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare during Incident No. 143946.

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	10/31/2006	(343595)
2	12/29/2006	(343599)
3	11/30/2006	(379581)
4	08/16/2006	(392732)
5	03/05/2007	(406521)
6	08/18/2006	(457259)
7	08/31/2006	(457283)
8	02/20/2007	(457345)
9	08/23/2006	(457432)
10	08/18/2006	(457480)
11	05/09/2007	(467500)
12	08/28/2006	(479997)
13	08/29/2006	(479999)
14	09/29/2006	(487313)

15	12/07/2006	(487985)
16	12/07/2006	(488004)
17	12/07/2006	(488023)
18	12/07/2006	(488025)
19	12/15/2006	(508968)
20	08/30/2006	(509636)
21	10/31/2006	(509694)
22	03/01/2007	(509707)
23	08/29/2006	(509957)
24	10/04/2006	(510017)
25	10/05/2006	(510021)
26	10/13/2006	(510023)
27	08/25/2006	(510170)
28	09/07/2006	(510326)
29	10/04/2006	(512388)
30	10/05/2006	(512392)
31	10/05/2006	(512393)
32	10/26/2006	(512394)
33	11/16/2006	(512687)
34	10/31/2006	(513138)
35	11/03/2006	(513228)
36	11/03/2006	(513328)
37	11/16/2006	(514711)
38	10/27/2006	(515112)
39	11/06/2006	(515706)
40	11/21/2006	(517284)
41	09/25/2006	(520134)
42	01/19/2007	(531892)
43	02/23/2007	(532452)
44	02/17/2007	(532455)

45 04/25/2007 (532459)
46 02/23/2007 (532463)
47 02/27/2007 (532471)
48 12/21/2006 (534053)
49 05/07/2007 (537121)
50 01/31/2007 (537439)
51 01/31/2007 (538238)
52 01/31/2007 (538659)
53 04/26/2007 (541475)
54 04/30/2007 (542592)
55 05/18/2007 (542652)
56 04/25/2007 (542681)
57 04/30/2007 (542683)
58 05/08/2007 (542690)
59 05/14/2007 (542697)
60 10/24/2006 (544406)
61 11/27/2006 (544407)
62 12/27/2006 (544408)
63 12/27/2006 (544409)
64 04/12/2007 (554202)
65 05/29/2007 (559183)
66 10/12/2007 (560777)
67 05/30/2007 (560809)
68 06/25/2007 (563779)
69 06/25/2007 (564308)
70 06/27/2007 (564822)
71 06/27/2007 (564828)
72 12/04/2008 (565248)
73 07/10/2007 (565422)
74 11/06/2007 (565492)
75 07/06/2007 (565610)

76 08/01/2007 (567841)
77 08/14/2007 (567884)
78 08/03/2007 (568522)
79 08/17/2007 (571025)
80 08/13/2007 (571026)
81 09/18/2007 (571877)
82 08/15/2007 (571883)
83 11/19/2007 (572257)
84 09/19/2007 (572770)
85 02/22/2007 (575167)
86 03/23/2007 (575168)
87 04/19/2007 (575169)
88 05/16/2007 (575170)
89 06/20/2007 (575171)
90 07/20/2007 (575172)
91 07/20/2007 (575173)
92 02/22/2007 (575175)
93 03/21/2007 (575177)
94 07/23/2007 (575178)
95 04/23/2007 (575181)
96 05/22/2007 (575184)
97 06/22/2007 (575187)
98 07/23/2007 (575190)
99 08/22/2006 (575192)
100 09/22/2006 (575194)
101 10/23/2006 (575196)
102 11/22/2006 (575198)
103 01/22/2007 (575202)
104 11/06/2007 (593367)
105 10/16/2007 (593594)

106 10/25/2007 (596852)
107 11/27/2007 (597446)
108 01/25/2008 (597769)
109 11/15/2007 (597891)
110 11/15/2007 (597968)
111 01/07/2008 (598077)
112 01/17/2008 (599615)
113 01/17/2008 (599668)
114 11/19/2007 (599691)
115 01/17/2008 (599822)
116 03/28/2008 (600448)
117 06/30/2008 (600450)
118 01/17/2008 (600635)
119 12/04/2007 (600886)
120 11/30/2007 (601276)
121 09/20/2007 (601572)
122 10/18/2007 (601573)
123 02/01/2008 (607448)
124 08/22/2007 (607528)
125 09/24/2007 (607529)
126 11/30/2007 (608138)
127 12/20/2007 (610419)
128 03/31/2008 (610634)
129 04/09/2008 (610636)
130 04/11/2008 (610638)
131 02/05/2008 (610680)
132 03/07/2008 (612807)
133 01/22/2008 (613355)
134 02/01/2008 (613923)
135 02/04/2008 (614031)
136 02/01/2008 (614301)

137 02/01/2008 (614303)
138 02/01/2008 (615075)
139 01/25/2008 (615280)
140 01/25/2008 (615969)
141 01/25/2008 (615999)
142 01/28/2008 (616080)
143 01/28/2008 (616082)
144 02/14/2008 (616503)
145 02/13/2008 (616505)
146 03/24/2008 (616741)
147 03/10/2008 (617388)
148 11/20/2007 (619483)
149 12/20/2007 (619484)
150 01/17/2008 (619485)
151 02/28/2008 (637020)
152 08/31/2008 (637068)
153 04/11/2008 (637073)
154 08/31/2008 (637076)
155 03/12/2008 (637217)
156 05/23/2008 (637956)
157 05/23/2008 (638051)
158 03/24/2008 (638443)
159 04/21/2008 (639674)
160 06/01/2008 (640777)
161 11/24/2008 (641389)
162 05/02/2008 (650560)
163 04/22/2008 (653495)
164 05/20/2008 (654015)
165 05/23/2008 (654353)
166 06/06/2008 (654842)

167 05/20/2008 (654943)
168 07/17/2008 (656863)
169 06/27/2008 (659663)
170 06/10/2008 (671393)
171 02/19/2008 (671990)
172 04/24/2008 (671991)
173 04/17/2008 (671992)
174 07/24/2008 (682501)
175 10/23/2008 (682549)
176 06/17/2008 (682693)
177 06/18/2008 (683279)
178 07/23/2008 (683726)
179 11/24/2008 (684019)
180 07/24/2008 (685354)
181 08/20/2008 (685355)
182 07/11/2008 (685564)
183 07/17/2008 (686593)
184 08/14/2008 (686729)
185 08/31/2009 (687729)
186 08/19/2008 (689497)
187 05/20/2008 (689907)
188 06/20/2008 (689908)
189 07/17/2008 (689909)
190 08/22/2008 (699629)
191 09/05/2008 (700024)
192 11/03/2008 (700060)
193 11/03/2008 (701753)
194 09/10/2008 (702237)
195 09/10/2008 (702256)
196 10/09/2008 (703510)
197 10/16/2008 (704306)

198	12/30/2008	(705857)
199	10/27/2008	(706455)
200	10/27/2008	(706540)
201	01/15/2009	(707647)
202	01/20/2009	(708950)
203	12/04/2008	(709362)
204	12/04/2008	(709367)
205	02/09/2009	(709972)
206	08/20/2008	(710691)
207	09/19/2008	(710692)
208	10/16/2008	(710693)
209	01/28/2009	(720984)
210	12/12/2008	(721015)
211	12/29/2008	(722320)
212	03/10/2009	(722825)
213	04/02/2009	(722827)
214	02/20/2009	(723069)
215	01/09/2009	(723179)
216	09/15/2009	(726215)
217	05/28/2009	(726407)
218	11/19/2008	(727450)
219	12/18/2008	(727451)
220	01/20/2009	(727452)
221	02/18/2009	(735789)
222	07/10/2009	(737104)
223	08/18/2009	(737105)
224	09/30/2009	(737217)
225	05/13/2009	(737311)
226	04/17/2009	(737361)
227	06/08/2009	(737950)

228 04/17/2009 (740688)
229 06/08/2009 (741940)
230 05/11/2009 (741959)
231 08/04/2009 (741963)
232 06/01/2009 (742131)
233 05/14/2009 (742134)
234 08/04/2009 (742135)
235 05/13/2009 (742834)
236 04/30/2009 (744066)
237 07/23/2009 (747258)
238 09/15/2009 (747259)
239 08/28/2009 (747477)
240 12/17/2009 (747492)
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243 03/19/2009 (750213)
244 04/20/2009 (750214)
245 02/25/2008 (750215)
246 02/25/2009 (750216)
247 03/23/2009 (750217)
248 03/24/2008 (750218)
249 04/21/2008 (750219)
250 05/22/2008 (750220)
251 06/23/2008 (750221)
252 07/21/2008 (750222)
253 08/25/2008 (750223)
254 09/22/2008 (750224)
255 10/23/2007 (750225)
256 10/22/2008 (750226)
257 11/19/2007 (750227)
258 11/24/2008 (750228)

259 01/03/2008 (750229)
260 12/22/2008 (750230)
261 01/22/2008 (750231)
262 01/23/2009 (750232)
263 07/09/2009 (759379)
264 09/21/2009 (760334)
265 08/13/2009 (760336)
266 11/10/2009 (760343)
267 08/13/2009 (760346)
268 09/21/2009 (762422)
269 12/10/2009 (762424)
270 10/12/2009 (762569)
271 07/22/2009 (763029)
272 08/31/2009 (763433)
273 12/02/2009 (763495)
274 08/12/2009 (764686)
275 08/12/2009 (764845)
276 08/12/2009 (765197)
277 08/12/2009 (765199)
278 07/09/2010 (765400)
279 10/30/2009 (765451)
280 08/19/2009 (766023)
281 08/21/2009 (766514)
282 09/23/2009 (766994)
283 12/02/2009 (766995)
284 12/02/2009 (766996)
285 11/24/2009 (766997)
286 05/19/2009 (768315)
287 06/15/2009 (768316)
288 05/19/2009 (768317)

289 04/24/2009 (768318)
290 05/20/2009 (768319)
291 06/15/2009 (768320)
292 05/20/2009 (768321)
293 09/28/2009 (777627)
294 11/23/2009 (778496)
295 10/23/2009 (778758)
296 12/09/2009 (778830)
297 11/30/2009 (780176)
298 04/06/2010 (783318)
299 02/23/2010 (787148)
300 01/13/2010 (787368)
301 01/27/2010 (787380)
302 02/17/2010 (787388)
303 02/01/2010 (788201)
304 02/10/2010 (788491)
305 03/15/2010 (789829)
306 01/29/2010 (790337)
307 03/29/2010 (790604)
308 03/02/2010 (791204)
309 03/29/2010 (792150)
310 05/19/2010 (792168)
311 02/23/2010 (792309)
312 04/12/2010 (793088)
313 05/19/2010 (793841)
314 03/25/2010 (794199)
315 04/02/2010 (794620)
316 04/12/2010 (795209)
317 04/12/2010 (795244)
318 04/12/2010 (795254)
319 04/12/2010 (795268)

320 05/07/2010 (797014)
321 05/10/2010 (797038)
322 05/10/2010 (797040)
323 04/05/2010 (797068)
324 05/28/2010 (797475)
325 07/01/2010 (798147)
326 06/22/2010 (798148)
327 04/21/2010 (798275)
328 05/27/2010 (799073)
329 04/27/2010 (799949)
330 08/09/2010 (800144)
331 06/23/2010 (800423)
332 04/29/2010 (800569)
333 05/19/2010 (801115)
334 05/20/2010 (801366)
335 06/09/2010 (801867)
336 05/26/2010 (802424)
337 08/17/2010 (803124)
338 07/26/2010 (803128)
339 08/31/2010 (803142)
340 06/11/2010 (803895)
341 02/18/2010 (804533)
342 08/19/2009 (804534)
343 09/17/2009 (804535)
344 10/19/2009 (804536)
345 10/19/2009 (804537)
346 12/17/2009 (804538)
347 01/20/2010 (804539)
348 02/18/2010 (804540)
349 08/19/2009 (804541)

350 09/17/2009 (804542)
351 09/17/2009 (804543)
352 11/19/2009 (804544)
353 12/17/2009 (804545)
354 01/20/2010 (804546)
355 07/27/2010 (824430)
356 05/25/2010 (824557)
357 08/11/2010 (825276)
358 07/09/2010 (826170)
359 09/10/2010 (826882)
360 08/20/2010 (827001)
361 08/13/2010 (827295)
362 09/29/2010 (827506)
363 03/17/2010 (830837)
364 04/22/2010 (830838)
365 05/19/2010 (830839)
366 03/17/2010 (830840)
367 06/18/2010 (830841)
368 05/19/2010 (830842)
369 07/28/2010 (842924)
370 06/18/2010 (846253)
371 06/18/2010 (846254)
372 09/07/2010 (848892)
373 03/15/2011 (859959)
374 07/19/2010 (860848)
375 07/19/2010 (860849)
376 12/16/2010 (863684)
377 08/19/2010 (866814)
378 08/19/2010 (866815)
379 12/16/2010 (870266)
380 11/13/2010 (871868)

381	09/16/2010	(873886)
382	09/16/2010	(873887)
383	01/21/2011	(878058)
384	01/05/2011	(878837)
385	10/19/2010	(881487)
386	10/19/2010	(881488)
387	02/16/2011	(885367)
388	11/17/2010	(888016)
389	11/17/2010	(888017)
390	01/27/2011	(893323)
391	12/17/2010	(896221)
392	12/17/2010	(896222)
393	05/27/2011	(899804)
394	06/10/2011	(899805)
395	08/01/2011	(899808)
396	05/18/2011	(899809)
397	08/02/2011	(899972)
398	06/01/2011	(899988)
399	03/08/2011	(900041)
400	02/28/2011	(900341)
401	04/28/2011	(901121)
402	04/26/2011	(901124)
403	03/15/2011	(901125)
404	05/12/2011	(901220)
405	05/16/2011	(901224)
406	04/27/2011	(901538)
407	01/18/2011	(902290)
408	01/18/2011	(902291)
409	03/23/2011	(906934)
410	04/08/2011	(906978)

411 02/17/2011 (909066)
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 413 06/07/2011 (912033)
 414 07/15/2011 (915097)
 415 06/17/2011 (915211)
 416 03/14/2011 (916329)
 417 03/14/2011 (916330)
 418 05/16/2011 (919611)
 419 05/20/2011 (921593)
 420 08/01/2011 (923435)
 421 04/18/2011 (924772)
 422 04/18/2011 (924773)
 423 06/28/2011 (935712)
 424 07/01/2011 (936461)
 425 07/22/2011 (937608)
 426 05/18/2011 (938010)
 427 05/18/2011 (938011)
 428 08/02/2011 (944273)
 429 08/02/2011 (944370)
 430 06/20/2011 (945333)
 431 06/20/2011 (945334)
 432 07/19/2011 (952607)
 433 07/19/2011 (952608)

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

Date: 08/18/2006 (457259) CN601542012
 Self Report? NO Classification: Minor
 Citation: 266, SC 7E PERMIT
 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3985A, SC 7E PERMIT
 5C THC Chapter 382, SubChapter A 382.085(b)
 O-01947, Special Condition 13 OP
 O-01947, Special Condition 1A OP
 Description: 3 OELs in SITEFE and 1 OEL in WRACKFE

Date: 08/23/2006 (457432) CN601542012

Self Report? NO Classification: Minor
Citation: 1948, Special Condition 1A OP
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor
Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
19849, Special Condition 11E 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)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: 10 OELs in MPLANTFE

Self Report? NO Classification: Minor
Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
1968, Special Condition 3E PERMIT
19849, Special Condition 11E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 6E PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFE; 1 OEL in HPLANTFE

Self Report? NO Classification: Minor
Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
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)
3173, Special Condition 6F PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005

Self Report? NO Classification: Minor
Citation: 1948, Special Condition 13 OP
19849, Special Condition 7D PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to inspect Tank T667B by the due date of March 2005

Self Report? NO Classification: Moderate
Citation: 1948, Special Condition 13 OP
30 TAC Chapter 106, SubChapter K 106.261(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 1 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.

