

**Executive Summary – Enforcement Matter – Case No. 42166**  
**Shell Oil Company**  
**RN100211879**  
**Docket No. 2011-1311-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**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

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket Nos. 2011-0860-AIR-E and 2011-2121-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** November 18, 2011

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$10,000

**Amount Deferred for Expedited Settlement:** \$2,000

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$4,000

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$4,000

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

**Compliance History Classifications:**

Person/CN - Average

Site/RN - Average

**Major Source:** Yes

**Statutory Limit Adjustment:** \$-30,200

**Applicable Penalty Policy:** September 2002

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***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** May 2, 2011 through May 16, 2011

**Date(s) of NOE(s):** July 15, 2011

***Violation Information***

Failed to prevent unauthorized emissions during an emissions event that began on March 31, 2011 (Incident No. 152745). Specifically, the Respondent released 105.03 pounds ("lbs") of benzene, 8.30 lbs of hydrogen sulfide, and 4,975.54 lbs of volatile organic compounds from a leak of light naphtha on the overhead of Distillation Unit 2 Crude Column during the 20 hour 40 minute event. Since the emissions event could have been avoided by better operational and maintenance practices, it is not subject to the affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.715(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Permit Nos. 21262 and PSDTX928, Special Conditions No. 1, and Federal Operating Permit No. O1669, Special Terms and Conditions No. 2.I.].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Executive Director recognizes that:

- a. By January 20, 2012, the Respondent has implemented the following corrective measures at the Plant:
  - i. Integrated the outlet temperature measurements of exchangers E5101 B/D/F and E5166 into the unit process Distributed Control System;
  - ii. Implemented a proactive monitoring approach for dew point measurement, calculation, and temperature measurements. The results are documented in daily and monthly reports, and used by operating personnel to take appropriate control actions;
  - iii. Verified that the HA V-5106 pressure transmitter is working to allow better monitoring for salt fouling and dew point calculation;
  - iv. Modified the screening process for vacuum truck transfers to rundown tanks to consider amine (diethanolamine/monoethanolamine) content of material;
  - v. Updated unit procedures to ensure that the contents of a rerun tank are mixed after draining water from the tank;

**Executive Summary – Enforcement Matter – Case No. 42166**  
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**Docket No. 2011-1311-AIR-E**

vi. Implemented a revision to the review/signoff of the Management of Change process to include a process chemist;

vii. Implemented an increased sampling frequency of the overhead and related systems of the Distillation Unit #2 process; and

viii. Implemented improvements to operating parameters at the de-salters.

b. On February 23, 2012, the Respondent developed a corrective action plan to identify additional physical changes, associated procedure updates and operator training necessary to prevent a recurrence of emission events due to similar causes as Incident No. 152745.

**Technical Requirements:**

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

2. The Order will also require the Respondent to:

a. By December 31, 2013, implement any physical changes and associated procedure updates and operator training, as set forth in the corrective action plan developed on February 23, 2012, to prevent a recurrence of emissions events due to similar causes as Incident No. 152745; and

b. By February 15, 2014, submit written certification to demonstrate compliance with Ordering Provision 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

***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

**Executive Summary – Enforcement Matter – Case No. 42166**  
**Shell Oil Company**  
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**Docket No. 2011-1311-AIR-E**

**Respondent:** Steven Hansen, Manager Environmental Affairs, Shell Oil Company,  
P.O. Box 100, Deer Park, Texas 77536  
Mark Byrd, General Manager, Shell Oil Company, P.O. Box 100, Deer Park, Texas 77536  
**Respondent's Attorney:** N/A

**Attachment A**  
**Docket Number: 2011-1311-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Shell Oil Company</b>
<b>Payable Penalty Amount:</b>	<b>Eight Thousand Dollars (\$8,000)</b>
<b>SEP Amount:</b>	<b>Four Thousand Dollars (\$4,000)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program</b>
<b>Location of SEP:</b>	<b>Texas Air Quality Control Region 216 – Houston-Galveston</b>

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

**1. Project Description**

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **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. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other

Shell Oil Company  
Agreed Order - Attachment A

emission control technologies that are developed and approved by EPA or the California Air Resources Board.

