Executive Summary – Enforcement Matter – Case No. 43111
The Dow Chemical Company
RN100225945
Docket No. 2011-2269-AIR-E

Order Type:
1660 Agreed Order
Findings Order Justification:
N/A
Media:
AIR
Small Business:
No
Location(s) Where Violation(s) Occurred:
Dow Texas Operations Freeport, 2301 North Brazosport Boulevard, Freeport, Brazoria County
Type of Operation:
Chemical Plant
Other Significant Matters:
Additional Pending Enforcement Actions: Yes, Docket Nos. 2011-1123-AIR-E, 2012-0358-AIR-E and 2012-0897-AIR-E.
Past-Due Penalties: No
Other: N/A
Interested Third-Parties: None
Texas Register Publication Date: April 27, 2012
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: N/A
Compliance History Classifications:
Person/CN - Average
Site/RN - Average
Major Source: Yes
Statutory Limit Adjustment: $2,925
Applicable Penalty Policy: September 2002

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Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: September 29 through October 8, 2011
Date(s) of NOE(s): November 29, 2011

Violation Information

Failed to prevent unauthorized emissions. Specifically, Respondent released 2,544 pounds of ethylene from the Polyethylene 3 unit during an avoidable emissions event (Incident No. 158577) that began on August 29, 2011 and lasted for two hours and five minutes. The event was the result of an employee failing to close a vent valve on the ethylene feed compressor during a startup. Since the emissions event could have been avoided by better operational practices, Respondent is precluded from asserting the affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 6803, Special Conditions No. 1, and Federal Operating Permit No. O2215, Special Terms & Conditions No. 11].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

On October 26, 2011, Respondent re-trained employees on equipment commissioning procedures to ensure understanding of the process in order to prevent recurrence of emissions events due to the same causes as Incident No. 158577.

Technical Requirements:

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

Litigation Information

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

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Amancio R. Gutierrez, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-3921; Debra Barber, Enforcement Division, MC 219, (512) 239-0412

Executive Summary – Enforcement Matter – Case No. 43111
The Dow Chemical Company
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Docket No. 2011-2269-AIR-E

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565
Respondent: Fran Quinlan Falcon, EH&S Leveraged Delivery Leader, The Dow Chemical Company, 2301 North Brazosport Boulevard, Freeport, Texas 77541
Respondent's Attorney: N/A

Attachment A
Docket Number: 2011-2269-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

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

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the 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 Environmental Protection Agency ("EPA"). SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, Nitrogen Oxides reduction catalyst technology in

combination with diesel particulate filters, and other emission control technologies that are developed and approved by the EPA or the California Air Resources Board.

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

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)

TCEQ

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

DATES					
Assigned	5-Dec-2011				
PCW	7-Dec-2011	Screening	7-Dec-2011	EPA Due	

RESPONDENT/FACILITY INFORMATION

Respondent	The Dow Chemical Company		
Reg. Ent. Ref. No.	RN100225945		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	43111	No. of Violations	1
Docket No.	2011-2269-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Amancio R. Gutierrez
		EC's Team	Enforcement Team 5

Admin. Penalty $ Limit Minimum $0 Maximum $10,000

Penalty Calculation Section

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

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 442.0% Enhancement — *Subtotals 2, 3, & 7* $11,050

Notes: Enhancement for 35 NOVs with same/similar violations, 65 NOVs with dissimilar violations, nine orders with denial of liability, and 10 orders without denial of liability. Reduction for 199 notices of intent to conduct an audit and 59 disclosures of violations.

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

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments — *Subtotal 5* $625

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

Total EB Amounts $12
Approx. Cost of Compliance $1,500

**Capped at the Total EB $ Amount*

SUM OF SUBTOTALS 1-7 — *Final Subtotal* $12,925

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount $12,925

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* $10,000

DEFERRAL 20.0% Reduction — *Adjustment* -$2,000

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY $8,000

Screening Date 7-Dec-2011 **Docket No.** 2011-2269-AIR-E **PCW**

Respondent The Dow Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 43111

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

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 (*number of NOVs meeting criteria*)	35	175%
	Other written NOVs	65	130%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	9	180%
	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	10	250%
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 (*number of judgements or consent decrees meeting criteria*)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	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 *(number of audits for which notices were submitted)*	200	-200%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	59	-118%
		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 417%

>> Repeat Violator (Subtotal 3)

Yes

Adjustment Percentage (Subtotal 3) 25%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for 35 NOVs with same/similar violations, 65 NOVs with dissimilar violations, nine orders with denial of liability, and 10 orders without denial of liability. Reduction for 200 notices of intent to conduct an audit and 59 disclosures of violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 442%

Screening Date 7-Dec-2011 **Docket No.** 2011-2269-AIR-E **PCW**

Respondent The Dow Chemical Company *Policy Revision 2 (September 2002)*

Case ID No. 43111 *PCW Revision October 30, 2008*

Reg. Ent. Reference No. RN100225945

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 116.115(c) and 122.143(4), Tex. Health & Safety Code § 382.085(b), Permit No. 6803, Special Conditions No. 1, and Federal Operating Permit No. O2215, Special Terms & Conditions No. 11

Violation Description Failed to prevent unauthorized emissions, as documented during a record review conducted from September 29 through October 8, 2011. Specifically, the Respondent released 2,544 pounds of ethylene from the Polyethylene 3 unit during an avoidable emissions event (Incident No. 158577) that began on August 29, 2011 and lasted for two hours and five minutes. The event was the result of an employee failing to close a vent valve on the ethylene feed compressor during a startup. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting 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 25%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

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

Adjustment $7,500

$2,500

Violation Events

Number of Violation Events 1 | 1 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty $2,500

One quarterly event is recommended.