Self Report? NO Classification: Moderate
Citation: 1948, Special Condition 1H(iv) OP
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to repair Component No. 200706 in IPACRUFE within seven days

Self Report? NO Classification: Minor
Citation: 1948, Special Condition 1A OP
30 TAC Chapter 115, SubChapter D 115.354(4)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere

Date: 08/28/2006 (479997) CN601542012
Self Report? NO Classification: Moderate

Citation: 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)
3219, Special Condition 2I PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1H(v) OP

Description: Failure to repair Component No. 64110.P in OP2FUG within 15 days
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)
3219, Special Condition 2E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: Forty-nine incidences of open-ended lines in OP2FUG
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)
3214, Special Condition 5E PERMIT
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: 26 OELs in OL3FUG and 4 OELs in PYR3FUG
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)
3214, Special Condition 5E PERMIT
3219, Special Condition 2E PERMIT
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: 28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, Maximum Allowable Emission Rates PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP

Description: Exceedance of VOC MAER in tpy for the Olefins Flare System

Date: 08/29/2006 (479999) CN601542012
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)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 15E PERMIT
O-1943, Special Condition 17 OP

O-1943, Special Condition 1A OP

Description: One OEL in ACUFUG and one OEL in FUGOXU
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 7 PERMIT
O-1943, Special Condition 17 OP

Description: Incomplete records of furnace firing rates for the ACU furnace, EPN H902
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 63.120(a)(3)(iii)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1943, Special Condition 1A OP

Description: Failure to conduct internal inspection of Tank F-361 by the due date of May 2005
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 8 PERMIT
O-1943, Special Condition 17 OP

Description: Operation of the East Property Flare with visible emissions
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to visually inspect Tank G-359 by the due date of August 16, 2005
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 10D PERMIT
O-1943, Special Condition 17 OP

Description: Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 10D PERMIT
O-1943, Special Condition 17 OP
O-1943, Special Condition 1A OP

Description: Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.

Date: 08/31/2006 (457283) CN601542012

Description: Failure to analyze wastewater for isobutyraldehyde
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
48912, Special Condition 5 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 15 OP

Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP

Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP

Description: Failure to obtain vapor pressure sample from T-1318
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP
Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301

Date: 11/03/2006 (513328)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Description: Shell failed to submit a CAP in a timely manner.

Date: 11/14/2006 (512687) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01669, Special Condition #1A OP
Description: Failure to record the daily visual observations of flare per 30 TAC 111.111(a)(4)(A)(ii).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
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 THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01669, Special Condition #1A OP
FOP #O-01669, Special Condition #1D OP

Description: Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).

Date: 11/30/2006 (544408) CN601542012
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: 12/31/2006 (544409) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 02/23/2007 (532452) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 1M(iv) OP

FOP O-01946, Special Condition 21 OP
NSR #18576, Special Condition 7H PA
NSR #3216, Special Condition 6H PA
NSR #3217, Special Condition 3H PA

Description: Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).

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 V 61.242-1(d)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP # O-01946, Special Condition 1A OP
FOP #O-01946, Special Condition 21 OP
NSR 3216, Special Condition 2 PA
NSR 3218, Special Condition 2 PA

Description: Failure to maintain 94 LDAR components with identification tags as required by 40 CFR 61.242-1(d) as well NSR Permits #3216 and #3218.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 1M(iv) OP
FOP O-01946, Special Condition 21 OP
NSR Permit 3215, Special Condition 2E PA
NSR Permit 3216, Special Condition 2 PA
NSR Permit 3216, Special Condition 6E PA
NSR Permit 3217, Special Condition 3E PA
NSR Permit 3218, Special Condition 2 PA
NSR Permit 3218, Special Condition 8E PA

Description: Failure to cap 57 open-ended valves/lines per 30 TAC 115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 21 OP
NSR Permit 3216, Special Condition 5 PA

Description: Failure to monitor the firing rate of the FOL-601 furnace for 213 hours as required by NSR Permit #3216, Special Condition #5.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 21 OP
NSR Permit 3219, Special Condition 4 PA

Description: Failure to continuously monitor for the presence of a flare pilot light on the OP3ELFLA unit, on two separate occasions for a total of 156 hours, as required by 40 CFR 60.18(f)(2), 40 CFR 63.11(b)(5), and NSR #3219, SC#4.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 21 OP
NSR Permit 3216, Special Condition 1 PA

Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to

atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1M(ii) OP

Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1M(ii) OP

Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP

Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 28 OP

Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).

Date: 02/27/2007 (532471) CN601542012

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit PCC within 30 days as required.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit a Deviation report within 30 days as required.

Date: 02/28/2007 (575168) CN601542012

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

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

Date: 02/28/2007 (575177) CN601542012

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

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

Date: 03/31/2007 (575169) CN601542012

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: 04/30/2007 (575170) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 05/14/2007 (542697) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.

Date: 05/31/2007 (575171) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 05/31/2007 (575187) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2007 (575172) CN601542012
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2007 (575173) CN601542012
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: 08/29/2007 (543555) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01669, General Terms/Condition OP
Description: failed to submit a permit compliance certification and a deviation report in a timely manner.

Date: 08/31/2007 (601572) CN601542012
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: 09/30/2007 (601573) CN601542012
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 02/05/2008 (610680) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7H PERMIT
NSR 3217, Special Condition 3H PERMIT
O-01946 Special Conditions 1M(iv) OP
O-01946 Special Conditions 1A OP

Description: Failure to affix and maintain leaking component tags on Leak Detection and Repair components.

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 V 61.242-1(d)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 2 PERMIT
NSR 3218, Special Condition 2 PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 21 OP

Description: Failure to affix permanent identification tags on 76 LDAR components.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7E PERMIT
NSR 3216, Special Condition 8E PERMIT
NSR 3217, Special Condition 3E PERMIT
NSR 3218, Special Condition 8E PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 1M(iv) OP
O-01946 Special Condition 21 OP

Description: Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a second valve. (CATEGORY C10 violation)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

Description: Failure to stay below the maximum operating limit for vents in HRVOC service.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

Description: Failure to meet HRVOC monitoring/recordkeeping requirements.

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)
NSR 3216, Special Condition 11C PERMIT
O-01946 Special Condition 21 OP

Description: Failure to continuously monitor and record the H2S concentration on the fuel gas on analyzer AI104 at the OP-2 fuel blend drum.

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

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 21 OP
Special Condition 11B PERMIT
Description: Failure to continuously monitor the Gross Heating Value (GHV) measurement of 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)
NSR 3216, Special Condition 5 PERMIT
O-01946 Special Condition 21 OP
Description: Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007.

Date: 03/10/2008 (617388)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
Description: Shell failed to submit a Corrective Action Plan (CAP) in a timely manner.

Date: 04/01/2008 (610634) CN601542012
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 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(E) PERMIT
NSR 3214, SC 6(E) PERMIT
NSR 3219, SC 2(E) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP
Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(H) PERMIT
NSR 3214, SC 6(H) PERMIT
NSR 3219, SC 2(H) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP
Description: Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.

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)
O-01668, SC 1(H)(v) OP
Description: Failure to repair valve 76372A within 7 days.
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)

NSR 56496, GC 8 PERMIT
NSR 56496, SC 1 PERMIT
O-01668, SC 15(A) OP

Description: Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx) and FOL-710 (22 block hrs for 25 lbs excess NOx).

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)
NSR 56496, SC 5 PERMIT
O-01668, SC 15(A) OP

Description: Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(A) OP

Description: Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(iv) OP

Description: Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
NSR 3219, SC 16 PERMIT
NSR 3219, SC 5 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 15(A) OP

Description: Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.

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)
O-01668, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP

Description: Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

O-01668, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15(B) OP

Description: Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(A) OP

Description: Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.

Date: 04/09/2008 (639062) CN601542012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 3 PERMIT
NSR 3173, SC 8(D) PERMIT
NSR 3985A, SC 8(D) PERMIT
NSR19849, SC 7(D) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 13(A) OP

Description: Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.

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 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 1968, SC 3(E) PERMIT
NSR 19849, SC 11(E) PERMIT
NSR 19849, SC 13 PERMIT
NSR 19849, SC 14 PERMIT
NSR 3173, SC 6(E) PERMIT
O-01948, 13(A) OP
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP

Description: Failure to seal open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
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)
NSR 3173, SC 6(I) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

Description: Failure to repair connector 702527 in IPACRUFEE (in HRVOC service) within 15 days

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 6(H) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

Description: Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).

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)
O-01948, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8 hours for the HIPA flare and the A&S flare.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(iii) OP

Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.

Date: 04/11/2008 (637073) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(iii) OP

Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.

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)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.

Date: 04/11/2008 (610638) CN601542012

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)

O-02108, SC 1(A) OP
O-02108, SC 15(A) OP
Permit 19849, SC 11(E) PERMIT

Description: Failure to seal three (3) open-ended lines (OEL's) from March 20, 2007 to March 30, 2007 in ENVSOFLR1 (tag nos. 188.P, 185, and 188).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP

Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP

Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.

Date: 05/31/2008 (689908) CN601542012

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

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

Date: 06/30/2008 (689909) CN601542012

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: 07/31/2008 (750223) CN601542012

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: 08/20/2008 (685355) CN601542012

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Provision II.C.1.i. PERMIT

Description: Failure to have an up-to-date Notice of Registration for waste streams and waste management units.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
30 TAC Chapter 335, SubChapter E 335.112(a)
30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)
40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.15
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174
Provision II.D PERMIT

Description: Failure to complete required inspections.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.173(a)(3)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)
Provision V.G.4.g PERMIT

Description: Failure to maintain leachate levels below twelve inches in Site 104 Landfill.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(12)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.303(c)(1)
Provision V.G.4.h PERMIT

Description: Failure to record the amount of leachate being removed from the landfill.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(4)
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73(b)(9)
 Provision II.B.9 PERMIT
 Description: Failure to have an Annual Waste Minimization Statement.

Date: 09/02/2008 (637076) CN601542012

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, General Terms & Conditions OP
 Description: Failure to submit the Annual Compliance Certification (ACC) report for the certification period April 15, 2006 through October 15, 2007 within 30 days.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, General Terms & Conditions OP
 Description: Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007 within 30 days.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 21 OP
 NSR 3179, GC 1 PERMIT
 Description: Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 21(A) OP
 NSR 3179, GC 1 PERMIT
 NSR 3179, SC 10 PERMIT
 Description: Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.

Self Report? NO Classification: Moderate
 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 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
 5C THSC Chapter 382 382.085(b)
 FOP O-01945, SC 1(A) OP
 NSR 3179, SC 2 PERMIT
 Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007 at 1700.

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-01945, SC 21(A) OP
 NSR 3179, SC 13 PERMIT
 Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to include in the Federal Operating Permit, vent gas stream collection vessel V8342.

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)
FOP O-01945, SC 1(H)(ii) OP
Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
Description: Failure to prevent an exceedance of 100 annual operating hours for P87921 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.

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 G 63.114(d)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 2 PERMIT
Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.

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 THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 20E PERMIT
NSR 3179, SC 21E PERMIT
NSR 3179, SC 3(B) PERMIT
Description: Failure to prevent four open-ended lines: Tag No. 450133.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.

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-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 21(H) PERMIT
Description: Failure to tag the following components: Tag No. 322769 in Phenol 3 on February 8, 2007, and tag no. 950522 in Phenol 3 on March 21, 2007, which constitutes the violation of NSR Permit 3179 SC 21H, 30 TAC 115.354(5), and 40 CFR 63.181(b)(10).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(H)(iii) OP
Description: Failure to prevent a greater than 5% downtime for the East Property Flare CMS (HRVOC analyzer) for CY 2006.

Date: 09/30/2008 (710693) CN601542012
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: 12/31/2008 (750232) CN601542012
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 02/28/2009 (750213) CN601542012
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: 03/31/2009 (768318) CN601542012
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: 04/30/2009 (768319) CN601542012
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: 07/14/2009 (737104) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
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)
9334, SC 11H PERMIT
O-01943, SC 17 OP

Description: Failure to tag leaking components.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 1A OP

Description: Failure to operate a flare CEM for at least 95 percent of the total operating time in a year.

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 Part 60, Subpart A 60.18(c)(4)(i)
5C THSC Chapter 382 382.085(b)
9334, SC 5 PERMIT
O-01943, SC 17 OP

Description: Failed to maintain flare inlet heat content and exit velocity per 40 CFR 60 requirements.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
9334, SC 11E PERMIT

O-01943, SC 17 OP

- Description: Failure to plug/cap all 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)
O-01943, SC 1A OP
- Description: Failure to continuously monitor a pressure relief valve for HRVOC.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.117(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 17 OP
- Description: Failure to register two Permit by Rules that require registration.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3178, SC 1 PERMIT
5C THSC Chapter 382 382.085(b)
O-01943, SC 17 OP
- Description: Failure to store VOC in proper storage tanks.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
5C THSC Chapter 382 382.085(b)
- Description: Failure to comply with the sitewide hourly HROVC limit.

Date: 07/24/2009 (747258) CN601542012

- 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)
3219, SC 1E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP
- Description: Failure to plug/cap all open ended lines in VOC and HRVOC services (Category C10, minor violation).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 1H PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP
- Description: Failure to tag leaking components in VOC and HRVOC services.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, GC 8 PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP
- Description: Failure to keep pound per hour carbon monoxide emissions from the furnaces within the limit specified in the MAERT.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
5C THSC Chapter 382 382.085(b)
- Description: Failure to comply with carbon monoxide 24 hour concentration limits in the stacks.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)

5C THSC Chapter 382 382.085(b)

Description: Failure to keep the monitoring parameters within the maximum operating limit.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 11 PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to comply with the individual pound NOx/MMBtu limits for furnaces in Olefins 2 Unit.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 12H PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to comply with the roiling 12 month throughput limit for a storage tank.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to collect required sample from a cooling tower.