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

**B. Environmental Benefit**

This SEP will provide a discernible environmental benefit by reducing particulate emissions of buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

**C. Minimum Expenditure**

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

**2. Performance Schedule**

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

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

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

Shell Oil Company  
Agreed Order - Attachment A

**4. Failure to Fully Perform**

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

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

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

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

**5. Publicity**

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

**6. Clean Texas Program**

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

**7. Other SEPs by TCEQ or Other Agencies**

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





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

<b>DATES</b>	Assigned	26-Jul-2011	Screening	27-Jul-2011	EPA Due	
	PCW	27-Jul-2011				

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

<b>CASE INFORMATION</b>			
Enf./Case ID No.	42166	No. of Violations	1
Docket No.	2011-1311-AIR-E	Order Type	1660
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

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

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

<b>Compliance History</b>	<b>704.0%</b> Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$35,200</b>
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Notes: Enhancement for one court order with denial of liability, 13 agreed orders with denial of liability, 11 agreed orders without denial of liability, 18 NOVs with same/similar violations, and 49 NOVs with dissimilar violations. Reduction for 21 Notices of Intent to conduct audits, nine Disclosures of Violation, and for an environmental management system.

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

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	<b>\$0</b>
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<b>Economic Benefit</b>	<b>0.0%</b> Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
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Total EB Amounts: \$216  
 Approx. Cost of Compliance: \$1,500  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	<b>\$40,200</b>
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>0.0%</b>	<b>Adjustment</b>	<b>\$0</b>
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	<b>\$40,200</b>
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	<b>\$10,000</b>
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<b>DEFERRAL</b>	<b>20.0%</b> Reduction	<b>Adjustment</b>	<b>-\$2,000</b>
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	<b>\$8,000</b>
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Screening Date 27-Jul-2011

Docket No. 2011-1311-AIR-E

PCW

Respondent Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No. 42166

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> )	18	90%
	Other written NOVs	49	98%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	13	260%
	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)** 704%

>> 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 one court order with denial of liability, 13 agreed orders with denial of liability, 11 agreed orders without denial of liability, 18 NOVs with same/similar violations, and 49 NOVs with dissimilar violations. Reduction for 21 Notices of Intent to conduct audits, nine Disclosures of Violation, and for an environmental management system.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 704%

Screening Date 27-Jul-2011

Docket No. 2011-1311-AIR-E

PCW

Respondent Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No. 42166

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 §§ 116.715(a) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Flexible Permit Nos. 21262 and PSDTX928, Special Conditions No. 1, and Federal Operating Permit No. O1669, Special Terms and Conditions No. 2.I.

Violation Description Failed to prevent unauthorized emissions during an emissions event that began on March 31, 2011 (Incident No. 152745). Specifically, the Respondent released 105.03 pounds ("lbs") of benzene, 8.30 lbs of hydrogen sulfide, and 4,975.54 lbs of volatile organic compounds from a leak of light naphtha on the overhead of Distillation Unit 2 Crude Column during the 20 hour 40 minute event. Since the emissions event could have been avoided by better operational and maintenance practices, it is not subject to the affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

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

Adjustment \$5,000

\$5,000

Violation Events

Number of Violation Events 1

1 Number of violation days

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$5,000

One monthly 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 \$5,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$216

Violation Final Penalty Total \$40,200

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

# Economic Benefit Worksheet

**Respondent** Shell Oil Company  
**Case ID No.** 42166  
**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
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No commas or \$

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	31-Mar-2011	15-Feb-2014	2.88	\$216	n/a	\$216

Notes for DELAYED costs

Estimated costs to implement procedures to prevent another occurrence of this type of emissions event. The Date Required is the date of the emissions event 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

\$1,500

**TOTAL**

\$216

# Compliance History

Customer/Respondent/Owner-Operator:	CN601542012 Shell Oil Company	Classification: AVERAGE	Rating: 3.22
Regulated Entity:	RN100211879 SHELL OIL DEER PARK	Classification: AVERAGE	Site Rating: 11.56
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
	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	96915
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 #	30007
	(SWR)	
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: July 27, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: July 27, 2006 to July 27, 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
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: 08/29/2006 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 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 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 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 H<sub>2</sub>S, 147.84 lbs of benzene, 426.70 lbs of SO<sub>2</sub>, 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 NO<sub>x</sub> 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)(iii)

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 ("SO<sub>2</sub>") 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.1.3.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.1.7.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.1.7.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 ("H<sub>2</sub>S"), 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.