Good Faith Efforts to Comply

25.0% Reduction $625

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

Notes: The Respondent completed corrective measures on October 26, 2011, prior to the November 29, 2011 NOE date.

Violation Subtotal $1,875

Economic Benefit (EB) for this violation

Estimated EB Amount $12

Statutory Limit Test

Violation Final Penalty Total $12,925

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

Economic Benefit Worksheet

Respondent The Dow Chemical Company
Case ID No. 43111
Reg. Ent. Reference No. RN100225945
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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	$1,500	29-Aug-2011	26-Oct-2011	0.16	$12	n/a	$12
Remediation/Disposal				0.00	$0	n/a	$0
Permit Costs				0.00	$0	n/a	$0
Other (as needed)				0.00	$0	n/a	$0

Notes for DELAYED costs: Estimated expense to re-train Polyethylene 3 unit employees on equipment commissioning procedures to ensure understanding of the process in order to prevent future occurrences. The Date Required is the date of the emissions event. The Final Date is the date that corrective measures were completed.

Avoided Costs (ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs))							
Disposal				0.00	$0	$0	$0
Personnel				0.00	$0	$0	$0
Inspection/Reporting/Sampling				0.00	$0	$0	$0
Supplies/equipment				0.00	$0	$0	$0
Financial Assurance [2]				0.00	$0	$0	$0
ONE-TIME avoided costs [3]				0.00	$0	$0	$0
Other (as needed)				0.00	$0	$0	$0

Notes for AVOIDED costs:

Approx. Cost of Compliance $1,500

TOTAL $12

Compliance History

Customer/Respondent/Owner-Operator:	CN600356976	The Dow Chemical Company	Classification: AVERAGE	Rating: 2.67
Regulated Entity:	RN100225945	DOW TEXAS OPERATIONS FREEPORT	Classification: AVERAGE	Site Rating: 8.23

			BL0082R
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	
	AIR OPERATING PERMITS	PERMIT	1388
	AIR OPERATING PERMITS	PERMIT	2202
	AIR OPERATING PERMITS	PERMIT	2203
	AIR OPERATING PERMITS	PERMIT	2204
	AIR OPERATING PERMITS	PERMIT	2205
	AIR OPERATING PERMITS	PERMIT	2206
	AIR OPERATING PERMITS	PERMIT	2207
	AIR OPERATING PERMITS	PERMIT	2208
	AIR OPERATING PERMITS	PERMIT	2209
	AIR OPERATING PERMITS	PERMIT	2210
	AIR OPERATING PERMITS	PERMIT	2211
	AIR OPERATING PERMITS	PERMIT	2212
	AIR OPERATING PERMITS	PERMIT	2213
	AIR OPERATING PERMITS	PERMIT	2214
	AIR OPERATING PERMITS	PERMIT	2215
	AIR OPERATING PERMITS	PERMIT	2216
	AIR OPERATING PERMITS	PERMIT	2217
	AIR OPERATING PERMITS	PERMIT	2218
	AIR OPERATING PERMITS	PERMIT	2219
	AIR OPERATING PERMITS	PERMIT	2220
	AIR OPERATING PERMITS	PERMIT	2221
	AIR OPERATING PERMITS	PERMIT	2311
	AIR OPERATING PERMITS	PERMIT	2697
	AIR OPERATING PERMITS	PERMIT	3005
	STORMWATER	PERMIT	TXR15KB16
	STORMWATER	PERMIT	TXR15MV78
	STORMWATER	PERMIT	TXR15SH92
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD008092793
	INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30106
	INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50161
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200535

PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200530
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200531
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200533
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200232
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200534
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200027
WASTEWATER	PERMIT	WQ0000007000
WASTEWATER	EPA ID	TX0006483
WASTEWATER	EPA ID	TX0006484
WASTEWATER	EPA ID	TX0059447
UNDERGROUND INJECTION CONTROL	PERMIT	WDW059
UNDERGROUND INJECTION CONTROL	PERMIT	WDW071
UNDERGROUND INJECTION CONTROL	PERMIT	WDW076
UNDERGROUND INJECTION CONTROL	PERMIT	WDW081
AIR NEW SOURCE PERMITS	REGISTRATION	93604
AIR NEW SOURCE PERMITS	REGISTRATION	94060
AIR NEW SOURCE PERMITS	REGISTRATION	93734
AIR NEW SOURCE PERMITS	REGISTRATION	94180
AIR NEW SOURCE PERMITS	REGISTRATION	93765
AIR NEW SOURCE PERMITS	REGISTRATION	93671
AIR NEW SOURCE PERMITS	PERMIT	94403
AIR NEW SOURCE PERMITS	REGISTRATION	91883
AIR NEW SOURCE PERMITS	REGISTRATION	92616
AIR NEW SOURCE PERMITS	REGISTRATION	92407
AIR NEW SOURCE PERMITS	REGISTRATION	92392
AIR NEW SOURCE PERMITS	REGISTRATION	92662
AIR NEW SOURCE PERMITS	REGISTRATION	92613
AIR NEW SOURCE PERMITS	REGISTRATION	92434
AIR NEW SOURCE PERMITS	REGISTRATION	91764
AIR NEW SOURCE PERMITS	REGISTRATION	92020
AIR NEW SOURCE PERMITS	REGISTRATION	92334
AIR NEW SOURCE PERMITS	PERMIT	941
AIR NEW SOURCE PERMITS	PERMIT	3941
AIR NEW SOURCE PERMITS	PERMIT	3947
AIR NEW SOURCE PERMITS	REGISTRATION	11832
AIR NEW SOURCE PERMITS	REGISTRATION	12173
AIR NEW SOURCE PERMITS	PERMIT	19041

AIR NEW SOURCE PERMITS	PERMIT	20195
AIR NEW SOURCE PERMITS	PERMIT	20285
AIR NEW SOURCE PERMITS	PERMIT	20432
AIR NEW SOURCE PERMITS	PERMIT	20525
AIR NEW SOURCE PERMITS	PERMIT	20607
AIR NEW SOURCE PERMITS	PERMIT	20687
AIR NEW SOURCE PERMITS	PERMIT	20774
AIR NEW SOURCE PERMITS	PERMIT	20775
AIR NEW SOURCE PERMITS	PERMIT	20776
AIR NEW SOURCE PERMITS	PERMIT	20777
AIR NEW SOURCE PERMITS	PERMIT	20909
AIR NEW SOURCE PERMITS	PERMIT	22070
AIR NEW SOURCE PERMITS	PERMIT	22071
AIR NEW SOURCE PERMITS	PERMIT	22072
AIR NEW SOURCE PERMITS	PERMIT	22078
AIR NEW SOURCE PERMITS	PERMIT	22743
AIR NEW SOURCE PERMITS	REGISTRATION	22759
AIR NEW SOURCE PERMITS	REGISTRATION	22853
AIR NEW SOURCE PERMITS	REGISTRATION	22809
AIR NEW SOURCE PERMITS	REGISTRATION	22810
AIR NEW SOURCE PERMITS	REGISTRATION	22851
AIR NEW SOURCE PERMITS	REGISTRATION	22862
AIR NEW SOURCE PERMITS	REGISTRATION	22945
AIR NEW SOURCE PERMITS	REGISTRATION	23075
AIR NEW SOURCE PERMITS	REGISTRATION	23076
AIR NEW SOURCE PERMITS	REGISTRATION	23519
AIR NEW SOURCE PERMITS	REGISTRATION	23387
AIR NEW SOURCE PERMITS	REGISTRATION	23388
AIR NEW SOURCE PERMITS	REGISTRATION	23389
AIR NEW SOURCE PERMITS	REGISTRATION	24053
AIR NEW SOURCE PERMITS	REGISTRATION	24101
AIR NEW SOURCE PERMITS	REGISTRATION	24030
AIR NEW SOURCE PERMITS	PERMIT	26692
AIR NEW SOURCE PERMITS	REGISTRATION	25702
AIR NEW SOURCE PERMITS	REGISTRATION	26035
AIR NEW SOURCE PERMITS	REGISTRATION	25124
AIR NEW SOURCE PERMITS	REGISTRATION	25536
AIR NEW SOURCE PERMITS	PERMIT	28363
AIR NEW SOURCE PERMITS	REGISTRATION	28220