Date: 08/18/2009 (737105) CN601542012
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Shell Chemicals LP failed to revise Title V Federal Operating Permit O-02108 to incorporate references in NSR permit 48912. (FOP O-02108; NSR 48912)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)

Description: Shell Chemicals LP failed to report missed recordkeeping of pilot monitoring of A&S from July 31, 2008 through December 31, 2008 in a timely manner. (FOP O-02108)

Date: 08/28/2009 (747477) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(2)
5C THSC Chapter 382 382.085(b)
Special Condition (SC) No. 11G OP

Description: Failure to maintain records on the HIPA flare (A1333) pilot's monitor from October 30, 2007 through November 10, 2007. (Category C3)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP

Description: Failure to maintain the H9200 incinerator's 3-hour average VOC limit of 20 ppm for 11 hours in November 2007. (Category B19(g)(1))
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 G 63.152(a)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP
SC No. 21 OP
SC No. 23 PERMIT

Description: Failure to record the H9200 incinerator's CEMS data on August 7, 2007 for 9.32 hours and on November 8, 2007 for 1.6 hours. (Category C3)
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 63.113(a)(2)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP

Description: Failure to maintain the H87002 thermal oxidizer's temperature above 1505 degrees Fahrenheit on March 21, 2007, June 12, 2007, September 13, and February 3, 2008 for 23 hours and 59 minutes each day. (Category B19(g)(1))

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 2F OP

Description: Failure to submit an emissions (STEERS No. 106008) report within 24 hours after the event. The RE documented in the deviation report dated May 13, 2008, the report was due April 6, 2008 and not submitted until April 8, 2008. (Category C3)

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 No. 21 OP
 SC No. 7 PERMIT

Description: Failure to maintain documentation to demonstrate compliance with the marine loading requirements for acetone with regards to pump capacity limitation from April 16, 2008 through June 30, 2008 and August 10, 2008 through October 14, 2008. (Category B3)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter G 117.8100(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 14B PERMIT
 SC No. 1A OP
 SC No. 21 OP

Description: Failure to conduct the Phenol #3 BIF Boiler (H-87920) CEMS nitrogen oxide cylinder gas audit (CGA) for the third quarter of 2008 (7/1/08 through 9/30/08). (Category B1)

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 63.162(f)(1)
 5C THSC Chapter 382 382.085(b)
 SC No 1A OP
 SC No. 21 OP
 SC No. 21H PERMIT

Description: Failure to tag P0113, 348837, 322724, 322769, 322811, 322819, 325567, and 328623.1 from June 23 to June 24, 2008; and on 0301, 0713.1, 0822.2, and 1249 from June 18 to June 19, 2008. (Category C4)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 PERMIT
 SC No. 1A OP
 SC No. 21 OP

Description: Failure to maintain the East Property flare (EPN: EPFLARE) net heating value above 300 BTU/scf and/or the required exit velocity from January 1, 2008 through December 31, 2008 for 152 hours. (Category B19(g)(1))

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 116, SubChapter B 116.117(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 22 OP

Description: Failure to register PBRs 30 TAC 106.261 and 106.262 from January 1, 2008 through December 31, 2008. (Category C3)

Date: 08/31/2009 (687729)

CN601542012

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669 SC 1(A) OP
FOP O-01669 SC 24(A) OP
NSR 21262 SC 2 PERMIT
NSR 21262 SC 25 PERMIT

Description: Failure to monitor the fuel gas for H2S content during Pressure Swing Absorber (PSA) firing to the North Property Flare (FLNFLARE) on May 20, 2008 from 1800 to 1811 due to unknown problems.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP

Description: Failure to prevent the exceedance of the ammonia (NH3) limit on June 29, 2008 from 1700 to 1800 from the Fluid Catalytic Cracking Unit (FCCU) H600.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 2(F) OP

Description: Failure to provide a 24-hour notification of a reportable event.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitors for CWT-7 and CWT-17.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitor for CWT-16.

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)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to sample upon the loss of the HRVOC monitor for various HRVOC flares.

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 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 10(E) PERMIT
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(E) PERMIT

Description: Failure to seal 43 open-ended lines (OEL's) from January 1, 2008 through December 31, 2008 (GRPREFUG).

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to maintain a 95% up-time for the following HRVOC analyzers: Girbitol Flare (86.3% annual up-time) and East Property Flare (94.2% annual up-time).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to maintain a 95% up-time for the HRVOC analyzers for CWVT-6 (92.5% annual up-time).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(H) PERMIT

Description: Failure to tag one leaking component (No. 402) in GRPREFUG, discovered during a 3rd-aprty HRVOC audit from July 1, 2008 to December 31, 2008.

Date: 09/15/2009 (747259) CN601542012

Self Report? NO Classification: Moderate
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)
O-01947, SC 1H(i) OP

Description: Failed to conduct sampling when HRVOC analyzer for A&S flare was offline.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1H(i) OP

Description: Failed to meet 95% uptime requirement for the A&S Flare HRVOC monitoring system.

Self Report? NO Classification: Minor
Citation: 266, SC 2 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
O-01947, SC 13 OP

Description: Failed to maintain a complete record of the flare pilot monitor for the A&S flare.

Date: 09/15/2009 (726215) CN601542012

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: NOR was not timely updated.

Date: 09/30/2009 (804536) CN601542012

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: 09/30/2009 (737217) CN601542012
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 THSC Chapter 382 382.085(b)
FOP, General Terms and Condition 1A OP
FOP, Special Condition 21 OP
NSR, Special Condition 7E PERMIT

Description: Failure to seal open ended lines. (Category C10 violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
FOP, General Condition 1A OP
FOP, Special Condition 21 OP
NSR 3218 SC 9H, and NSR 3216 SC 6H PERMIT

Description: Failed to tag leaking fugitive components.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Condition 21 PERMIT
FOP, Special Condition 23 PERMIT
Description: Failed to register Permit by Rule (PBR) 106.261 and 106.262.

Date: 10/31/2009 (804537) CN601542012
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: 12/17/2009 (747492) CN601542012
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)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 13 OP
Special Condition 1H(iv) OP
Special Condition 3E PA
Special Condition 6E PA
Special Condition 8E PA

Description: Failure to cap/plug open-ended lines in volatile organic compound (VOC) and hazardous air pollutant (HAP) service, ID#IPAFINFE/CRUFE. CATEGORY C10.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to monitor a pressure relief valve in volatile organic compound (VOC) service.

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)

Description: 5C THSC Chapter 382 382.085(b)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

Description: Failure to continuously operate the monitoring system on the highly reactive volatile organic compound (HRVOC) Flare ID#A&S (A1301) and pressure relief valve (PRV-361).
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(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 13 OP
 Special Condition 1A OP
 Special Condition 8D PA

Description: Failure to conduct annual visual inspection on tank T-92 on time.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PA
 Special Condition 13 OP

Description: Failure to limit the hourly VOC emissions. Shell exceeded the 0.52 lb/hr VOC emission limit for V118 Stack.

Date: 01/28/2010 (787380) CN601542012
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition #3 PERMIT
 Description: Failure to prevent unauthorized emissions.

Date: 02/17/2010 (787388)
 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 leak from the EOL611 air cooler which resulted in unauthorized emissions. Specifically, 283.10 pounds (lbs) volatile organic compounds(VOCs) including 79.6 lbs of benzene were released during the emissions event.

Date: 05/10/2010 (797038)
 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 the release of unauthorized emissions particularly during the Product Hydrogen methanator malfunction.

Date: 05/26/2010 (797475) CN601542012
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.11(a)
 Description: Failure to collect Oil and Grease (O&G) samples as required. At the time of the inspection, the O&G sample was not being collected directly into a wide mouth glass jar with a Teflon lined lid. O&G samples must be collected directly into a wide mouth glass jar with a Teflon lined lid without overfilling or submerging the container.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TPDES Permit No. 00403000, EL&MR No. 1 PERMIT
 Description: Failure to maintain compliance with the permitted effluent limits for Total Sulfide and Phenolics. During the review period of May 1, 2008 through March 29, 2010,

two violations were reported.

Date: 05/31/2010 (846253) CN601542012
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 05/31/2010 (846254) CN601542012
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 06/01/2010 (799073) CN601542012
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)
5C THSC Chapter 382 382.085(b)
SC 6 PERMIT
ST&C 15 OP
ST&C 1A OP
Description: Failure to maintain flare resulting in visible emissions from flare. (CATEGORY C4 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 12 PERMIT
ST&C 15 OP
Description: Failure to maintain the furnaces resulting in exceedance of lb-NOx/MMBtu hourly limit of 0.08 lb-NOx/MMBtu. (CATEGORY B18 violation)

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 samples or samples collected late on the HRVOC flares. (CATEGORY C1 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 9 PERMIT
ST&C 15 OP
ST&C 1A OP
Description: Failure to collect samples on the HRVOC Cooling Tower. (CATEGORY C1 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to stay within the CO rolling 24 hour average concentration in ppm. (CATEGORY B18 violation)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.340(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 11 PERMIT

ST&C 15 OP
ST&C 1A OP
Description: Failure to maintain GEMS resulting in greater than 5% downtime. (CATEGORY C4 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)
5C THSC Chapter 382 382.085(b)
SC 2E PERMIT
SC 6E PERMIT
ST&C 15 OP
ST&C 1A OP

Description: Failure to maintain caps or plugs resulting in open ended lines. (CATEGORY C10 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to stay within the monitoring parameter for maximum operating limit for HRVOC vents (EPN FP3-1130). (CATEGORY C4 violation)

Date: 06/22/2010 (800423) CN601542012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit WQ0000402000, EL&MR, No. 1 PERMIT

Description: Failure to maintain compliance with permitted effluent limits for dissolved calcium, Enterococci, and ammonia nitrogen. During a review of self-reported effluent violations at the time of the inspection, violations were noted for dissolved calcium, Enterococci, and ammonia nitrogen in the last 12 months. See attached ICIS report.

Date: 07/31/2010 (866814) CN601542012

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: 08/20/2010 (827001)

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: Shell failed to demonstrate that they could not have prevented the emissions event.

Self Report? NO Classification: Minor

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

Description: failure to submit the final (14-day) incident report to the TCEQ within 14 days of the end of the incident.

Date: 09/30/2010 (881487) CN601542012

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: 01/05/2011 (878837)

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: Shell failed to prevent a loss of electric power to OP-2, resulting in unauthorized emissions from the Olefins Flare System. EIC Subcategory B14.

Date: 03/31/2011 (924773) CN601542012
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: 04/26/2011 (901124) CN601542012
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(B)
PP V.I.7.c PERMIT

Description: Failure to conduct a complete second quarter CEMS calibration error test in 2010.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)
PP V.I.3.b.(2) PERMIT

Description: Failure to ensure that the AWFCO is operating in automatic mode while burning hazardous waste.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(A)
PP V.I.7.h PERMIT

Description: Failure to limit CEMS calibration check period to less than 20 minutes while burning hazardous waste.

Date: 04/28/2011 (901121) CN601542012
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(a)
PP III.D PERMIT

Description: Failure to conduct monthly inspections of firewater monitors around the waste pile (TCEQ Permit Unit No. 7).

Date: 05/31/2011 (945333) CN601542012
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 06/10/2011 (899805) CN601542012
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 9 PERMIT
ST&C 17 OP

Description: Failure to maintain the tank fill rate below the maximum fill rate for tanks D350, D353, and G353. [CATEGORY B18 VIOLATION]

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.117(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 17 OP

Description: Failure to submit PBR registrations (Form PI-7) within ten days after making parameter changes to tanks G343, G344 and J313. [Category C3 violation]

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 2.F. OP
 Description: Failure to report an emission event to STEERS within 24 hours. [Category C3 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)
 GT&C OP
 Description: Failure to report all deviations in the corresponding semi-annual deviation report. [Category C3 violation]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.146(5)(A)
 5C THSC Chapter 382 382.085(b)
 GT&C OP
 Description: Failure to submit complete and accurate semi-annual deviation reports. (Category B3 violation)

Date: 06/30/2011 (952607) CN601542012
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2011 (952608) CN601542012
 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: 08/01/2011 (899808) CN601542012
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(2)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 1 and 8 OP
 Description: Late notification of emergency engine installation. Category B3 violation.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.165(a)(7)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 OP
 Description: Failure to properly document the accuracy and the completeness of a deviation report. Category C3 violation.

Date: 08/02/2011 (899972) CN601542012
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to limit H2S content in refinery fuel gas to 162 ppm on a 3-hour average
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to maintain the SO2 limit of 250 ppmv from the Sulfur Recovery 3/4 stack for a total of 13 hours
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)

5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to continuously monitor SO2 and particulate matter (PM) from the CCU Furnace H-600/ Wet Gas Scrubber
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 SC 9E PERMIT
 ST&C 1A and 22A OP
 Description: Failure to seal five open-ended lines in VOC/VHAP service with a cap, blind flange, plug, or a second valve
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to maintain the fuel flow limits that were established during performance tests for the heaters
 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 take HRVOC samples 9 times within 10 hours when HRVOC analyzers for flares were down for more than 8 hours
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
 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)
 ST&C 1A OP
 Description: Failure to maintain the minimum net heating value of 300 Btu/scf for the gas being combusted in flares
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(1)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to perform required visual tank inspections according to schedule
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(1)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to perform required secondary seal measurements according to schedule for Tank A324
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP
 Description: Failure to limit NH3 emissions to 10 ppmv from the Heater H53NN for two hours
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)

5C THSC Chapter 382 382.085(b)
 SC 6 PERMIT
 ST&C 1A and 22A OP

Description: Failure to limit CO emissions from combustion devices
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to take VOC samples six times when VOC analyzers for cooling water towers were down for more than 24 hours
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to continuously operate monitoring systems for cooling water towers CWT16 and CWT 17

F. Environmental audits.

Notice of Intent Date: 04/18/2007 (562595)

No DOV Associated

Notice of Intent Date: 08/03/2007 (593493)

Disclosure Date: 12/19/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to properly calculate and report emissions from tank floating roof landings on the annual emissions inventory submittal.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(2)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(1)

Description: Failure to identify two sour water strippers (SWS-1 and SWS-2) on the 2006 TAB update report.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

30 TAC Chapter 115, SubChapter B 115.112

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

Description: Failure to perform 10 year internal tank inspections for two internal floating roof tanks.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)

Description: Failure to cap four open ended lines out of 42 observed in the distilling units (DU-2 and DU-3).

Viol. Classification: Minor

Citation: 40 CFR Part 60, Subpart VV 60.482-7

Description: Failure to maintain 3% requirement for difficult to monitor list.

Notice of Intent Date: 08/24/2007 (594238)

No DOV Associated

Notice of Intent Date: 09/24/2007 (596731)

Disclosure Date: 03/25/2008

Viol. Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT 00402

Description: Failure to maintain the storm water sewer line integrity.

Notice of Intent Date: 10/16/2007 (599701)
No DOV Associated

Notice of Intent Date: 10/15/2007 (599713)
No DOV Associated

Notice of Intent Date: 12/19/2007 (791204)
No DOV Associated

Notice of Intent Date: 01/11/2008 (616239)
Disclosure Date: 07/16/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT 00402
Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 02/19/2008 (639389)
Disclosure Date: 08/18/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: PERMIT TPDES 00402
Description: Failure to maintain sewer system integrity. Specifically, 3,550 liner feet of sewer in the oil water system were inspected, and 6 segments totaling 313 liner feet that contained defects requiring repairs.