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	08/14/2006	(480383)

15	08/08/2006	(482747)
16	07/31/2006	(482753)
17	07/27/2006	(486448)
18	09/29/2006	(487313)
19	12/07/2006	(487985)
20	12/07/2006	(488004)
21	12/07/2006	(488023)
22	12/07/2006	(488025)
23	12/15/2006	(508968)
24	08/30/2006	(509636)
25	10/31/2006	(509694)
26	03/01/2007	(509707)
27	08/29/2006	(509957)
28	10/04/2006	(510017)
29	10/05/2006	(510021)
30	10/13/2006	(510023)
31	08/25/2006	(510170)
32	09/07/2006	(510326)
33	10/04/2006	(512388)
34	10/05/2006	(512392)
35	10/05/2006	(512393)
36	10/26/2006	(512394)
37	11/16/2006	(512687)
38	10/31/2006	(513138)
39	11/03/2006	(513228)
40	11/03/2006	(513328)
41	11/16/2006	(514711)
42	10/27/2006	(515112)
43	11/06/2006	(515706)
44	11/21/2006	(517284)

45 09/25/2006 (520134)  
46 01/19/2007 (531892)  
47 02/23/2007 (532452)  
48 02/17/2007 (532455)  
49 04/25/2007 (532459)  
50 02/23/2007 (532463)  
51 02/27/2007 (532471)  
52 12/21/2006 (534053)  
53 05/07/2007 (537121)  
54 01/31/2007 (537439)  
55 01/31/2007 (538238)  
56 01/31/2007 (538659)  
57 04/26/2007 (541475)  
58 04/30/2007 (542592)  
59 05/18/2007 (542652)  
60 04/25/2007 (542681)  
61 04/30/2007 (542683)  
62 05/08/2007 (542690)  
63 05/14/2007 (542697)  
64 10/24/2006 (544406)  
65 11/27/2006 (544407)  
66 12/27/2006 (544408)  
67 12/27/2006 (544409)  
68 04/12/2007 (554202)  
69 05/29/2007 (559183)  
70 10/12/2007 (560777)  
71 05/30/2007 (560809)  
72 06/25/2007 (563779)  
73 06/25/2007 (564308)  
74 06/27/2007 (564822)

75 06/27/2007 (564828)  
76 12/04/2008 (565248)  
77 07/10/2007 (565422)  
78 11/06/2007 (565492)  
79 07/06/2007 (565610)  
80 08/01/2007 (567841)  
81 08/14/2007 (567884)  
82 08/03/2007 (568522)  
83 08/17/2007 (571025)  
84 08/13/2007 (571026)  
85 09/18/2007 (571877)  
86 08/15/2007 (571883)  
87 11/19/2007 (572257)  
88 09/19/2007 (572770)  
89 02/22/2007 (575167)  
90 03/23/2007 (575168)  
91 04/19/2007 (575169)  
92 05/16/2007 (575170)  
93 06/20/2007 (575171)  
94 07/20/2007 (575172)  
95 07/20/2007 (575173)  
96 02/22/2007 (575175)  
97 03/21/2007 (575177)  
98 07/23/2007 (575178)  
99 04/23/2007 (575181)  
100 05/22/2007 (575184)  
101 06/22/2007 (575187)  
102 07/23/2007 (575190)  
103 08/22/2006 (575192)  
104 09/22/2006 (575194)  
105 10/23/2006 (575196)