AIR NEW SOURCE PERMITS	REGISTRATION	30018
AIR NEW SOURCE PERMITS	REGISTRATION	30622
AIR NEW SOURCE PERMITS	REGISTRATION	30503
AIR NEW SOURCE PERMITS	REGISTRATION	31753
AIR NEW SOURCE PERMITS	REGISTRATION	31992
AIR NEW SOURCE PERMITS	REGISTRATION	32546
AIR NEW SOURCE PERMITS	REGISTRATION	33328
AIR NEW SOURCE PERMITS	REGISTRATION	33609
AIR NEW SOURCE PERMITS	REGISTRATION	33593
AIR NEW SOURCE PERMITS	REGISTRATION	33885
AIR NEW SOURCE PERMITS	REGISTRATION	34111
AIR NEW SOURCE PERMITS	REGISTRATION	34116
AIR NEW SOURCE PERMITS	REGISTRATION	34368
AIR NEW SOURCE PERMITS	REGISTRATION	34545
AIR NEW SOURCE PERMITS	REGISTRATION	34541
AIR NEW SOURCE PERMITS	PERMIT	35022
AIR NEW SOURCE PERMITS	REGISTRATION	35012
AIR NEW SOURCE PERMITS	REGISTRATION	35204
AIR NEW SOURCE PERMITS	REGISTRATION	35203
AIR NEW SOURCE PERMITS	REGISTRATION	35364
AIR NEW SOURCE PERMITS	REGISTRATION	35413
AIR NEW SOURCE PERMITS	REGISTRATION	35658
AIR NEW SOURCE PERMITS	REGISTRATION	36002
AIR NEW SOURCE PERMITS	REGISTRATION	36397
AIR NEW SOURCE PERMITS	REGISTRATION	25205
AIR NEW SOURCE PERMITS	REGISTRATION	36554
AIR NEW SOURCE PERMITS	REGISTRATION	36523
AIR NEW SOURCE PERMITS	REGISTRATION	36569
AIR NEW SOURCE PERMITS	REGISTRATION	36634
AIR NEW SOURCE PERMITS	REGISTRATION	37000
AIR NEW SOURCE PERMITS	REGISTRATION	37122
AIR NEW SOURCE PERMITS	REGISTRATION	37569
AIR NEW SOURCE PERMITS	PERMIT	37884
AIR NEW SOURCE PERMITS	REGISTRATION	37667
AIR NEW SOURCE PERMITS	REGISTRATION	71888
AIR NEW SOURCE PERMITS	PERMIT	4020
AIR NEW SOURCE PERMITS	PERMIT	4021

AIR NEW SOURCE PERMITS	PERMIT	4031
AIR NEW SOURCE PERMITS	PERMIT	4085
AIR NEW SOURCE PERMITS	PERMIT	4310A
AIR NEW SOURCE PERMITS	PERMIT	5339
AIR NEW SOURCE PERMITS	PERMIT	5520
AIR NEW SOURCE PERMITS	PERMIT	5661
AIR NEW SOURCE PERMITS	PERMIT	6803
AIR NEW SOURCE PERMITS	PERMIT	7131
AIR NEW SOURCE PERMITS	PERMIT	7341
AIR NEW SOURCE PERMITS	PERMIT	7387
AIR NEW SOURCE PERMITS	REGISTRATION	7423
AIR NEW SOURCE PERMITS	PERMIT	7531
AIR NEW SOURCE PERMITS	PERMIT	7593
AIR NEW SOURCE PERMITS	PERMIT	8009
AIR NEW SOURCE PERMITS	PERMIT	8047
AIR NEW SOURCE PERMITS	PERMIT	8567
AIR NEW SOURCE PERMITS	PERMIT	9044
AIR NEW SOURCE PERMITS	REGISTRATION	10423
AIR NEW SOURCE PERMITS	REGISTRATION	10690
AIR NEW SOURCE PERMITS	REGISTRATION	10790
AIR NEW SOURCE PERMITS	REGISTRATION	10791
AIR NEW SOURCE PERMITS	REGISTRATION	10959
AIR NEW SOURCE PERMITS	REGISTRATION	11076
AIR NEW SOURCE PERMITS	REGISTRATION	11566
AIR NEW SOURCE PERMITS	REGISTRATION	11567
AIR NEW SOURCE PERMITS	REGISTRATION	11644
AIR NEW SOURCE PERMITS	REGISTRATION	12128
AIR NEW SOURCE PERMITS	REGISTRATION	12130
AIR NEW SOURCE PERMITS	REGISTRATION	12145
AIR NEW SOURCE PERMITS	REGISTRATION	12166
AIR NEW SOURCE PERMITS	REGISTRATION	12432
AIR NEW SOURCE PERMITS	REGISTRATION	12445
AIR NEW SOURCE PERMITS	REGISTRATION	12484
AIR NEW SOURCE PERMITS	REGISTRATION	12520
AIR NEW SOURCE PERMITS	REGISTRATION	13194
AIR NEW SOURCE PERMITS	REGISTRATION	13873
AIR NEW SOURCE PERMITS	REGISTRATION	15811
AIR NEW SOURCE PERMITS	REGISTRATION	16249

AIR NEW SOURCE PERMITS	PERMIT	16473
AIR NEW SOURCE PERMITS	PERMIT	7009
AIR NEW SOURCE PERMITS	REGISTRATION	13920
AIR NEW SOURCE PERMITS	REGISTRATION	14329
AIR NEW SOURCE PERMITS	PERMIT	20996
AIR NEW SOURCE PERMITS	PERMIT	20997
AIR NEW SOURCE PERMITS	PERMIT	18561
AIR NEW SOURCE PERMITS	PERMIT	18950
AIR NEW SOURCE PERMITS	PERMIT	19519
AIR NEW SOURCE PERMITS	REGISTRATION	37618
AIR NEW SOURCE PERMITS	REGISTRATION	38157
AIR NEW SOURCE PERMITS	REGISTRATION	38156
AIR NEW SOURCE PERMITS	REGISTRATION	38861
AIR NEW SOURCE PERMITS	REGISTRATION	38759
AIR NEW SOURCE PERMITS	REGISTRATION	39609
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AIR NEW SOURCE PERMITS	REGISTRATION	40430
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AIR NEW SOURCE PERMITS	REGISTRATION	41302
AIR NEW SOURCE PERMITS	REGISTRATION	41542
AIR NEW SOURCE PERMITS	REGISTRATION	41555
AIR NEW SOURCE PERMITS	REGISTRATION	42190
AIR NEW SOURCE PERMITS	REGISTRATION	42611
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AIR NEW SOURCE PERMITS	REGISTRATION	42384
AIR NEW SOURCE PERMITS	REGISTRATION	42923
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AIR NEW SOURCE PERMITS	REGISTRATION	43381
AIR NEW SOURCE PERMITS	REGISTRATION	42443
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AIR NEW SOURCE PERMITS	REGISTRATION	44002