Notice of Intent Date: 04/08/2008 (654698)
No DOV Associated

Notice of Intent Date: 04/18/2008 (654683)
No DOV Associated

Notice of Intent Date: 05/23/2008 (682189)
Disclosure Date: 11/25/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PA TPDES 00402
Description: Failure to comply with TPDES permit condition requirements. Specifically, 270 feet of sewer confined to six segments of the storm sewer contained defects and structural cracks that may affect the hydraulic integrity.

Notice of Intent Date: 06/17/2008 (686667)
Disclosure Date: 11/25/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: PERMIT TPDES 00402
Description: Failure to comply with TPDES permit conditions. Specically, 160 ft of sewer confined to 4 segements contained defects and structural cracks that may affect the hydraulic integrity of these segments.

Notice of Intent Date: 08/13/2008 (701440)
Disclosure Date: 02/19/2009
Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 09/08/2008 (704658)
No DOV Associated

Notice of Intent Date: 10/27/2009 (785669)
Disclosure Date: 08/02/2010
Viol. Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT NSR permit no. 3179 MAERT
Description: Failure to monitor tank's internal floating roof which resulted in abnormal venting via breather vents and caused the unauthorized emission of 15lb of acetone. No RQ was exceeded.

Notice of Intent Date: 11/12/2009 (785386)
Disclosure Date: 07/12/2010
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter G 116.715(a)
Description: Failure to perform LDAR directed maintenance on leaking components in refining units. Failing to meet 28 MID program requirements.

Notice of Intent Date: 01/12/2010 (789407)
No DOV Associated

Notice of Intent Date: 10/20/2010 (873036)
No DOV Associated

Notice of Intent Date: 11/18/2010 (884821)
No DOV Associated

Notice of Intent Date: 01/26/2011 (899545)
No DOV Associated

- G. Type of environmental management systems (EMSs).
01/12/2005 12/04/2013 ENVIRONMENTAL MANAGEMENT SYSTEM NON 30 TAC CH 90 CERTIFIED
- 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

Compliance History

Customer/Respondent/Owner-Operator: CN601405145 Shell Chemical LP Classification: AVERAGE Rating: 3.97

Regulated Entity: RN100211879 SHELL OIL DEER PARK Classification: AVERAGE Site Rating: 10.91

ID Number(s):	ACCOUNT NUMBER	HG0659W
AIR OPERATING PERMITS	PERMIT	1669
AIR OPERATING PERMITS	PERMIT	1668
AIR OPERATING PERMITS	PERMIT	1943
AIR OPERATING PERMITS	PERMIT	1945
AIR OPERATING PERMITS	PERMIT	1946
AIR OPERATING PERMITS	PERMIT	1947
AIR OPERATING PERMITS	PERMIT	1948
AIR OPERATING PERMITS	PERMIT	2108
AIR OPERATING PERMITS	PERMIT	1940
AIR OPERATING PERMITS	PERMIT	1942
AIR OPERATING PERMITS	PERMIT	3179
POLLUTION PREVENTION PLANNING	ID NUMBER	P00619
WASTEWATER	PERMIT	WQ0000402000
WASTEWATER	EPA ID	TX0004863
WASTEWATER	PERMIT	WQ0000403000
WASTEWATER	EPA ID	TX0004871
WASTEWATER	EPA ID	TX0004871
AIR NEW SOURCE PERMITS	REGISTRATION	93375
AIR NEW SOURCE PERMITS	REGISTRATION	92675
AIR NEW SOURCE PERMITS	REGISTRATION	92386
AIR NEW SOURCE PERMITS	REGISTRATION	92219
AIR NEW SOURCE PERMITS	PERMIT	21262
AIR NEW SOURCE PERMITS	REGISTRATION	54895
AIR NEW SOURCE PERMITS	REGISTRATION	55312
AIR NEW SOURCE PERMITS	REGISTRATION	76382
AIR NEW SOURCE PERMITS	REGISTRATION	75524
AIR NEW SOURCE PERMITS	REGISTRATION	55730
AIR NEW SOURCE PERMITS	REGISTRATION	55869
AIR NEW SOURCE PERMITS	REGISTRATION	76315
AIR NEW SOURCE PERMITS	PERMIT	7855
AIR NEW SOURCE PERMITS	REGISTRATION	11177
AIR NEW SOURCE PERMITS	REGISTRATION	12152
AIR NEW SOURCE PERMITS	REGISTRATION	12537
AIR NEW SOURCE PERMITS	PERMIT	13373

AIR NEW SOURCE PERMITS	REGISTRATION	13713
AIR NEW SOURCE PERMITS	REGISTRATION	16429
AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	REGISTRATION	10888
AIR NEW SOURCE PERMITS	REGISTRATION	11096
AIR NEW SOURCE PERMITS	REGISTRATION	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	REGISTRATION	12829
AIR NEW SOURCE PERMITS	REGISTRATION	13678
AIR NEW SOURCE PERMITS	REGISTRATION	15961
AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	REGISTRATION	15262
AIR NEW SOURCE PERMITS	REGISTRATION	15365
AIR NEW SOURCE PERMITS	REGISTRATION	15499
AIR NEW SOURCE PERMITS	REGISTRATION	15940
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	REGISTRATION	24096
AIR NEW SOURCE PERMITS	REGISTRATION	27598
AIR NEW SOURCE PERMITS	REGISTRATION	29597
AIR NEW SOURCE PERMITS	REGISTRATION	32282
AIR NEW SOURCE PERMITS	REGISTRATION	33524
AIR NEW SOURCE PERMITS	REGISTRATION	34230
AIR NEW SOURCE PERMITS	REGISTRATION	34358
AIR NEW SOURCE PERMITS	REGISTRATION	35243
AIR NEW SOURCE PERMITS	REGISTRATION	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	1920

AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	REGISTRATION	41920
AIR NEW SOURCE PERMITS	REGISTRATION	41875
AIR NEW SOURCE PERMITS	REGISTRATION	42221
AIR NEW SOURCE PERMITS	REGISTRATION	42573
AIR NEW SOURCE PERMITS	REGISTRATION	42512
AIR NEW SOURCE PERMITS	REGISTRATION	43605
AIR NEW SOURCE PERMITS	REGISTRATION	42118
AIR NEW SOURCE PERMITS	REGISTRATION	45654
AIR NEW SOURCE PERMITS	REGISTRATION	45944
AIR NEW SOURCE PERMITS	PERMIT	46535
AIR NEW SOURCE PERMITS	REGISTRATION	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	REGISTRATION	70903
AIR NEW SOURCE PERMITS	REGISTRATION	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	REGISTRATION	54061
AIR NEW SOURCE PERMITS	REGISTRATION	50548
AIR NEW SOURCE PERMITS	REGISTRATION	52565
AIR NEW SOURCE PERMITS	REGISTRATION	52089
AIR NEW SOURCE PERMITS	REGISTRATION	52088
AIR NEW SOURCE PERMITS	REGISTRATION	50388
AIR NEW SOURCE PERMITS	REGISTRATION	50423
AIR NEW SOURCE PERMITS	REGISTRATION	70612
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896

AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78839
AIR NEW SOURCE PERMITS	REGISTRATION	78864
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	78816
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	93992
AIR NEW SOURCE PERMITS	REGISTRATION	94547
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	87183
AIR NEW SOURCE PERMITS	REGISTRATION	95595
AIR NEW SOURCE PERMITS	REGISTRATION	96066
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	84354
AIR NEW SOURCE PERMITS	REGISTRATION	87871
AIR NEW SOURCE PERMITS	REGISTRATION	87174
AIR NEW SOURCE PERMITS	REGISTRATION	84538
AIR NEW SOURCE PERMITS	REGISTRATION	87173
AIR NEW SOURCE PERMITS	REGISTRATION	91151
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30007
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007

PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

Location: 5900 HIGHWAY 225, DEER PARK, TX, 77536

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: May 25, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 25, 2006 to May 25, 2011

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

Name: Heather Podlipny Phone: 239 - 2603

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? Yes
3. If Yes, who is the current owner/operator?

OWNOPR	Shell Deer Park Refining Company
OWNOPR	Shell Chemical LP
OWNOPR	Shell Oil Company
OWN	Equilon Enterprises LLC
OPR	Shell Oil Products Company, L.L.C.
OWN	Deer Park Refining Limited Partnership
OWNOPR	Shell Chemical Company
4. If Yes, who was/were the prior owner(s)/operator(s)? OWNOPR Deer Park Refining Limited Partnership
5. When did the change(s) in owner or operator occur? 02/01/2011 OWNOPR Deer Park Refining Limited Partnership
6. Rating Date: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site :

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

Effective Date: 08/15/2008 ADMINORDER 2007-2001-AIR-E
 Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: No. #21262, Special Condition #1 PERMIT
 Description: Failed to prevent unauthorized emissions.

Effective Date: 08/15/2008 ADMINORDER 2008-0079-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. 3179, SC 6 PERMIT
 Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342., in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Effective Date: 09/22/2008 ADMINORDER 2007-1789-AIR-E
 Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Shell failed to prevent an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.

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

Description: Failure to keep a flame present at a flare at all times.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT
Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008

ADMINORDER 2007-1472-AIR-E

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

Rqmt Prov: No.1968, Special Condition #1, MAERT PERMIT

Description: Shell failed to prevent an avoidable emissions event that resulted in the release of a large quantity of VOCs.

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

Rqmt Prov: Permit No.3214, Special Condition #1 PERMIT

Description: failed to comply with permitted emissions limits.

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

Description: Failure to list the compound descriptive type for the emissions.

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

Rqmt Prov: Permit No. 3219, Gen Condition 8 PERMIT

Description: failed to comply with permitted emissions limits

Effective Date: 11/06/2008

ADMINORDER 2007-1218-AIR-E

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

Rqmt Prov: Permit No.3173, Special Condition #1 PERMIT

Description: Failure to install the metallurgically correct cap to a pump causing a leak to develop on a pump.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 9334, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

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

Description: Failed to notify the TCEQ Region Office of an emission event within 24 hours.

Effective Date: 11/17/2008

ADMINORDER 2008-0283-AIR-E

Classification: Moderate

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

Rqmt Prov: NSR Permit 3219 and PST-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 7,275 lbs of sulfur dioxide, 38.50 lbs of CO, 5.33 lbs of NOx, 77.30 lbs of H2S, 304.3 lbs of volatile organic compounds, and 0.70 lbs of particulate matter were released through the East Property Flare in the Catalytic Cracker Feed Hydrotreater Unit during an emissions event (Incident No. 99227) that occurred on October 24, 2007 and lasted one hour and 50 minutes.

Effective Date: 12/04/2008

ADMINORDER 2008-0635-AIR-E

Classification: Moderate

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

Rqmt Prov: NSR 3173, SC 1 PERMIT
O-01948, SC 13(A) OP

Description: Failed to maintain the VOC MAER of 0.52 lbs per hour at Vent V118 for six hours from April 2, 2007 to August 30, 2007.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions from the East Property Flare on December 16, 2007.

Classification: Minor

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

Description: Failed to provide information within 14 days of the Additional Information Request dated February 11, 2008.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the Coker Flare on February 4, 2008.

Effective Date: 12/04/2008

ADMINORDER 2006-0328-MLM-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT
TCEQ Flex Air Permit 21262/PSDTX928, SC1 PERMIT

Description: Shell failed to prevent the unauthorized release of air contaminants into the atmosphere.

Classification: Minor

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

5C THSC Chapter 382 382.085(b)

Description: Shell failed to comply with emissions event reporting requirements.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: TCEQ Flexible Air Permit #21262, SC1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

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

Rqmt Prov: Permit No. 3219/PSD-TX-974, G.C. 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Rqmt Prov: Permit No. 3179, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

30 TAC Chapter 101, SubChapter A 101.20(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)

5C THSC Chapter 382 382.085(b)

Description: Shell failed to properly seal open-ended lines.

Classification: Moderate

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

5C THSC Chapter 382 382.085(b)

Description: Shell failed to monitor new valves which were put into service at the OP-3 unit on a monthly basis.

Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: Permit No. 21262, Special Condition 1 PERMIT

Permit No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Rqmt Prov: No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Rqmt Prov: Permit No. 3219, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

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

Rqmt Prov: No. 21262, SC #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Minor

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

5C THSC Chapter 382 382.085(b)

Description: Shell failed to submit an emissions event report within two weeks after the end of the event.

Classification: Moderate

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

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

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

Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit 3179, General Condition 8 PERMIT
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 2162/PSDTX 928, S.C. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: #21262, Special Condition #1 PERMIT
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(3)(i)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)
Rqmt Prov: Permit 50099, Provision V.1.2.b. PERMIT
Description: Shell failed to comply with BIF operating parameters for the total ash feed rate, by not revising the data in the Distributed Control Systems for the correct level of ash being fed into the unit.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: #21262, Special Condition #1 PERMIT
Description: Shell failed to prevent unauthorized emissions.

Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THSC Chapter 382 382.085(b)
Description: Shell failed to identify the preconstruction authorization number in the final report submitted to the agency for the facility involved in the emissions event, which occurred on June 15, 2005, in the CCU.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. No. 1 PERMIT
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 3219/ PSD-TX-974, G.C. 8 PERMIT
Description: Shell failed to comply with the permitted emission limits.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit No. 3173, Special Condition 13 PERMIT
Description: Shell failed to comply with the permitted emission limits.

Classification: Minor

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

Description: Shell failed to submit an initial notification of an emissions event within the 24-hour period for the emissions event that occurred on June 28, 2006 at Tank T-75A.

Classification: Moderate

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

Rqmt Prov: Permit No.3178, Special Condition No.1 PERMIT

Description: Shell failed to comply with the permitted emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT

Description: Shell failed to prevent an unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit No. 21262, SC1 PERMIT

Description: Shell failed to prevent an avoidable emissions event.

Effective Date: 02/08/2009

ADMINORDER 2007-0837-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions during an emissions event that started on December 5, 2005.

Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a PI-7 Form within 10 days following modification of the three storage tanks.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(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 G 63.113(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #2 PERMIT

Description: Failed to comply with the 20 ppm HAP limit for Spent Air Incinerator H9200.

Classification: Moderate

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

Rqmt Prov: FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC#1 PERMIT

Description: Failed to comply with the 9.0 lbs/hr acetone emissions limit for Spent Air Incinerator H9200.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to comply with the 20 ppm VOC emissions limit for Spent Air Incinerator H9200.

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21E PERMIT

Description: Failed to maintain a cap, plug, or blind flange on all open-ended lines.

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 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #21H PERMIT

Description: Failed to maintain a leaking component tag on leaking components until the component is repaired.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP

Description: Failed to make a first attempt to repair a leaking component within five days after discovery.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.144(1)(E)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, General Terms & Conditions OP

Description: Failed to maintain all required monitoring analysis data.

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 A 63.11(b)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP
FOP #O-01945, ST&C #21 OP
NSR Permit #3179, SC #14 PERMIT

Description: Failed to perform continuous monitoring of the flare pilot flame.

Classification: Minor

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

Rqmt Prov: FOP #O-01945 General Terms & Conditions OP

Description: Failed to submit an annual compliance certification and deviation report within 30 days after the reporting period.

Classification: Moderate

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

Rqmt Prov: No.3219 and PSD-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions during a December 14, 2006 emissions event.