106 11/22/2006 (575198)  
107 01/22/2007 (575202)  
108 11/06/2007 (593367)  
109 10/16/2007 (593594)  
110 10/25/2007 (596852)  
111 11/27/2007 (597446)  
112 01/25/2008 (597769)  
113 11/15/2007 (597891)  
114 11/15/2007 (597968)  
115 01/07/2008 (598077)  
116 01/17/2008 (599615)  
117 01/17/2008 (599668)  
118 11/19/2007 (599691)  
119 01/17/2008 (599822)  
120 03/28/2008 (600448)  
121 06/30/2008 (600450)  
122 01/17/2008 (600635)  
123 12/04/2007 (600886)  
124 11/30/2007 (601276)  
125 09/20/2007 (601572)  
126 10/18/2007 (601573)  
127 02/01/2008 (607448)  
128 08/22/2007 (607528)  
129 09/24/2007 (607529)  
130 11/30/2007 (608138)  
131 12/20/2007 (610419)  
132 03/31/2008 (610634)  
133 04/09/2008 (610636)  
134 04/11/2008 (610638)  
135 02/05/2008 (610680)

136	03/07/2008	(612807)
137	01/22/2008	(613355)
138	02/01/2008	(613923)
139	02/04/2008	(614031)
140	02/01/2008	(614301)
141	02/01/2008	(614303)
142	02/01/2008	(615075)
143	01/25/2008	(615280)
144	01/25/2008	(615969)
145	01/25/2008	(615999)
146	01/28/2008	(616080)
147	01/28/2008	(616082)
148	02/14/2008	(616503)
149	02/13/2008	(616505)
150	03/24/2008	(616741)
151	03/10/2008	(617388)
152	11/20/2007	(619483)
153	12/20/2007	(619484)
154	01/17/2008	(619485)
155	02/28/2008	(637020)
156	08/31/2008	(637068)
157	04/11/2008	(637073)
158	08/31/2008	(637076)
159	03/12/2008	(637217)
160	05/23/2008	(637956)
161	05/23/2008	(638051)
162	03/24/2008	(638443)
163	04/21/2008	(639674)
164	06/01/2008	(640777)
165	11/24/2008	(641389)
166	05/02/2008	(650560)

167 04/22/2008 (653495)  
168 05/20/2008 (654015)  
169 05/23/2008 (654353)  
170 06/06/2008 (654842)  
171 05/20/2008 (654943)  
172 07/17/2008 (656863)  
173 06/27/2008 (659663)  
174 06/10/2008 (671393)  
175 02/19/2008 (671990)  
176 04/24/2008 (671991)  
177 04/17/2008 (671992)  
178 07/24/2008 (682501)  
179 10/23/2008 (682549)  
180 06/17/2008 (682693)  
181 06/18/2008 (683279)  
182 07/23/2008 (683726)  
183 11/24/2008 (684019)  
184 07/24/2008 (685354)  
185 08/20/2008 (685355)  
186 07/11/2008 (685564)  
187 07/17/2008 (686593)  
188 08/14/2008 (686729)  
189 08/31/2009 (687729)  
190 08/19/2008 (689497)  
191 05/20/2008 (689907)  
192 06/20/2008 (689908)  
193 07/17/2008 (689909)  
194 08/22/2008 (699629)  
195 09/05/2008 (700024)  
196 11/03/2008 (700060)

197 11/03/2008 (701753)  
198 09/10/2008 (702237)  
199 09/10/2008 (702256)  
200 10/09/2008 (703510)  
201 10/16/2008 (704306)  
202 12/30/2008 (705857)  
203 10/27/2008 (706455)  
204 10/27/2008 (706540)  
205 01/15/2009 (707647)  
206 01/20/2009 (708950)  
207 12/04/2008 (709362)  
208 12/04/2008 (709367)  
209 02/09/2009 (709972)  
210 08/20/2008 (710691)  
211 09/19/2008 (710692)  
212 10/16/2008 (710693)  
213 01/28/2009 (720984)  
214 12/12/2008 (721015)  
215 12/29/2008 (722320)  
216 03/10/2009 (722825)  
217 04/02/2009 (722827)  
218 02/20/2009 (723069)  
219 01/09/2009 (723179)  
220 09/15/2009 (726215)  
221 05/28/2009 (726407)  
222 11/19/2008 (727450)  
223 12/18/2008 (727451)  
224 01/20/2009 (727452)  
225 02/18/2009 (735789)  
226 07/10/2009 (737104)  
227 08/18/2009 (737105)