AIR NEW SOURCE PERMITS	REGISTRATION	44001
AIR NEW SOURCE PERMITS	REGISTRATION	44036
AIR NEW SOURCE PERMITS	REGISTRATION	44056
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AIR NEW SOURCE PERMITS	REGISTRATION	44718
AIR NEW SOURCE PERMITS	REGISTRATION	44719
AIR NEW SOURCE PERMITS	PERMIT	44833
AIR NEW SOURCE PERMITS	REGISTRATION	44834
AIR NEW SOURCE PERMITS	REGISTRATION	45097
AIR NEW SOURCE PERMITS	REGISTRATION	45152
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AIR NEW SOURCE PERMITS	REGISTRATION	46174
AIR NEW SOURCE PERMITS	REGISTRATION	46173
AIR NEW SOURCE PERMITS	PERMIT	46306
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AIR NEW SOURCE PERMITS	PERMIT	46429
AIR NEW SOURCE PERMITS	PERMIT	46428
AIR NEW SOURCE PERMITS	PERMIT	46431
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AIR NEW SOURCE PERMITS	PERMIT	1496C
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AIR NEW SOURCE PERMITS	PERMIT	6932
AIR NEW SOURCE PERMITS	PERMIT	7093

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AIR NEW SOURCE PERMITS	PERMIT	1715
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AIR NEW SOURCE PERMITS	PERMIT	3914
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AIR NEW SOURCE PERMITS	PERMIT	75751
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AIR NEW SOURCE PERMITS	REGISTRATION	98434

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AIR NEW SOURCE PERMITS	PERMIT	98806
AIR NEW SOURCE PERMITS	AFS NUM	4803900041
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	38910
WATER LICENSING	LICENSE	0200232
WASTEWATER LICENSING	LICENSE	WQ0000007000
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30106
POLLUTION PREVENTION PLANNING	ID NUMBER	P00182
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	BL0082R

Location: 2301 N BRAZOSPORT BLVD, FREEPORT, TX, 77541

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: January 06, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 08, 2006 to December 08, 2011

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

Name: Amancio R. Gutierrez Phone: (512) 239-3921

Site Compliance History Components

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? YES
2. Has there been a (known) change in ownership/operator of the site during the compliance period? NO
3. If **YES**, who is the current owner/operator? N/A
4. If **YES**, who was/were the prior owner(s)/operator(s)? N/A
5. If **YES**, when did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2011 Repeat Violator: YES

Components (Multimedia) for the Site :

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

Effective Date: 07/13/2007 ADMINORDER 2006-2006-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Flex Air Permit 20432, SC Ch III-1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 7836, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/31/2007 ADMINORDER 2006-2225-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Rqmt Prov: Permit No. 19519, MAERT 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 submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on July 16, 2004 at 2:00 p.m., but was not reported until July 17, 2005 at 10:00 p.m.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit X-7386, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: TCEQ Air Permit No. 19041, SC1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Description: Failed to include the applicable permit number in the Authorization section of the final emissions event report.

Effective Date: 04/03/2008 ADMINORDER 2007-0573-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: O-02313, SC 1.A. OP
Permit No. 37884, SC 6.A. PERMIT

Description: Failed to maintain a minimum net heating value of 200 BTU/scf on Polypropylene Flare F-600.

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

5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: O-02313, SC 8.A. OP

Permit No. 37884, SC 1 PERMIT

Description: Failed to meet the maximum allowable emission rate of 0.65 lb/hour for NOx on Polypropylene Flare F-600.

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 DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02313, SC 8.A. OP
Permit No. 37884, SC 8.E. PERMIT

Description: Failed to seal an open-ended line with a second valve, blind flange, cap, or plug.

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

Rqmt Prov: TCEQ Air Permit No. 48813, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 06/19/2008 ADMINORDER 2007-1756-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: TCEQ Air Permit No. 834, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,184 pounds of the highly reactive volatile organic compound ("HRVOC") ethylene were released through a 3-way diverter valve on the KO-132 knockout pot in the Polyethylene 4 Unit during an emissions event (Incident No. 96595) that occurred on August 27, 2007 and lasted one hour and 15 minutes.