Classification: Moderate

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

Rqmt Prov: No.3219, MAERT PERMIT
PSD-TX-974 PERMIT

Description: Failed to prevent unauthorized emissions during a February 1, 2007 emissions event.

Effective Date: 06/15/2009

ADMINORDER 2008-1621-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent the shutdown of the compressor.

Classification: Moderate

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

Rqmt Prov: FOP O-01669, General Terms & Conditions OP

Description: Failure to submit the annual Permit Compliance Certification within 30 days of the end of the certification period.

Effective Date: 08/23/2009

ADMINORDER 2008-1092-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 21262 AND PSD-TX-928, SC No. 1 PERMIT

Description: Shell exceeded permit limits during an avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: Permit PERMIT

Description: Failed to prevent the unauthorized emissions of: 2,540 lbs of VOC, 12 lbs of H2S, 452 lbs of NOx, 3,248 lbs of CO, and 1,216 lbs of SO2 released from the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare during an emissions event that occurred on March 7, 2008 and lasted 4 hours and 0 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent plugging of level transmitter (LT-257) tap.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent an electrical short during installation of additional alarm at SRU Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 116, SubChapter G 116.715(c)(7)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent wet gas compressor malfunction.

Classification: Moderate

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

Rqmt Prov: MAERT PERMIT

Description: Failed to prevent the shutdown of the SRUs.

Effective Date: 08/31/2009

ADMINORDER 2008-1925-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC 1 PA

Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the North Property Flare on June 18, 2008.

Classification: Moderate

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

Rqmt Prov: General Condition 8, NSRP 3219/PSDTX974 PA

Description: Failed to prevent unauthorized emissions from the OP-2 Elevated Flare, OP-3 Elevated Flare, and from the OP-3 Ground Flare on June 29, 2008

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC No. 1 PERMIT
Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions from the North Property Flare on July 17, 2008.

Classification: Minor

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

Description: Failed to timely provide information requested by the TCEQ Houston Regional Office regarding the July 17, 2008 emissions event.

Effective Date: 10/31/2009

ADMINORDER 2009-0465-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, an emissions event occurred from November 13 through 15, 2008, due to accumulation of rain resulting from clogged drain lines on a floating tank roof (Emission Point No. TOL905), that lasted for 38 hours and 44 minutes, resulting in the release of 10,169.40 pounds of volatile organic compounds.

Effective Date: 03/20/2010

ADMINORDER 2009-0806-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 1,514.6 pounds ("lbs") of volatile organic compounds ("VOC") [including 3.6 lbs of the Highly Reactive VOC ("HRVOC") ethylene and 884.2 lbs of the HRVOC propylene], 152.3 lbs of hydrogen sulfide, 82.7 lbs of nitrogen dioxide, 597.3 lbs of carbon monoxide, 16.8 lbs of particulate matter and 14,329.3 lbs of sulfur dioxide from the Distilling Hydrotreater ("DHT") Unit and the Catalytic Cracking Unit during an avoidable

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 7,520.79 lbs of VOC, 16.28 lbs of H₂S, 147.84 lbs of benzene, 426.70 lbs of SO₂, 51.50 lbs of nitrogen oxide, 372.10 lbs of CO, 8.60 lbs of PM, 103.89 lbs of ethane, 292.53 lbs of methane, 12.75 lbs of nitrogen and 2.15 lbs of hydrogen from Distillation Unit 2 during an avoidable emissions event (Incident No. 119042) that began January 18, 2009 and lasted eight hours and four minutes. The event was caused the malfunction

Effective Date: 06/18/2010

ADMINORDER 2009-1789-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Shell failed to prevent unauthorized emissions. Shell Aromatics Concentration Unit operators caused unauthorized emissions when they landed the internal floating roof of tank, D-381. The operator failed to monitor the tank pump-out rates, and the tank level indication alarms. (Incident No. 125893). This resulted in the routing of emissions to the atmosphere.

Effective Date: 06/26/2010

ADMINORDER 2009-2090-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 125,980 pounds ("lbs") of volatile organic compounds, 262 lbs of benzene and 34 lbs of hydrogen sulfide from Distillation Unit 2 during an avoidable emissions event that began May 19, 2009 and lasted 20 minutes. The emissions event was the result of operators utilizing the No. 3 Crude Line even though water had accumulated in the line. The water flashed into steam which increased column pressure, resulting in the rel

Effective Date: 07/11/2010

ADMINORDER 2009-1984-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
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. Specifically, the Respondent released 12,972 lbs of VOC, 5,816 lbs of CO and 1,062 lbs of NOx from flaring at the Olefins Flare System in the Olefins 3 Unit during an avoidable emissions event (Incident No. 126985) that began July 19, 2009 and lasted nine hours and 58 minutes. The event was the result of an operator not following the established procedure for bypassing the Instrument Protection Function transmitters. As a result, the LI-5026Z transmitter

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 37.08 pounds of benzene from the Aromatics Concentration Unit during an avoidable emissions event (Incident No. 127526) that was discovered July 28, 2009 and lasted two hours. An internal floating roof of a storage tank was lowered to the point where the vacuum breaker opened releasing emissions to the atmosphere. The tank level alarm was improperly set, so there was no indication that the vacuum breaker had

Classification: Minor

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

Description: Failed to submit the initial notification for Incident No. 127526 within 24 hours after the discovery of the event and failed to submit the final report within 14 days after the end of the event. Specifically, the initial notification was due July 29, 2009 but was not submitted until July 31, 2009, and the final report was due August 11, 2009 but was not submitted until August 12, 2009.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PA
Special Condition 13 OP

Description: Failed to comply with hourly VOC emission rates. Specifically, the Respondent exceeded the 0.98 lb/hour VOC limit for the C39 Scrubber Column Vent on 221 occasions and released an aggregate amount of 57.18 lbs of unauthorized VOC emissions over a total of 119 hours, from July 29 through September 11, 2008.

Classification: Moderate

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

Rqmt Prov: Permit No. 3179, Spec. Cond. No. 6 OP

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 241.40 lbs of VOC, 121.70 lbs of CO and 25.20 lbs of NOx from the HIPA flare in the LPG Unit during an avoidable emissions event (Incident No. 127809) that began July 3, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review. The event was due to a faulty relief valve prematurely opening, allowing emissions to enter the flare. Since this emissions

Classification: Moderate

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

Rqmt Prov: Special Condition No. 6 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 278.40 lbs of volatile organic compounds ("VOC"), 240.10 lbs of carbon monoxide ("CO") and 39 lbs of nitrogen oxide ("NOx") from the Houston Isopropyl Alcohol ("HIPA") flare in the LPG ("Liquified Petroleum Gas") Unit during an avoidable emissions event (Incident No. 127810) that began July 15, 2009 and lasted five hours. The event was not discovered until August 5, 2009, during the internal monthly compliance review

Effective Date: 10/25/2010

ADMINORDER 2009-1300-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
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)

Rqmt Prov: FOP O-02108 STC 15 OP
FOP O-02108 STC 1A OP
NSR 18576 SC 4A PERMIT
NSR 1968 SC 2 PERMIT
NSR 19849 SC 2A PERMIT
NSR 3173 SC 4 PERMIT
NSR 3179 SC 14 PERMIT

Description: Failed to maintain minimum heating value at the HIPA and A&S Flares.

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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02108 STC 15 OP
FOP O-02108 STC 1A OP
NSR 18576 SC 4A PERMIT
NSR 19849 SC 26 PERMIT

Description: Failed to meet the net heating value and exit velocity at the A&S Flare.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02108 STC 1A OP
FOP STC O-02108 15 OP
NSR 18576 SC 4B PERMIT
NSR 1968 SC 2 PERMIT
NSR 19849 SC 2B PERMIT

Description: Failed to maintain records of the pilot monitoring data at the A&S Flare from April 21, 2008 through December 31, 2008.

Effective Date: 02/05/2011

ADMINORDER 2010-0609-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 133506. Since this emissions event could have been avoided through better maintenance practices, the demonstration criteria in 30

TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 134189. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 134301. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX. ADMIN. CODE § 101.222 for an affirmative defense were not met.

Effective Date: 04/18/2011

ADMINORDER 2010-1331-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Since this emissions event could have been avoided by better operational practices and was reported late, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present affirmative defense were not met.

Classification: Minor

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

Description: Failed to submit the initial notification for Incident No. 136726 within 24 hours after the discovery of the event and failed to submit the final report within 14 days after the end of the event.

Effective Date: 05/08/2011

ADMINORDER 2010-1439-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.173(a)(3)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)

Rqmt Prov: V.G.4.g. OP

Description: Failed to ensure that the leachate depth in the leachate collection/leak detection system does not exceed 12 inches above the liner. Specifically, based on review of the Leachate Log, a TCEQ investigator noted leachate levels above the maximum permitted level of 12 inches on 14 occasions in Cell 2 of the Site 104 Landfill located at the Plant.

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 10/31/2006 (343595)

2 12/29/2006 (343599)

3 11/30/2006 (379581)

4 08/16/2006 (392732)

5 03/05/2007 (406521)

6 06/15/2006 (449850)
7 05/31/2006 (455293)
8 06/12/2006 (455296)
9 08/18/2006 (457259)
10 08/31/2006 (457283)
11 02/20/2007 (457345)
12 08/23/2006 (457432)
13 08/18/2006 (457480)
14 06/13/2006 (457735)
15 05/30/2006 (459416)
16 05/26/2006 (460095)
17 05/26/2006 (460156)
18 05/26/2006 (460174)
19 05/30/2006 (460198)
20 05/26/2006 (460637)
21 06/30/2006 (463111)
22 06/30/2006 (466561)
23 06/23/2006 (467329)
24 05/09/2007 (467500)
25 06/28/2006 (467525)
26 06/23/2006 (467537)
27 06/21/2006 (467546)
28 07/14/2006 (467608)
29 08/28/2006 (479997)
30 08/29/2006 (479999)
31 06/14/2006 (480612)
32 05/31/2006 (480622)
33 07/11/2006 (482407)
34 08/08/2006 (482747)
35 07/31/2006 (482753)

36 07/11/2006 (482755)
37 07/10/2006 (482757)
38 07/11/2006 (482760)
39 07/27/2006 (486448)
40 07/26/2006 (487301)
41 09/29/2006 (487313)
42 12/07/2006 (487985)
43 12/07/2006 (488004)
44 12/07/2006 (488023)
45 12/07/2006 (488025)
46 12/15/2006 (508968)
47 08/30/2006 (509636)
48 10/31/2006 (509694)
49 03/01/2007 (509707)
50 10/04/2006 (510017)
51 10/05/2006 (510021)
52 10/13/2006 (510023)
53 09/07/2006 (510326)
54 10/04/2006 (512388)
55 10/05/2006 (512392)
56 10/05/2006 (512393)
57 10/26/2006 (512394)
58 11/16/2006 (512687)
59 10/31/2006 (513138)
60 11/03/2006 (513228)
61 11/03/2006 (513328)
62 10/27/2006 (515112)
63 11/06/2006 (515706)
64 11/21/2006 (517284)
65 01/19/2007 (531892)
66 02/23/2007 (532452)

67 02/17/2007 (532455)
68 04/25/2007 (532459)
69 02/23/2007 (532463)
70 02/27/2007 (532471)
71 12/21/2006 (534053)
72 05/07/2007 (537121)
73 01/31/2007 (537439)
74 01/31/2007 (538659)
75 04/26/2007 (541475)
76 04/30/2007 (542592)
77 05/18/2007 (542652)
78 04/25/2007 (542681)
79 04/30/2007 (542683)
80 05/08/2007 (542690)
81 05/14/2007 (542697)
82 05/29/2007 (559183)
83 10/12/2007 (560777)
84 05/30/2007 (560809)
85 06/25/2007 (563779)
86 06/25/2007 (564308)
87 06/27/2007 (564822)
88 06/27/2007 (564828)
89 12/04/2008 (565248)
90 07/10/2007 (565422)
91 11/06/2007 (565492)
92 07/06/2007 (565610)
93 08/01/2007 (567841)
94 08/14/2007 (567884)
95 08/03/2007 (568522)
96 08/17/2007 (571025)
97 08/13/2007 (571026)

98 09/18/2007 (571877)
99 08/15/2007 (571883)
100 11/19/2007 (572257)
101 09/19/2007 (572770)
102 11/06/2007 (593367)
103 10/16/2007 (593594)
104 10/25/2007 (596852)
105 11/27/2007 (597446)
106 01/25/2008 (597769)
107 11/15/2007 (597891)
108 11/15/2007 (597968)
109 01/07/2008 (598077)
110 01/17/2008 (599615)
111 01/17/2008 (599668)
112 11/19/2007 (599691)
113 01/17/2008 (599822)
114 03/28/2008 (600448)
115 06/30/2008 (600450)
116 01/17/2008 (600635)
117 12/04/2007 (600886)
118 11/30/2007 (601276)
119 02/01/2008 (607448)
120 11/30/2007 (608138)
121 12/20/2007 (610419)
122 03/31/2008 (610634)
123 04/09/2008 (610636)
124 04/11/2008 (610638)
125 02/05/2008 (610680)
126 03/07/2008 (612807)
127 01/22/2008 (613355)

128 02/01/2008 (613923)
129 02/04/2008 (614031)
130 02/01/2008 (614301)
131 02/01/2008 (614303)
132 02/01/2008 (615075)
133 01/25/2008 (615280)
134 01/25/2008 (615969)
135 01/25/2008 (615999)
136 01/28/2008 (616080)
137 01/28/2008 (616082)
138 02/13/2008 (616505)
139 03/24/2008 (616741)
140 03/10/2008 (617388)
141 08/31/2008 (637068)
142 04/11/2008 (637073)
143 08/31/2008 (637076)
144 03/12/2008 (637217)
145 05/23/2008 (637956)
146 05/23/2008 (638051)
147 03/24/2008 (638443)
148 04/21/2008 (639674)
149 11/24/2008 (641389)
150 05/02/2008 (650560)
151 04/22/2008 (653495)
152 05/20/2008 (654015)
153 05/23/2008 (654353)
154 06/06/2008 (654842)
155 05/20/2008 (654943)
156 07/17/2008 (656863)
157 06/10/2008 (671393)
158 07/24/2008 (682501)

159 10/23/2008 (682549)
160 06/17/2008 (682693)
161 06/18/2008 (683279)
162 07/23/2008 (683726)
163 11/24/2008 (684019)
164 07/11/2008 (685564)
165 07/17/2008 (686593)
166 08/14/2008 (686729)
167 08/31/2009 (687729)
168 08/19/2008 (689497)
169 08/22/2008 (699629)
170 09/05/2008 (700024)
171 11/03/2008 (700060)
172 11/03/2008 (701753)
173 09/10/2008 (702237)
174 09/10/2008 (702256)
175 10/09/2008 (703510)
176 10/16/2008 (704306)
177 12/30/2008 (705857)
178 10/27/2008 (706455)
179 10/27/2008 (706540)
180 01/15/2009 (707647)
181 01/20/2009 (708950)
182 12/04/2008 (709362)
183 12/04/2008 (709367)
184 02/09/2009 (709972)
185 01/28/2009 (720984)
186 12/12/2008 (721015)
187 12/29/2008 (722320)
188 03/10/2009 (722825)
189 04/02/2009 (722827)