228 09/30/2009 (737217)  
229 05/13/2009 (737311)  
230 04/17/2009 (737361)  
231 06/08/2009 (737950)  
232 04/17/2009 (740668)  
233 06/08/2009 (741940)  
234 05/11/2009 (741959)  
235 08/04/2009 (741963)  
236 06/01/2009 (742131)  
237 05/14/2009 (742134)  
238 08/04/2009 (742135)  
239 05/13/2009 (742834)  
240 04/30/2009 (744066)  
241 07/23/2009 (747258)  
242 09/15/2009 (747259)  
243 08/28/2009 (747477)  
244 12/17/2009 (747492)  
245 02/03/2010 (749600)  
246 02/19/2009 (750212)  
247 03/19/2009 (750213)  
248 04/20/2009 (750214)  
249 02/25/2008 (750215)  
250 02/25/2009 (750216)  
251 03/23/2009 (750217)  
252 03/24/2008 (750218)  
253 04/21/2008 (750219)  
254 05/22/2008 (750220)  
255 06/23/2008 (750221)  
256 07/21/2008 (750222)  
257 08/25/2008 (750223)

258 09/22/2008 (750224)  
259 10/23/2007 (750225)  
260 10/22/2008 (750226)  
261 11/19/2007 (750227)  
262 11/24/2008 (750228)  
263 01/03/2008 (750229)  
264 12/22/2008 (750230)  
265 01/22/2008 (750231)  
266 01/23/2009 (750232)  
267 07/09/2009 (759379)  
268 09/21/2009 (760334)  
269 08/13/2009 (760336)  
270 11/10/2009 (760343)  
271 08/13/2009 (760346)  
272 09/21/2009 (762422)  
273 12/10/2009 (762424)  
274 10/12/2009 (762569)  
275 07/22/2009 (763029)  
276 08/31/2009 (763433)  
277 12/02/2009 (763495)  
278 08/12/2009 (764686)  
279 08/12/2009 (764845)  
280 08/12/2009 (765197)  
281 08/12/2009 (765199)  
282 07/09/2010 (765400)  
283 10/30/2009 (765451)  
284 08/19/2009 (766023)  
285 08/21/2009 (766514)  
286 09/23/2009 (766994)  
287 12/02/2009 (766995)

288 12/02/2009 (766996)  
289 11/24/2009 (766997)  
290 05/19/2009 (768315)  
291 06/15/2009 (768316)  
292 05/19/2009 (768317)  
293 04/24/2009 (768318)  
294 05/20/2009 (768319)  
295 06/15/2009 (768320)  
296 05/20/2009 (768321)  
297 09/28/2009 (777627)  
298 11/23/2009 (778496)  
299 10/23/2009 (778758)  
300 12/09/2009 (778830)  
301 11/30/2009 (780176)  
302 04/06/2010 (783318)  
303 02/23/2010 (787148)  
304 01/13/2010 (787368)  
305 01/27/2010 (787380)  
306 02/17/2010 (787388)  
307 02/01/2010 (788201)  
308 02/10/2010 (788491)  
309 03/15/2010 (789829)  
310 01/29/2010 (790337)  
311 03/29/2010 (790604)  
312 03/02/2010 (791204)  
313 03/29/2010 (792150)  
314 05/19/2010 (792168)  
315 02/23/2010 (792309)  
316 04/12/2010 (793088)  
317 05/19/2010 (793841)  
318 03/25/2010 (794199)

319 04/02/2010 (794620)  
320 04/12/2010 (795209)  
321 04/12/2010 (795244)  
322 04/12/2010 (795254)  
323 04/12/2010 (795268)  
324 05/07/2010 (797014)  
325 05/10/2010 (797038)  
326 05/10/2010 (797040)  
327 04/05/2010 (797068)  
328 05/28/2010 (797475)  
329 07/01/2010 (798147)  
330 06/22/2010 (798148)  
331 04/21/2010 (798275)  
332 05/27/2010 (799073)  
333 04/27/2010 (799949)  
334 08/09/2010 (800144)  
335 06/23/2010 (800423)  
336 04/29/2010 (800569)  
337 05/19/2010 (801115)  
338 05/20/2010 (801366)  
339 06/09/2010 (801867)  
340 05/26/2010 (802424)  
341 08/17/2010 (803124)  
342 07/26/2010 (803128)  
343 08/31/2010 (803142)  
344 06/11/2010 (803895)  
345 02/18/2010 (804533)  
346 08/19/2009 (804534)  
347 09/17/2009 (804535)  
348 10/19/2009 (804536)  
349 10/19/2009 (804537)