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

Rqmt Prov: TCEQ Air Permit No. 18569, SC1 PERMIT

Description: Failed to comply with the emissions limit of 0.15 pounds per hour ("lbs/hr") of carbon monoxide ("CO") and 400 parts per million volume ("ppmv") at 3.0% oxygen for the F-826 Heater, emissions point number ("EPN") B23S826.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 117, SubChapter B 117.310(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit 20432 and PST-TX-994, S.C. I-1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/15/2008 ADMINORDER 2007-1843-IHW-E

Classification: Major
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(11)
30 TAC Chapter 335, SubChapter H 335.221(a)(6)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(2)(ii)(A)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(c)(1)(v)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)(1)

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

Description: Failed to meet the regulatory limit for stack gas concentration of carbon monoxide ("CO") while burning hazardous waste in Boiler F-2820 (Permit Unit 30, NOR Unit 180).

Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(13)
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)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.103(g)
Rqmt Prov: V.I.3.b.2. PERMIT
Description: Failed to maintain a functioning automatic waste feed cutoff system.

Effective Date: 10/23/2008 ADMINORDER 2008-0478-AIR-E
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: NSR Permit No. 834, SC 3 PERMIT
TCEQ Air Permit No. 834, SC 1 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: TCEQ Flex Air Permit 20432, SC CIII-1 PERMIT
Description: Failed to prevent unauthorized emissions.

Effective Date: 10/23/2008 ADMINORDER 2004-1344-MLM-E
Classification: Major
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Flexible Air Permit No. 20432/PST-TX-894 PERMIT
Description: Failed to prevent the lock-nut from falling off the positioner pin, which disconnected the feedback arm from the coupler block in the LHC-8. This resulted in the release of unauthorized emissions which exceeded permitted limits. Specifically, the total unauthorized emissions above the emissions cap from this incident were 80,525 lbs of VOCs, 4,599 lobs of benzene, and 10,050 lbs of CO.
Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 115, SubChapter B 115.122(a)
5C THC Chapter 382, SubChapter A 382.085(a)
Description: Failed to prevent the unauthorized emission of ethylene at the Dow's Plant B Polyethylene (PE) Unit for a period of 33 hours starting on April 7, 2003. The reported value of ethylene released to the atmosphere, as a result of malfunctioning of the Train 2 safety relief valve, was 203,000 lbs.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Air Permit No. X-7386, SC 1 PERMIT
Description: Failed to comply with the permitted limit established in the Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. X-7386 for ethylene oxide. Specifically, the Respondent failed to prevent the unauthorized emission of ethylene oxide at the Dow's Hydroxyalkyl Acrylate (HHA Reactor System B6400) Unit for a period of one hour 45 minutes on March 12, 2003.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Permit 37884, MAERT PERMIT
Description: Failed to comply with the permitted limit established in the Maximum Allowable Emission Rate Table (MAERT) of Air Permit No. 37884 for propylene (C3H6O), carbon monoxide (CO), and nitric oxide (NOx). Specifically, the Respondent failed to prevent the unauthorized emission of C3H6O, CO, and NOx at the Dow's North American Propylene (NAPP-1) Unit during the period between January 4 and 25, 2003.
Classification: Moderate

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

Rqmt Prov: NSR Permit #19041, Special Condition #9 PERMIT

Description: Failed to have available the records to demonstrate that samples were being continuously collected from the bottoms of stripping towers T-444 and T-445.

Classification: Moderate

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

Rqmt Prov: Permit No. 19041, Special Condition #13 PERMIT

Description: Failed to use an approved method to establish the pounds per hour of VOCs emitted into the atmosphere from cooling towers CT-320 and CT-2320.

Classification: Minor

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

Rqmt Prov: Permit #19041, Special Condition #19.B PERMIT

Description: Failed to conduct a quarterly accuracy audit for the CEMS on Boiler No. 2 FTB-402 (EPN No. OC5SV404) for the third quarter (July through September) of 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit #19041, Special Conditions 15,16 PERMIT
Permit 19041, SC 1 PERMIT

Description: Failed to meet the requirements of the VOC leak detection and repair programs. Specifically, one pump was not attempted to be repaired within five days; and two pumps, one valve, and two connectors were not repaired within 15 days.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT TT 63.1004(b)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit 19041, SC 1 PERMIT

Description: Failed to perform VOC leak detection monitoring of valves according to 40 CFR Part 60, Appendix A-7, Method 21, 8.3.1 during the fourth quarter of 2003. The estimated amount of VOC emissions from the 25 valves were 20.24 lbs of VOCs.

Classification: Minor

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

Description: Failed to submit a complete final emissions event report.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.2(b)
30 TAC Chapter 335, SubChapter O 335.431
40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.1(a)
40 CFR Chapter 268, SubChapter I, PT 268, SubPT D 268.40(a)

Rqmt Prov: HW Permit 50161 III-E 10 and V-EE PERMIT

Description: Failed to prevent the disposal of unauthorized hazardous waste into an on-site hazardous waste landfill. Specifically, instead of sending the waste to an on-site incinerator, or performing the on-site waste stabilization treatment, 355 cubic yards of non-treated waste (contaminated soil) was placed in Cell IV of Dow's Block-51 landfill between the period of January 14, 2003 and September 23, 2003.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit 834, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions of 10,085 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene during an emissions event that occurred on May 26, 2004 and lasted 4 hours and 30 minutes. These emissions were not authorized by the permit.

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 submit an emissions event report within 24 hours after discovery of the event. Specifically, the emissions event was discovered on May 26, 2004 at 9:30 a.m., but was not reported until May 27, 2006 at 1:59 p.m.