190 02/20/2009 (723069)
191 01/09/2009 (723179)
192 02/18/2009 (735789)
193 07/10/2009 (737104)
194 08/18/2009 (737105)
195 09/30/2009 (737217)
196 05/13/2009 (737311)
197 04/17/2009 (737361)
198 06/08/2009 (737950)
199 06/08/2009 (741940)
200 05/11/2009 (741959)
201 08/04/2009 (741963)
202 06/01/2009 (742131)
203 05/14/2009 (742134)
204 08/04/2009 (742135)
205 05/13/2009 (742834)
206 04/30/2009 (744066)
207 07/23/2009 (747258)
208 09/15/2009 (747259)
209 08/28/2009 (747477)
210 12/17/2009 (747492)
211 02/03/2010 (749600)
212 02/25/2008 (750215)
213 02/25/2009 (750216)
214 03/23/2009 (750217)
215 03/24/2008 (750218)
216 04/21/2008 (750219)
217 05/22/2008 (750220)
218 06/23/2008 (750221)
219 07/21/2008 (750222)

220 08/25/2008 (750223)
221 09/22/2008 (750224)
222 10/23/2007 (750225)
223 10/22/2008 (750226)
224 11/19/2007 (750227)
225 11/24/2008 (750228)
226 01/03/2008 (750229)
227 12/22/2008 (750230)
228 01/22/2008 (750231)
229 01/23/2009 (750232)
230 09/21/2009 (760334)
231 08/13/2009 (760336)
232 11/10/2009 (760343)
233 08/13/2009 (760346)
234 09/21/2009 (762422)
235 12/10/2009 (762424)
236 10/12/2009 (762569)
237 07/22/2009 (763029)
238 12/02/2009 (763495)
239 08/12/2009 (764686)
240 08/12/2009 (764845)
241 08/12/2009 (765197)
242 08/12/2009 (765199)
243 10/30/2009 (765451)
244 08/19/2009 (766023)
245 08/21/2009 (766514)
246 09/23/2009 (766994)
247 12/02/2009 (766995)
248 12/02/2009 (766996)
249 11/24/2009 (766997)
250 04/24/2009 (768318)

251 05/20/2009 (768319)
252 06/15/2009 (768320)
253 05/20/2009 (768321)
254 09/28/2009 (777627)
255 11/23/2009 (778496)
256 10/23/2009 (778758)
257 12/09/2009 (778830)
258 10/14/2009 (779040)
259 11/30/2009 (780176)
260 04/06/2010 (783318)
261 12/09/2009 (784940)
262 02/23/2010 (787148)
263 01/13/2010 (787368)
264 01/27/2010 (787380)
265 02/17/2010 (787388)
266 02/01/2010 (788201)
267 02/10/2010 (788491)
268 03/15/2010 (789829)
269 01/29/2010 (790337)
270 03/29/2010 (790604)
271 03/02/2010 (791204)
272 03/29/2010 (792150)
273 05/19/2010 (792168)
274 02/23/2010 (792309)
275 04/12/2010 (793088)
276 05/19/2010 (793841)
277 03/25/2010 (794199)
278 04/02/2010 (794620)
279 04/12/2010 (795209)
280 04/12/2010 (795244)

281	04/12/2010	(795254)
282	04/12/2010	(795268)
283	05/07/2010	(797014)
284	05/10/2010	(797038)
285	05/10/2010	(797040)
286	04/05/2010	(797068)
287	07/01/2010	(798147)
288	06/22/2010	(798148)
289	04/21/2010	(798275)
290	05/27/2010	(799073)
291	04/27/2010	(799949)
292	08/09/2010	(800144)
293	04/29/2010	(800569)
294	05/19/2010	(801115)
295	05/20/2010	(801366)
296	06/09/2010	(801867)
297	08/17/2010	(803124)
298	07/26/2010	(803128)
299	08/31/2010	(803142)
300	06/11/2010	(803895)
301	07/27/2010	(824430)
302	05/25/2010	(824557)
303	07/09/2010	(826170)
304	09/10/2010	(826882)
305	08/20/2010	(827001)
306	08/13/2010	(827295)
307	09/29/2010	(827506)
308	07/28/2010	(842904)
309	07/28/2010	(842924)
310	09/07/2010	(848892)
311	03/15/2011	(859959)

312 12/16/2010 (863684)
 313 09/16/2010 (864076)
 314 11/13/2010 (871868)
 315 01/21/2011 (878058)
 316 01/05/2011 (878837)
 317 02/16/2011 (885367)
 318 01/27/2011 (893323)
 319 05/10/2011 (899805)
 320 05/18/2011 (899809)
 321 03/08/2011 (900041)
 322 02/28/2011 (900341)
 323 05/12/2011 (901220)
 324 05/16/2011 (901224)
 325 04/27/2011 (901538)
 326 04/08/2011 (906978)
 327 05/16/2011 (919611)
 328 05/24/2011 (921483)

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

Date: 05/31/2006 (455293) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 No. 3219 and PSD-TX-974 MAERT PERMIT
 Description: Failure to prevent an operator error resulting in unauthorized emissions.

Date: 06/15/2006 (457735) CN601405145
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)
 9334 MAERT PERMIT
 Description: Failure to prevent a leak from a line that was bent beyond its minimum flex radius creating a weak point that resulted in unauthorized emissions.

Date: 06/28/2006 (467525)
 Self Report? NO Classification: Moderate
 Citation: #21262, Special Condition #1 PERMIT
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failure to prevent overpressure of Secondary Debutanizer Column, V-613.

Date: 07/14/2006 (467608)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter A 382.085(b)

No 3219 MAERT PERMIT

Description: Failure to prevent unauthorized emissions during decoking of furnace FOL170.

Date: 08/18/2006 (457259) CN601405145

Self Report? NO Classification: Minor

Citation: 266, SC 7E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3985A, SC 7E PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-01947, Special Condition 13 OP
O-01947, Special Condition 1A OP

Description: 3 OELs in SITEFE and 1 OEL in WRACKFE

Date: 08/23/2006 (457432) CN601405145

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 1A OP
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Components associated with Tank F-347 and Tank F-349 were not identified as being subject to 40 CFR 63, Subpart H.

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
19849, Special Condition 11E 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)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: 10 OELs in MPLANTFE

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
1968, Special Condition 3E PERMIT
19849, Special Condition 11E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 6E PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: 5 OELs in LPGFE; 15 OELs in IPAFINFE; 8 OELs in IPACRUFEE; 1 OEL in HPLANTFE

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 13 OP
1948, Special Condition 1A OP
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)
3173, Special Condition 6F PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor Valve Tag No. 301622 in IPAFINFE during the first quarter of 2005

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 13 OP
19849, Special Condition 7D PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to inspect Tank T667B by the due date of March 2005

Self Report? NO Classification: Moderate

Citation: 1948, Special Condition 13 OP
30 TAC Chapter 106, SubChapter K 106.261(a)(2)

30 TAC Chapter 122, SubChapter B 122.143(4)
3173, Special Condition 1 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
Description: VOC emissions from V118 exceeded the combined hourly emissions limit of 6.49 lb/hr-0.52 lb/hr permitted in Permit 3173 and 5.97 lb/hr represented in PBR Registration No. 74572.

Self Report? NO Classification: Moderate

Citation: 1948, Special Condition 1H(iv) OP
30 TAC Chapter 115, SubChapter H 115.782(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to repair Component No. 200706 in IPACRUFEE within seven days

Self Report? NO Classification: Minor

Citation: 1948, Special Condition 1A OP
30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor a relief valve in Unit LPGFE within 24 hours after the valve released emissions to the atmosphere

Date: 08/28/2006 (479997) CN601405145

Self Report? NO Classification: Moderate

Citation: 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)
3219, Special Condition 2I PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1H(v) OP

Description: Failure to repair Component No. 64110.P in OP2FUG within 15 days

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)
3219, Special Condition 2E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: Forty-nine incidences of open-ended lines in OP2FUG

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)
3214, Special Condition 5E PERMIT
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: 26 OELs in OL3FUG and 4 OELs in PYR3FUG

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)
3214, Special Condition 5E PERMIT
3219, Special Condition 2E PERMIT
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP
O-1668, Special Condition 1A OP

Description: 28 OELs in OL3FUG, 4 OELs in OP2FUG, and 25 OELs in PYR3FUG

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)

3219, Maximum Allowable Emission Rates PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-1668, Special Condition 15 OP

Description: Exceedance of VOC MAER in tpy for the Olefins Flare System

Date: 08/29/2006 (479999) CN601405145
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)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 15E PERMIT
O-1943, Special Condition 17 OP
O-1943, Special Condition 1A OP

Description: One OEL in ACUFUG and one OEL in FUGOXU
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 7 PERMIT
O-1943, Special Condition 17 OP

Description: Incomplete records of furnace firing rates for the ACU furnace, EPN H902
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 63.120(a)(3)(iii)
5C THC Chapter 382, SubChapter A 382.085(b)
O-1943, Special Condition 1A OP

Description: Failure to conduct internal inspection of Tank F-361 by the due date of May 2005
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 8 PERMIT
O-1943, Special Condition 17 OP

Description: Operation of the East Property Flare with visible emissions
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to visually inspect Tank G-359 by the due date of August 16, 2005
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 10D PERMIT
O-1943, Special Condition 17 OP

Description: Failure to provide notification to the TCEQ 30 days in advance of taking gap measurements in Tank G-359

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
9334, Special Condition 10D PERMIT
O-1943, Special Condition 17 OP
O-1943, Special Condition 1A OP

Description: Failure to perform the annual seal gap inspection for Tank G-343 by the due date of September 1, 2005.

Date: 08/31/2006 (457283) CN601405145
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

48912, Special Condition 5 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 15 OP

Description: Failure to analyze wastewater for isobutyraldehyde
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.132(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP

Description: Failure to meet the control requirements for VOC water separators NAPI and SAPI
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.116b(f)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP

Description: Failure to obtain vapor pressure sample from T-1318
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THC Chapter 382, SubChapter A 382.085(b)
O-2108, Special Condition 1A OP

Description: Failure to monitor the presence of the pilot flame on the A&S Flare, EPN A1301

Date: 11/03/2006 (513328)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Shell failed to submit a CAP in a timely manner.

Date: 11/14/2006 (512687) CN601405145

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01669, Special Condition #1A OP

Description: Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)(ii).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)
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 THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01669, Special Condition #1A OP
FOP #O-01669, Special Condition #1D OP

Description: Failure to prevent visible emissions in the operation of flares on six different occasions during the compliance certification period as required by 40 CFR 63.11(b)(4) and 40 CFR 60.18(c)(1).

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

Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).

Date: 02/23/2007 (532452) CN601405145

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP

FOP O-01946, Special Condition 1M(iv) OP
FOP O-01946, Special Condition 21 OP
NSR #18576, Special Condition 7H PA
NSR #3216, Special Condition 6H PA
NSR #3217, Special Condition 3H PA

Description: Failure to maintain leaking component tags on 15 leaking LDAR components per 30 TAC 115.354(5).

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 V 61.242-1(d)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP # O-01946, Special Condition 1A OP
FOP #O-01946, Special Condition 21 OP
NSR 3216, Special Condition 2 PA
NSR 3218, Special Condition 2 PA

Description: Failure to maintain 94 LDAR components with identification tags as required by 40 CFR 61.242-1(d) as well NSR Permits #3216 and #3218.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 1M(iv) OP
FOP O-01946, Special Condition 21 OP
NSR Permit 3215, Special Condition 2E PA
NSR Permit 3216, Special Condition 2 PA
NSR Permit 3216, Special Condition 6E PA
NSR Permit 3217, Special Condition 3E PA
NSR Permit 3218, Special Condition 2 PA
NSR Permit 3218, Special Condition 8E PA

Description: Failure to cap 57 open-ended valves/lines per 30 TAC115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 21 OP
NSR Permit 3216, Special Condition 5 PA

Description: Failure to monitor the firing rate of the FOL-601 furnace for 213 hours as required by NSR Permit #3216, Special Condition #5.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP
FOP O-01946, Special Condition 21 OP
NSR Permit 3219, Special Condition 4 PA

Description: Failure to continuously monitor for the presence of a flare pilot light on the OP3ELFLA unit, on two separate occasions for a total of 156 hours, as required by 40 CFR 60.18(f)(2), 40 CFR 63.11(b)(5), and NSR #3219, SC#4.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 21 OP
NSR Permit 3216, Special Condition 1 PA

Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1M(ii) OP

Description: Failure to capture required fuel gas monitoring and recordkeeping data, for approximately eight hours on February 17, 2006, relating to uncontrolled HRVOC-service vents, as required by 30 TAC 115.725(a)(1)(B).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1M(ii) OP

Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for approximately 180 hours between February 1 through February 16, 2006. Exceeding this limit is a violation of 30 TAC 115.725(a)(1)(C).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 1A OP

Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC 115.114(a)(2) and 40 CFR 60.113b(b)(1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP O-01946, Special Condition 28 OP

Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).

Date: 02/27/2007 (532471) CN601405145

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit PCC within 30 days as required.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)
FOP #O-01947, General Terms & Conditions OP

Description: Failure to submit a Deviation report within 30 days as required.

Date: 05/14/2007 (542697) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)

Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.

Date: 08/29/2007 (543555) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-01669, General Terms/Condition OP

Description: failed to submit a permit compliance certification and a deviation report in a timely manner.

Date: 02/05/2008 (610680) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7H PERMIT
NSR 3217, Special Condition 3H PERMIT
O-01946 Special Conditions 1M(iv) OP
O-01946 Special Conditions 1A OP

Description: Failure to affix and maintain leaking component tags on Leak Detection and Repair components.

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 V 61.242-1(d)
5C THSC Chapter 382 382.085(b)
NSR 3216, Special Condition 2 PERMIT
NSR 3218, Special Condition 2 PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 21 OP

Description: Failure to affix permanent identification tags on 76 LDAR components.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 18576, Special Condition 7E PERMIT
NSR 3216, Special Condition 6E PERMIT
NSR 3217, Special Condition 3E PERMIT
NSR 3218, Special Condition 8E PERMIT
O-01946 Special Condition 1A OP
O-01946 Special Condition 1M(iv) OP
O-01946 Special Condition 21 OP

Description: Failure to seal open-ended valves or lines with a cap, blind flange, plug, or a second valve. (CATEGORY C10 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

Description: Failure to stay below the maximum operating limit for vents in HRVOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 1M(ii) OP

Description: Failure to meet HRVOC monitoring/recordkeeping requirements.

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)
NSR 3216, Special Condition 11C PERMIT
O-01946 Special Condition 21 OP

Description: Failure to continuously monitor and record the H2S concentration on the fuel gas on analyzer AI104 at the OP-2 fuel blend drum.

Self Report? NO Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01946 Special Condition 21 OP
Special Condition 11B PERMIT
Description: Failure to continuously monitor the Gross Heating Value (GHV) measurement of 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)
NSR 3216, Special Condition 5 PERMIT
O-01946 Special Condition 21 OP

Description: Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007.