350 12/17/2009 (804538)  
351 01/20/2010 (804539)  
352 02/18/2010 (804540)  
353 08/19/2009 (804541)  
354 09/17/2009 (804542)  
355 09/17/2009 (804543)  
356 11/19/2009 (804544)  
357 12/17/2009 (804545)  
358 01/20/2010 (804546)  
359 07/27/2010 (824430)  
360 05/25/2010 (824557)  
361 08/11/2010 (825276)  
362 07/09/2010 (826170)  
363 09/10/2010 (826882)  
364 08/20/2010 (827001)  
365 08/13/2010 (827295)  
366 09/29/2010 (827506)  
367 03/17/2010 (830837)  
368 04/22/2010 (830838)  
369 05/19/2010 (830839)  
370 03/17/2010 (830840)  
371 06/18/2010 (830841)  
372 05/19/2010 (830842)  
373 07/28/2010 (842924)  
374 06/18/2010 (846253)  
375 06/18/2010 (846254)  
376 09/07/2010 (848892)  
377 03/15/2011 (859959)  
378 07/19/2010 (860848)  
379 07/19/2010 (860849)

380	12/16/2010	(863684)
381	08/19/2010	(866814)
382	08/19/2010	(866815)
383	12/16/2010	(870266)
384	11/13/2010	(871868)
385	09/16/2010	(873886)
386	09/16/2010	(873887)
387	01/21/2011	(878058)
388	01/05/2011	(878837)
389	10/19/2010	(881487)
390	10/19/2010	(881488)
391	02/16/2011	(885367)
392	11/17/2010	(888016)
393	11/17/2010	(888017)
394	01/27/2011	(893323)
395	12/17/2010	(896221)
396	12/17/2010	(896222)
397	05/27/2011	(899804)
398	06/10/2011	(899805)
399	05/18/2011	(899809)
400	06/01/2011	(899988)
401	03/08/2011	(900041)
402	02/28/2011	(900341)
403	04/28/2011	(901121)
404	04/26/2011	(901124)
405	03/15/2011	(901125)
406	05/12/2011	(901220)
407	05/16/2011	(901224)
408	04/27/2011	(901538)
409	01/18/2011	(902290)
410	01/18/2011	(902291)

411 03/23/2011 (906934)  
 412 04/08/2011 (906978)  
 413 02/17/2011 (909066)  
 414 02/17/2011 (909067)  
 415 06/07/2011 (912033)  
 416 07/15/2011 (915097)  
 417 06/17/2011 (915211)  
 418 03/14/2011 (916329)  
 419 03/14/2011 (916330)  
 420 05/16/2011 (919611)  
 421 05/20/2011 (921593)  
 422 04/18/2011 (924772)  
 423 04/18/2011 (924773)  
 424 06/28/2011 (935712)  
 425 07/01/2011 (936461)  
 426 07/22/2011 (937608)  
 427 05/18/2011 (938010)  
 428 05/18/2011 (938011)

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

Date: 07/31/2006 (575192) 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: 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 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)

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

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) 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 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: 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 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) 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 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) 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 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) 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)

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)

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 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) 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) 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) 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(i)  
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 IA 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) 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: 05/28/2010 (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 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: 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)  
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)  
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: 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)

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. 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: 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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
SHELL OIL COMPANY  
RN100211879**