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

Rqmt Prov: TCEQ Flex Air Permit #20432, SC ChIII-1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 834, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions and failed to prevent visible emissions with an opacity greater than 30% for any 6-minute period.

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

Rqmt Prov: TCEQ Flex Air Permit #20432, SC #III-1 PERMIT

Description: Failed to comply with Air Permit No. 20432, Special Condition III-1, by allowing the release of unauthorized emissions at the Light Hydrocarbon 7 facility during a nonexempt emissions event which lasted from 4:35 a.m. until 9:30 a.m. on August 13, 2004. The emissions event was caused by an error made by maintenance personnel who left a valve closed on a backup hydrogen line for one of the facility's reactors.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)
30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Flexible Permit 20432, SC III-1 PERMIT
Permit 20432, SC 111-17 PERMIT

Description: Failed to prevent unauthorized emissions, failed to prevent visible emissions from a process gas flare for more than five minutes in any two-hour period, and failed to operate a process gas flare with a pilot flame present at all times.

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

Rqmt Prov: NSR Permit #20776, Special Condition #8 PERMIT

Description: Failed to maintain pH and water flow rates for Scrubber D-27. The maximum allowable pH is 4.0 and the minimum required flow rate is 0.6 gallons per minute 9 or 5 pounds per minute (lbs/min)]. On 9/24/03 at 2:10 p.m., redundant pH readings were 9.1 and 8.6 and were caused by blow-back of trimethylamine (TMA) in the line after unloading a railcar.

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

Rqmt Prov: NSR Permit #20776, Special Cond. #7.G. PERMIT

Description: Failed to conduct an instrument-monitored fugitive emission inspection on a pump, Tag #EAI273155, for two quarters, fourth quarter 2003 and first quarter 2004.

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

Rqmt Prov: NSR Perm. #20776, Spec. Cond. #6.E & 7.E PERMIT

Description: Failed to maintain caps and/or plugs on four open-ended lines in the B6600 Quat 188 Plant for components EAI272070 (T-100c/EPN B6610V100), EAI272990 (T-100c/EPN B6610V100), EAI1273010 (D-57/EPN Unknown), and EAI272471 (P-53A/EPN B6610V53).

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

Rqmt Prov: NSR Permit #20776, General Cond. #7 PERMIT

Description: Failed to retain two-year fugitive emission monitoring records for 21 components in methylene chloride service and 22 components in volatile organic compound (VOC) service.

Classification: Moderate

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

Rqmt Prov: NSR Permit #20776, Special Cond. #10 PERMIT

Description: Failed to monitor for fugitive emissions all connectors, regardless of size, in VOC service. A total of 649 components were not monitored.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter A 382.085(b)
5C THSC Chapter 382 382.0518(a)

Description: Failed to obtain a permit prior to constructing and operating methylene chloride extraction Tower T-100c.

Classification: Moderate

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

Rqmt Prov: TCEQ Flexible Air Permit 20432, SC III-1 PERMIT

Description: Failed to prevent unauthorized emissions of 1,160 lbs of volatile organic compounds

("VOCs") from the Light Hydrocarbons - 7 Unit, Facility ID No. B72L7RX1, emission point number ("EPN") B60F3 and 546.9 lbs of Carbon Monoxide and 90% opacity from Facility ID No. B60L7F1 during an emissions event that occurred on April 28, 2005 and lasted 1 hour and 36 minutes.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit 834, SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 2,369 pounds ("lbs") of the HRVOC Ethylene at the Polyethylene IV Unit, Facility ID NO. B41P4RX1, emission point number ("EPN") B41RL1 during an emissions event that occurred on March 30, 2005 and lasted 15 minutes. These emissions are not authorized by the permit.

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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19519, SC 5E PERMIT
48813, SC 5E PERMIT
6803, SC 9E PERMIT
834, SC 9E PERMIT
8567, SC 8E PERMIT
O-02215, SC 1A & SC 11 OP

Description: Failed to equip 27 open-ended lines with a cap or plug within the operating areas of B27P3FU3, B25P2FU1, B25P2FU2, B37P4FU1, B41P4FU1, and B77APFU1 between February 27, 2004 and August 29, 2004. Specifically during the deviation reporting periods of January 28, 2004 to July 27, 2004 and July 28, 2004 to September 30, 2004 there were 27 deviations reported for open-ended lines in VOC service with no second valve, blind flange, cap, or plug.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 834, SC 9I PERMIT
O-02215, SC 1A & SC 11 OP

Description: Failed to either repair or place on the delay of repair list 10 leaking components in Unit B41P4FU1 within 15 days after the leak was discovered.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: O-02215, General Terms & Conditions OP

Description: Failed to include the hydrogen chloride leak in Unit B41P4CT1 on July 2, 2004 as a deviation in the August 24, 2004 deviation report.

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: 48813, SC 1 PERMIT
O-02215 SC 11 OP

Description: Failed to prevent unauthorized emissions of 663 lbs of Carbon released on February 10, 2004 for approximately two minutes, which were not reported within 24 hours (reported in a deviation report submitted August 24, 2004).