Date: 03/10/2008 (617388)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)

Description: Shell failed to submit a Corrective Action Plan (CAP) in a timely manner.

Date: 04/01/2008 (610634) CN601405145

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 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(E) PERMIT
NSR 3214, SC 6(E) PERMIT
NSR 3219, SC 2(E) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP

Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
5C THSC Chapter 382 382.085(b)
NSR 3214, SC 5(H) PERMIT
NSR 3214, SC 6(H) PERMIT
NSR 3219, SC 2(H) PERMIT
NSR 3219, SC 8 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 1(H)(v) OP
O-01668, SC 15(A) OP

Description: Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.

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)
O-01668, SC 1(H)(v) OP

Description: Failure to repair valve 76372A within 7 days.

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)
NSR 56496, GC 8 PERMIT
NSR 56496, SC 1 PERMIT
O-01668, SC 15(A) OP

Description: Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx) and FOL-710 (22 block hrs for 25 lbs excess NOx).

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)
NSR 56496, SC 5 PERMIT
O-01668, SC 15(A) OP

Description: Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(A) OP

Description: Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(iv) OP

Description: Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)
5C THSC Chapter 382 382.085(b)
NSR 3219, SC 16 PERMIT
NSR 3219, SC 5 PERMIT
O-01668, SC 1(A) OP
O-01668, SC 15(A) OP

Description: Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.

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)
O-01668, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP

Description: Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
O-01668, SC 1(H)(ii) OP
Description: Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)
O-01668, SC 15(B) OP

Description: Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)
5C THSC Chapter 382 382.085(b)
O-01668, SC 1(A) OP

Description: Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.

Date: 04/09/2008 (639062) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 3 PERMIT
NSR 3173, SC 8(D) PERMIT
NSR 3985A, SC 8(D) PERMIT
NSR19849, SC 7(D) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 13(A) OP

Description: Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.

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 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR 1968, SC 3(E) PERMIT
NSR 19849, SC 11(E) PERMIT
NSR 19849, SC 13 PERMIT
NSR 19849, SC 14 PERMIT
NSR 3173, SC 6(E) PERMIT
O-01948, 13(A) OP
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP

Description: Failure to seal open-ended lines.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
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)
NSR 3173, SC 6(I) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

Description: Failure to repair connector 702527 in IPACRUFE (in HRVOC service) within 15 days

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 115, SubChapter H 115.782(a)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR 3173, SC 6(H) PERMIT
O-01948, SC 1(A) OP
O-01948, SC 1(H)(iv) OP
O-01948, SC 13(A) OP

Description: Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).

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)
O-01948, SC 1(H)(ii) OP

Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8 hours for the HIPA flare and the A&S flare.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(iii) OP

Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01948, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.

Date: 04/11/2008 (637073) CN601405145

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(iii) OP

Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.

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)
O-01947, SC 1(H)(ii) OP

Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.

Date: 04/11/2008 (610638) CN601405145

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)

O-02108, SC 1(A) OP
O-02108, SC 15(A) OP
Permit 19849, SC 11(E) PERMIT
Description: Failure to seal three (3) open-ended lines (OEL's) from March 20, 2007 to March 30, 2007 in ENVSOFLR1 (tag nos. 188.P, 185, and 188).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP

Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02108, SC 1(A) OP

Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.

Date: 07/31/2008 (750223)

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: 09/02/2008 (637076) CN601405145

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the Annual Compliance Certification (ACC) report for the certification period April 15, 2006 through October 15, 2007 within 30 days.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007 within 30 days.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21 OP
NSR 3179, GC 1 PERMIT

Description: Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 21(A) OP
NSR 3179, GC 1 PERMIT
NSR 3179, SC 10 PERMIT

Description: Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.

Self Report? NO Classification: Moderate
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 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)

5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
NSR 3179, SC 2 PERMIT

Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007 at 1700.

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-01945, SC 21(A) OP
NSR 3179, SC 13 PERMIT

Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to include in the Federal Operating Permit, vent gas stream collection vessel V8342.

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)
FOP O-01945, SC 1(H)(ii) OP

Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP

Description: Failure to prevent an exceedance of 100 annual operating hours for P87921 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.

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 G 63.114(d)(2)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 2 PERMIT

Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.

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 THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 20E PERMIT
NSR 3179, SC 21E PERMIT
NSR 3179, SC 3(B) PERMIT

Description: Failure to prevent four open-ended lines: Tag No. 450133.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.

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-01945, SC 1(A) OP
FOP O-01945, SC 21(A) OP
NSR 3179, SC 21(H) PERMIT

Description: Failure to tag the following components: Tag No. 322769 in Phenol 3 on February 8, 2007, and tag no. 950522 in Phenol 3 on March 21, 2007, which constitutes the violation of NSR Permit 3179 SC 21H, 30 TAC 115.354(5), and 40 CFR 63.181(b)(10).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 115, SubChapter H 115.725(l)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01945, SC 1(H)(iii) OP

Description: Failure to prevent a greater than 5% downtime for the East Property Flare CMS (HRVOC analyzer) for CY 2006.

Date: 12/31/2008 (750232)

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: 03/31/2009 (768318)

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: 04/30/2009 (768319)

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: 07/14/2009 (737104) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
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)
9334, SC 11H PERMIT
O-01943, SC 17 OP

Description: Failure to tag leaking components.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-01943, SC 1A OP

Description: Failure to operate a flare CEM for at least 95 percent of the total operating time in a year.

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 Part 60, Subpart A 60.18(c)(4)(l)
5C THSC Chapter 382 382.085(b)
9334, SC 5 PERMIT
O-01943, SC 17 OP

Description: Failed to maintain flare inlet heat content and exit velocity per 40 CFR 60 requirements.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 9334, SC 11E PERMIT
 O-01943, SC 17 OP

Description: Failure to plug/cap all 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)
 O-01943, SC 1A OP

Description: Failure to continuously monitor a pressure relief valve for HRVOC.
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 30 TAC Chapter 116, SubChapter B 116.117(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01943, SC 17 OP

Description: Failure to register two Permit by Rules that require registration.
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3178, SC 1 PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01943, SC 17 OP

Description: Failure to store VOC in proper storage tanks.
Self Report? NO **Classification:** Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)
 5C THSC Chapter 382 382.085(b)

Description: Failure to comply with the sitewide hourly HROVC limit.

Date: 07/24/2009 (747258) CN601405145

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)
 3219, SC 1E PERMIT
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP

Description: Failure to plug/cap all open ended lines in VOC and HRVOC services (Category C10, minor violation).
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, SC 1H PERMIT
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP

Description: Failure to tag leaking components in VOC and HRVOC services.
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 3219, GC 8 PERMIT
 5C THSC Chapter 382 382.085(b)
 O-01668, SC 15 OP

Description: Failure to keep pound per hour carbon monoxide emissions from the furnaces within the limit specified in the MAERT.
Self Report? NO **Classification:** Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
 5C THSC Chapter 382 382.085(b)

Description: Failure to comply with carbon monoxide 24 hour concentration limits in the stacks.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to keep the monitoring parameters within the maximum operating limit.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 11 PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to comply with the individual pound NOx/MMBtu limits for furnaces in Olefins 2 Unit.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3219, SC 12H PERMIT
5C THSC Chapter 382 382.085(b)
O-01668, SC 15 OP

Description: Failure to comply with the rolling 12 month throughput limit for a storage tank.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
5C THSC Chapter 382 382.085(b)

Description: Failure to collect required sample from a cooling tower.

Date: 08/18/2009 (737105) CN601405145

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)
5C THSC Chapter 382 382.085(b)

Description: Shell Chemicals LP failed to revise Title V Federal Operating Permit O-02108 to incorporate references in NSR permit 48912. (FOP O-02108; NSR 48912)

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

Description: Shell Chemicals LP failed to report missed recordkeeping of pilot monitoring of A&S from July 31, 2008 through December 31, 2008 in a timely manner. (FOP O-02108)

Date: 08/28/2009 (747477) CN601405145

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(2)
5C THSC Chapter 382 382.085(b)
Special Condition (SC) No. 11G OP

Description: Failure to maintain records on the HIPA flare (A1333) pilot's monitor from October 30, 2007 through November 10, 2007. (Category C3)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP

Description: Failure to maintain the H9200 Incinerator's 3-hour average VOC limit of 20 ppm for 11 hours in November 2007. (Category B19(g)(1))

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 G 63.152(a)
5C THSC Chapter 382 382.085(b)
SC No. 1A OP
SC No. 21 OP
SC No. 23 PERMIT

Description: Failure to record the H9200 incinerator's CEMS data on August 7, 2007 for 9.32 hours and on November 8, 2007 for 1.6 hours. (Category C3)

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 63.113(a)(2)
 5C THSC Chapter 382 382.085(b)
 SC No. 1A OP

Description: Failure to maintain the H87002 thermal oxidizer's temperature above 1505 degrees Fahrenheit on March 21, 2007, June 12, 2007, September 13, and February 3, 2008 for 23 hours and 59 minutes each day. (Category B19(g)(1))

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 2F OP

Description: Failure to submit an emissions (STEERS No. 106008) report within 24 hours after the event. The RE documented in the deviation report dated May 13, 2008, the report was due April 6, 2008 and not submitted until April 8, 2008. (Category C3)

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 No. 21 OP
 SC No. 7 PERMIT

Description: Failure to maintain documentation to demonstrate compliance with the marine loading requirements for acetone with regards to pump capacity limitation from April 16, 2008 through June 30, 2008 and August 10, 2008 through October 14, 2008. (Category B3)

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter G 117.8100(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 14B PERMIT
 SC No. 1A OP
 SC No. 21 OP

Description: Failure to conduct the Phenol #3 BIF Boiler (H-87920) CEMS nitrogen oxide cylinder gas audit (CGA) for the third quarter of 2008 (7/1/08 through 9/30/08). (Category B1)

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 63.162(f)(1)
 5C THSC Chapter 382 382.085(b)
 SC No 1A OP
 SC No. 21 OP
 SC No. 21H PERMIT

Description: Failure to tag P0113, 348837, 322724, 322769, 322811, 322819, 325567, and 328623.1 from June 23 to June 24, 2008; and on 0301, 0713.1, 0822.2, and 1249 from June 18 to June 19, 2008. (Category C4)

Self Report? NO **Classification:** Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 SC No. 14 PERMIT
 SC No. 1A OP
 SC No. 21 OP

Description: Failure to maintain the East Property flare (EPN: EPFLARE) net heating value above 300 BTU/scf and/or the required exit velocity from January 1, 2008 through December 31, 2008 for 152 hours. (Category B19(g)(1))

Self Report? NO **Classification:** Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
 30 TAC Chapter 106, SubChapter K 106.262(a)(3)
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)
 30 TAC Chapter 116, SubChapter B 116.117(b)(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC No. 22 OP

Description: Failure to register PBRs 30 TAC 106.261 and 106.262 from January 1, 2008 through December 31, 2008. (Category C3)

Date: 08/31/2009 (687729)

CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669 SC 1(A) OP
FOP O-01669 SC 24(A) OP
NSR 21262 SC 2 PERMIT
NSR 21262 SC 25 PERMIT

Description: Failure to monitor the fuel gas for H2S content during Pressure Swing Absorber (PSA) flaring to the North Property Flare (FLNFLARE) on May 20, 2008 from 1800 to 1811 due to unknown problems.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP

Description: Failure to prevent the exceedance of the ammonia (NH3) limit on June 29, 2008 from 1700 to 1800 from the Fluid Catalytic Cracking Unit (FCCU) H600.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 2(F) OP

Description: Failure to provide a 24-hour notification of a reportable event.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitors for CWT-7 and CWT-17.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(K)(iv) OP

Description: Failure to sample upon the loss of the HRVOC monitor for CWT-16.

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)
FOP O-01669, SC 1(K)(iii) OP

Description: Failure to sample upon the loss of the HRVOC monitor for various HRVOC flares.

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 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP O-01669, SC 1(A) OP
FOP O-01669, SC 1(K)(v) OP
FOP O-01669, SC 24 OP
NSR 21262, SC 10(E) PERMIT
NSR 21262, SC 2 PERMIT
NSR 21262, SC 3(A) PERMIT
NSR 21262, SC 3(B) PERMIT
NSR 21262, SC 4(D) PERMIT
NSR 21262, SC 9(E) PERMIT

Description: Failure to seal 43 open-ended lines (OEL's) from January 1, 2008 through

December 31, 2008 (GRPREFUG).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01669, SC 1(K)(iii) OP
 Description: Failure to maintain a 95% up-time for the following HRVOC analyzers: Girbitol
 Flare (86.3% annual up-time) and East Property Flare (94.2% annual up-time).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(3)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP O-01669, SC 1(K)(iv) OP
 Description: Failure to maintain a 95% up-time for the HRVOC analyzers for CWT-6 (92.5%
 annual up-time).
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 115, SubChapter H 115.782(a)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 FOP O-01669, SC 1(A) OP
 FOP O-01669, SC 1(K)(v) OP
 FOP O-01669, SC 24 OP
 NSR 21262, SC 2 PERMIT
 NSR 21262, SC 3(A) PERMIT
 NSR 21262, SC 3(B) PERMIT
 NSR 21262, SC 4(D) PERMIT
 NSR 21262, SC 9(H) PERMIT
 Description: Failure to tag one leaking component (No. 402) in GRPREFUG, discovered during
 a 3rd-aprty HRVOC audit from July 1, 2008 to December 31, 2008.

Date: 09/15/2009 (747259) CN601405145
 Self Report? NO Classification: Moderate
 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)
 O-01947, SC 1H(i) OP
 Description: Failed to conduct sampling when HRVOC analyzer for A&S flare was offline.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 O-01947, SC 1H(l) OP
 Description: Failed to meet 95% uptime requirement for the A&S Flare HRVOC monitoring
 system.

Self Report? NO Classification: Minor
 Citation: 266, SC 2 PERMIT
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 O-01947, SC 13 OP
 Description: Failed to maintain a complete record of the flare pilot monitor for the A&S flare.

Date: 09/30/2009 (737217) CN601405145
 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 THSC Chapter 382 382.085(b)

FOP, General Terms and Condition 1A OP
FOP, Special Condition 21 OP
NSR, Special Condition 7E PERMIT

Description: Failure to seal open ended lines. (Category C10 violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)
5C THSC Chapter 382 382.085(b)
FOP, General Condition 1A OP
FOP, Special Condition 21 OP
NSR 3218 SC 9H, and NSR 3216 SC 6H PERMIT

Description: Failed to tag leaking fugitive components.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Condition 21 PERMIT
FOP, Special Condition 23 PERMIT

Description: Failed to register Permit by Rule (PBR) 106.261 and 106.262.

Date: 12/17/2009 (747492) CN601405145

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)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 13 OP
Special Condition 1H(iv) OP
Special Condition 3E PA
Special Condition 6E PA
Special Condition 8E PA

Description: Failure to cap/plug open-ended lines in volatile organic compound (VOC) and hazardous air pollutant (HAP) service, ID#IPAFINFE/CRUFE. CATEGORY C10.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to monitor a pressure relief valve in volatile organic compound (VOC) service.