**§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY**

**AGREED ORDER  
DOCKET NO. 2011-1311-AIR-E**

**I. JURISDICTION AND STIPULATIONS**

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

1. The Respondent operates a petroleum refinery 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. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about July 20, 2011.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Thousand Dollars (\$4,000) of the administrative penalty

and Two Thousand Dollars (\$2,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Four Thousand Dollars (\$4,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that:
  - a. By January 20, 2012, the Respondent has implemented the following corrective measures at the Plant:
    - i. Integrated the outlet temperature measurements of exchangers E5101 B/D/F and E5166 into the unit process Distributed Control System;
    - ii. Implemented a proactive monitoring approach for dew point measurement, calculation, and temperature measurements. The results are documented in daily and monthly reports, and used by operating personnel to take appropriate control actions;
    - iii. Verified that the HA V-5106 pressure transmitter is working to allow better monitoring for salt fouling and dew point calculation;
    - iv. Modified the screening process for vacuum truck transfers to rundown tanks to consider amine (diethanolamine/monoethanolamine) content of material;
    - v. Updated unit procedures to ensure that the contents of a rerun tank are mixed after draining water from the tank;
    - vi. Implemented a revision to the review/signoff of the Management of Change process to include a process chemist;
    - vii. Implemented an increased sampling frequency of the overhead and related systems of the Distillation Unit #2 process; and
    - viii. Implemented improvements to operating parameters at the de-salters.
  - b. On February 23, 2012, the Respondent developed a corrective action plan to identify additional physical changes, associated procedure updates and operator training necessary to prevent a recurrence of emission events due to similar causes as Incident No. 152745.

10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## **II. ALLEGATIONS**

As operator of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions during an emissions event that began on March 31, 2011 (Incident No. 152745), in violation of 30 TEX. ADMIN. CODE §§ 116.715(a) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Flexible Permit Nos. 21262 and PSDTX928, Special Conditions No. 1, and Federal Operating Permit No. O1669, Special Terms and Conditions No. 2.I., as documented during an investigation conducted from May 2, 2011 through May 16, 2011. Specifically, the Respondent released 105.03 pounds ("lbs") of benzene, 8.30 lbs of hydrogen sulfide, and 4,975.54 lbs of volatile organic compounds from a leak of light naphtha on the overhead of Distillation Unit 2 Crude Column during the 20 hour 40 minute event. Since the emissions event could have been avoided by better operational and maintenance practices, it is not subject to the affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

## **III. DENIALS**

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

## **IV. ORDERING PROVISIONS**

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Shell Oil Company, Docket No. 2011-1311-AIR-E" to:

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

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Four Thousand Dollars (\$4,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implements the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. By December 31, 2013, implement any physical changes and associated procedure updates and operator training, as set forth in the corrective action plan developed on February 23, 2012, to prevent a recurrence of emissions events due to similar causes as Incident No. 152745; and
  - b. By February 15, 2014, 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. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

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

5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
\_\_\_\_\_  
For the Executive Director

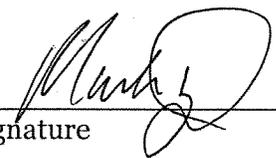
1/17/12  
\_\_\_\_\_  
Date

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

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

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

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

  
\_\_\_\_\_  
Signature

10/4/11  
\_\_\_\_\_  
Date

MARK BYRD  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Shell Oil Company

General Manager Deer Park  
\_\_\_\_\_  
Title

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

**Attachment A**  
**Docket Number: 2011-1311-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Shell Oil Company</b>
<b>Payable Penalty Amount:</b>	<b>Eight Thousand Dollars (\$8,000)</b>
<b>SEP Amount:</b>	<b>Four Thousand Dollars (\$4,000)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program</b>
<b>Location of SEP:</b>	<b>Texas Air Quality Control Region 216 – Houston-Galveston</b>

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

**1. Project Description**

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **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. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other

Shell Oil Company  
Agreed Order - Attachment A

emission control technologies that are developed and approved by EPA or the California Air Resources Board.

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

**B. Environmental Benefit**

This SEP will provide a discernible environmental benefit by reducing particulate emissions of buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

**C. Minimum Expenditure**

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

**2. Performance Schedule**

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

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

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

Shell Oil Company  
Agreed Order - Attachment A

**4. Failure to Fully Perform**

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

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

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

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

**5. Publicity**

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

**6. Clean Texas Program**

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

**7. Other SEPs by TCEQ or Other Agencies**

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