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)

Description: Failure to sample HRVOC analyzers.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to continuously operate the monitoring system on the highly reactive volatile organic compound (HRVOC) Flare ID#A&S (A1301) and pressure relief valve (PRV-361)).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.114(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 13 OP
Special Condition 1A OP

Special Condition 8D PA

Description: Failure to conduct annual visual inspection on tank T-92 on time.

Self Report? NO Classification: Moderate

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

Description: Failure to limit the hourly VOC emissions. Shell exceeded the 0.52 lb/hr VOC emission limit for V118 Stack.

Date: 01/28/2010 (787380) CN601405145

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Special Condition #3 PERMIT

Description: Failure to prevent unauthorized emissions.

Date: 02/17/2010 (787388)

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 leak from the EOL611 air cooler which resulted in unauthorized emissions. Specifically, 283.10 pounds (lbs) volatile organic compounds(VOCs) including 79.6 lbs of benzene were released during the emissions event.

Date: 05/10/2010 (797038)

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 the release of unauthorized emissions particularly during the Product Hydrogen methanator malfunction.

Date: 06/01/2010 (799073) CN601405145

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)
 5C THSC Chapter 382 382.085(b)
 SC 6 PERMIT
 ST&C 15 OP
 ST&C 1A OP

Description: Failure to maintain flare resulting in visible emissions from flare. (CATEGORY C4 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 12 PERMIT
 ST&C 15 OP

Description: Failure to maintain the furnaces resulting in exceedance of lb-NOx/MMBtu hourly limit of 0.08 lb-NOx/MMBtu. (CATEGORY B18 violation)

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 samples or samples collected late on the HRVOC flares. (CATEGORY C1 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 9 PERMIT
 ST&C 15 OP
 ST&C 1A OP
 Description: Failure to collect samples on the HRVOC Cooling Tower. (CATEGOY C1 violation)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to stay within the CO rolling 24 hour average concentration in ppm. (CATEGORY B18 violation)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.340(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 11 PERMIT
 ST&C 15 OP
 ST&C 1A OP

Description: Failure to maintain CEMS resulting in greater than 5% downtime. (CATEGORY C4 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)
 5C THSC Chapter 382 382.085(b)
 SC 2E PERMIT
 SC 6E PERMIT
 ST&C 15 OP
 ST&C 1A OP

Description: Failure to maintain caps or plugs resulting in open ended lines. (CATEGORY C10 violation)

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 ST&C 1A OP

Description: Failure to stay within the monitoring parameter for maximum operating limit for HRVOC vents (EPN FP3-1130). (CATEGORY C4 violation)

Date: 08/20/2010 (827001) CN601405145

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: Shell failed to demonstrate that they could not have prevented the emissions event.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)

Description: failure to submit the final (14-day) incident report to the TCEQ within 14 days of the end of the incident.

Date: 01/05/2011 (878837)

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: Shell failed to prevent a loss of electric power to OP-2, resulting in unauthorized emissions from the Olefins Flare System. EIC Subcategory B14.

Date: 05/12/2011 (899805) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 9 PERMIT
ST&C 17 OP

Description: Failure to maintain the tank fill rate below the maximum fill rate for tanks D350, D353, and G353. [CATEGORY B18 VIOLATION]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 106, SubChapter K 106.262(a)(3)
30 TAC Chapter 116, SubChapter B 116.117(b)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 17 OP

Description: Failure to submit PBR registrations (Form PI-7) within ten days after making parameter changes to tanks G343, G344 and J313. [Category C3 violation]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 2.F. OP

Description: Failure to report an emission event to STEERS within 24 hours. [Category C3 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)
GT&C OP

Description: Failure to report all deviations in the corresponding semi-annual deviation report. [Category C3 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)
GT&C OP

Description: Failure to submit complete and accurate semi-annual deviation reports. (Category B3 violation)

F. Environmental audits.

Notice of Intent Date: 04/18/2007 (562595)

No DOV Associated

Notice of Intent Date: 08/03/2007 (593493)

Disclosure Date: 12/19/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to properly calculate and report emissions from tank floating roof landings on the annual emissions inventory submittal.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(1)

Description: Failure to identify two sour water strippers (SWS-1 and SWS-2) on the 2006 TAB update report.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 115, SubChapter B 115.112
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

Description: Failure to perform 10 year Internal tank inspections for two internal floating roof tanks.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)

Description: Failure to cap four open ended lines out of 42 observed in the distilling units (DU-2 and DU-3).

Viol. Classification: Minor

Citation: 40 CFR Part 60, Subpart VV 60.482-7

Description: Failure to maintain 3% requirement for difficult to monitor list.

Notice of Intent Date: 08/24/2007 (594238)

No DOV Associated

Notice of Intent Date: 09/24/2007 (596731)

Disclosure Date: 03/25/2008

Viol. Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT 00402

Description: Failure to maintain the storm water sewer line integrity.

Notice of Intent Date: 12/19/2007 (791204)

No DOV Associated

Notice of Intent Date: 02/19/2008 (639389)

Disclosure Date: 08/18/2008

Viol. Classification: Moderate

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

30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT TPDES 00402

Description: Failure to maintain sewer system integrity. Specifically, 3,550 liner feet of sewer in the oil water system were inspected, and 6 segments totaling 313 liner feet that contained defects requiring repairs.

Notice of Intent Date: 04/08/2008 654698)

No DOV Associated

Notice of Intent Date: 04/18/2008 (654683)

No DOV Associated

Notice of Intent Date: 05/23/2008 (682189)

Disclosure Date: 11/25/2008

Viol. Classification: Moderate

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

Rqmt Prov: PA TPDES 00402

Description: Failure to comply with TPDES permit condition requirements. Specifically, 270 feet of sewer confined to six segments of the storm sewer contained defects and structural cracks that may affect the hydraulic integrity.

Notice of Intent Date: 06/17/2008 (686667)

Disclosure Date: 11/25/2008

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT TPDES 00402

Description: Failure to comply with TPDES permit conditions. Specially, 160 ft of sewer confined to 4 segments contained defects and structural cracks that may affect the hydraulic integrity of these segments.

Notice of Intent Date: 08/13/2008 (701440)

Disclosure Date: 02/19/2009

Viol. Classification: Moderate

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

Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 10/27/2009 (785669)

Disclosure Date: 08/02/2010

Viol. Classification: Major

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

Rqmt Prov: PERMIT NSR permit no. 3179 MAERT

Description: Failure to monitor tank's internal floating roof which resulted in abnormal venting via breather vents and caused the unauthorized emission of 15lb of acetone. No RQ was exceeded.

Notice of Intent Date: 11/12/2009 (785386)

Disclosure Date: 07/12/2010

Viol. Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

Description: Failure to perform LDAR directed maintenance on leaking components in refining units. Failing to meet 28 MID program requirements.

Notice of Intent Date: 01/12/2010 (789407)

No DOV Associated

Notice of Intent Date: 10/20/2010 (873036)

No DOV Associated

Notice of Intent Date: 11/18/2010 (884821)

No DOV Associated

Notice of Intent Date: 01/26/2011 (899545)

No DOV Associated

- G. Type of environmental management systems (EMSs).
01/12/2005 12/04/2013 ENVIRONMENTAL MANAGEMENT SYSTEM NON 30 TAC CH 90 CERTIFIED
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A
- Sites Outside of Texas
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
SHELL OIL COMPANY AND SHELL	§	
CHEMICAL LP	§	
RN100211879	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2011-0860-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 Shell Oil Company and Shell Chemical LP (“the Respondents”) 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 Respondents presented this agreement to the Commission.

The Respondents understand that they have 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 Respondents agree 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 Respondents.

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

I. FINDINGS OF FACT

1. Shell Oil Company operates a petroleum refinery and Shell Chemical LP owns and operates a chemical manufacturing plant at 5900 Highway 225 in Deer Park, 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 April 21, 2011 through May 4, 2011, TCEQ staff documented that Shell Chemical LP failed to submit a complete and accurate Permit Compliance Certification ("PCC") for Federal Operating Permit ("FOP") No. O2108 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.
4. During a record review conducted from April 11, 2011 through April 15, 2011, TCEQ staff documented that Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1668 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.
5. During a record review conducted from April 11, 2011 through April 15, 2011, TCEQ staff documented that Shell Chemical LP failed to submit the PCC within 30 days from the end of the certification period. Specifically, the PCC for FOP No. O1948 for the January 1, 2010 through December 31, 2010 certification period was not submitted until April 28, 2011.
6. During a record review conducted on April 11, 2011, TCEQ staff documented that Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1943 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.
7. During a record review conducted on June 13, 2011, TCEQ staff documented that Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1947 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.

8. During a record review conducted on August 4, 2011, TCEQ staff documented that Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1945 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.
9. During a record review conducted from May 31, 2011 through June 2, 2011, TCEQ staff documented that Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1946 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 28, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.
10. During a record review conducted from June 3, 2011 through June 28, 2011, TCEQ staff documented that Shell Oil Company failed to submit a complete and accurate PCC for FOP No. O1669 for the January 1, 2010 through December 31, 2010 certification period. Specifically, on January 29, 2011, a PCC was submitted which did not include deviations for the period from January 1, 2010 through June 30, 2010. In addition, the PCC did not include the correct certification period of January 1, 2010 through December 31, 2010.
11. During a record review conducted from June 3, 2011 through June 28, 2011, TCEQ staff documented that Shell Oil Company failed to report all deviations on the January 1, 2010 through June 30, 2010 semi-annual deviation report. Specifically, six deviations for Incident Nos. 134370, 134702, 133881, 134703, 136587, and 139463 were not reported.
12. The Respondents received notices of the violations on May 26, 2011, May 31, 2011, June 2, 2011, June 13, 2011, August 4, 2011, August 8, 2011, August 23, 2011, and August 29, 2011.
13. The Executive Director recognizes that the Respondents have implemented the following corrective measures at the Plant:
 - a. On April 27, 2011, Shell Oil Company submitted a revised PCC for FOP No. O1669 for the January 1, 2010 through December 31, 2010 certification period; and
 - b. On May 12, 2011, Shell Chemical LP submitted revised PCCs for FOP Nos. O2108, O1668, O1943, O1945, O1946, O1947, and O1948 for the certification period of January 1, 2010 through December 31, 2010.

II. CONCLUSIONS OF LAW

1. The Respondents are 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, Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O2108 for the January 1, 2010 through December 31, 2010 certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O2108, General Terms and Conditions ("GTC").
3. As evidenced by Findings of Fact No. 4, Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1668 for the January 1, 2010 through December 31, 2010 certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1668, GTC.
4. As evidenced by Findings of Fact No. 5, Shell Chemical LP failed to submit the PCC within 30 days from the end of the certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4), 122.146(1) and 122.146(2), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1948, GTC.
5. As evidenced by Findings of Fact No. 6, Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1943 for the January 1, 2010 through December 31, 2010 certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1943, GTC.
6. As evidenced by Findings of Fact No. 7, Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1947 for the January 1, 2010 through December 31, 2010 certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1947, GTC.
7. As evidenced by Findings of Fact No. 8, Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1945 for the January 1, 2010 through December 31, 2010 certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1945, GTC.
8. As evidenced by Findings of Fact No. 9, Shell Chemical LP failed to submit a complete and accurate PCC for FOP No. O1946 for the January 1, 2010 through December 31, 2010 certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1946, GTC.
9. As evidenced by Findings of Fact No. 10, Shell Oil Company failed to submit a complete and accurate PCC for FOP No. O1669 for the January 1, 2010 through December 31, 2010 certification period, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(1), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1669, GTC.

10. As evidenced by Findings of Fact No. 11, Shell Oil Company failed to report all deviations on the January 1, 2010 through June 30, 2010 semi-annual deviation report, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.145(2)(A), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. 01669, GTC.
11. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondents 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.
12. An administrative penalty in the amount of Sixty-Four Thousand Five Hundred Twenty-Five Dollars (\$64,525) 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 Respondents have paid Thirty-Two Thousand Two Hundred Sixty-Three Dollars (\$32,263) of the administrative penalty. Thirty-Two Thousand Two Hundred Sixty-Two Dollars (\$32,262) shall be conditionally offset by the Respondents' completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

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

1. The Respondents are assessed an administrative penalty in the amount of Sixty-Four Thousand Five Hundred Twenty-Five Dollars (\$64,525) as set forth in Section II, Paragraph 12 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondents' 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: Shell Oil Company and Shell Chemical LP, Docket No. 2011-0860-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 Respondents shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 12 above, Thirty-Two Thousand Two Hundred Sixty-Two Dollars (\$32,262) of the assessed administrative penalty shall be offset with the condition that the Respondents implement the SEP defined in

Attachment A, incorporated herein by reference. The Respondents' 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. Shell Chemical LP and Shell Oil Company are jointly and severally liable for the violations documented in this Agreed Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Agreed Order.
4. The Respondents shall undertake the following technical requirements:
 - a. Within 90 days after the effective date of this Agreed Order, implement measures and procedures designed to improve operational practices to ensure that PCCs and semi-annual deviation reports are submitted in an accurate and timely manner; and
 - b. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 4.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

5. The provisions of this Agreed Order shall apply to and be binding upon the Respondents. The Respondents are ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
6. If the Respondents fail 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 Respondents' failure to comply is not a violation of this Agreed Order. The Respondents shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondents shall notify the Executive Director within seven days after the Respondents become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. 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 Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
8. 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 Respondents if the Executive Director determines that the Respondents have not complied with one or more of the terms or conditions in this Agreed Order.
9. 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.
10. This Agreed Order, issued by the Commission, shall not be admissible against the Respondents 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.
11. 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.

12. 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

Deshaun Per R. Hyde
For the Executive Director

12-20-11
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Shell Oil Company. I am authorized to agree to the attached Agreed Order on behalf of Shell Oil Company, 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, Shell Oil Company 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.

[Signature]
Signature

10/17/11
Date

MARK BYRD
Name (Printed or typed)
Authorized Representative of
Shell Oil Company

General Manager Deer Park Site
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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

David O. Hyde for R. Hyde
For the Executive Director

12-20-11
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Shell Chemical LP. I am authorized to agree to the attached Agreed Order on behalf of Shell Chemical 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, Shell Chemical 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.

Mark Byrd
Signature

10/17/11
Date

MARK BYRD
Name (Printed or typed)
Authorized Representative of
Shell Chemical LP

General Manager Deer Park Site
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: 2011-0860-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	Shell Oil Company and Shell Chemical LP
Payable Penalty Amount:	Sixty-Four Thousand Five Hundred Twenty-Five Dollars (\$64,525)
SEP Amount:	Thirty-Two Thousand Two Hundred Sixty-Two Dollars (\$32,262)
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 the Respondents to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondents 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 (“FHWA”) 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 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.

Shell Oil Company and Shell Chemical LP
Agreed Order - Attachment A

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

The Respondents certify 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

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

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondents must contribute the SEP amount to the Third-Party Recipient. The Respondents 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, the Respondents shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Recipient. The Respondents shall mail a copy of the check and transmittal letter to:

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

4. Failure to Fully Perform

If the Respondents do not perform their 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

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

5. Publicity

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

6. Clean Texas Program

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

7. Other SEPs by TCEQ or Other Agencies

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