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
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: 20432, SC 2E PERMIT

Description: failed to equip 27 open-ended lines with a cap or plug within the operating areas of B19G1FU1, B23G2FU2, and B68ALFU1 between April 19, 2004 and April 18, 2005. Specifically, during the deviation reporting periods of April 19, 2004 to October 18, 2004 and October 19, 2004 to April 18, 2005 there were 27 deviations reported for open-ended lines in hazardous air pollutant ("HAP") and/or volatile organic compound ("VOC") service with no second valve, blind flange, cap, or plug.

Classification: Minor

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

Rqmt Prov: 20432, SC 3A PERMIT

Description: failed to conduct auditory, visual, and olfactory (AVO) checks one shift each day for Hydrogen Chloride and Chlorine leaks within the operating area of B68ALFU1 between August 14 and 18, 2004.

Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor five valves in highly reactive VOC ("HRVOC") service during the second quarter of 2004.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20432, SC I-22C PERMIT

Description: Failed to convert in-stack concentrations of Carbon Monoxide emissions to pounds per hour ("lbs/hr") from scrubber B19G1T210 for the 3rd and 4th quarters of 2004.

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

Rqmt Prov: TCEQ Air Permit 7386, SC 1 PERMIT

Description: Exceeded the maximum allowable emission rate (MAER) for volatile organic compounds (VOC) during an avoidable emissions event at the Hydroxy Alkyl Acrylates Plant on December 23, 2004. Dow failed to close a valve after maintenance which resulted in an over pressurization, blown rupture disc, and release of 1,061 pounds (lbs) of propylene oxide from the VS-1 Scrubber. The duration was one hour and 45 minutes. The MAER for VOCs is 0.20 lbs per hour.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01388, SC 1A OP

Description: Failed to monitor 269 valves in Volatile Hazardous Air Pollutant ("VHAP") service in the Chemicals and Metals (1) area from February 3, 2004 to September 30, 2004, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-01388, SC 1A OP

Description: Failed to equip 49 open-ended lines in the Chemicals and Metals (1) area with a second valve, blind flange, cap, or plug. Specifically, during the deviation reporting periods of February 3, 2004

to August 3, 2004 and August 3, 2004 to February 2, 2005, it was reported there were 11 open-ended lines in VHAP service on February 3, 2004, and 38 open-ended lines in VHAP service from August 17, 2004 to January 7, 2005.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148(b)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: O-01388, SC 1A OP

Description: Failed to conduct an annual Audio, Visual, and Olfactory ("AVO") inspection of the closed vent system in VHAP service in the Chemicals and Metals (1) area, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005.

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)
Rqmt Prov: 48478, SC 2 PERMIT
5339, SC 11 PERMIT

5661, SC 6 PERMIT

Description: Failed to adequately maintain records regarding repairs and replacements done as a result of leaks documented during AVO inspections of the Chemicals and Metals (1) areas once per shift, as reported during the deviation reporting period of August 3, 2004 to February 2, 2005.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THSC Chapter 382 382.085(b)

Description: Failed to operate within permit representations. Specifically, TCEQ Air Permit No. 5661 does not authorize chlorine emissions from the J-20 HCl absorber in the Chemicals and Metals (1) area (EPN B15V20), however, during the deviation reporting period of August 3, 2004 to February 2, 2005, unauthorized chlorine emissions from the J-20 HCl absorber were reported.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.994(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(d)
Rqmt Prov: 7531, SC 6 PERMIT
O-02210, STC 10 OP

Description: Failed to establish minimum liquid to gas ("L/G") ratio for the operation of the scrubber (halogen reduction device) in the polycarbonate facility in the engineering thermoplastics unit during the performance test conducted on December 12, 2002. Without the L/G ratio established, compliance with the mass emission rate requirement of less than 0.45 kilograms per hour ("kg/hr") cannot be determined.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9000(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: Permit 46431, General Condition 8 PERMIT
Permit 46431, SC 5 PERMIT

Description: Failed to comply with hydrogen chloride ("HCl") emissions limits of 0.40 pounds per hour ("lbs/hr") and 12.0 parts per million ("ppm") and Chlorine ("Cl2") emissions limits of 0.03 lbs/hr and failed to comply with the minimum destruction efficiency of 99.99% for volatile organic compounds (VOCs).

Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: NSR 22072, SC 4 PERMIT
Title V O-02212, SC 1E OP
Ttile V O-02212, SC 16 OP

Description: Failed to meet the flare requirements for 3 flares (EPN Nos. BSRF601, BSRFMW1T, and BSRFMNF). Specifically, Dow Chemical failed to monitor the flare pilots flames in order to maintain the continuous presence of a flame using a thermocouple or other equipment device which detects the

presence of a flame.

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: NSR 22072, SC 4 PERMIT
NSR 22072, SC 5 PERMIT
Title V O-02212, SC 16 OP
Title V O-02212, SE 1E OP

Description: Failed to maintain the continuous presence of a flame on five occasions for three flares (EPN Nos. BSRFMNF, BSRF601, and BSRFMW1T).

Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Title V O-02212, SC 17 OP

Description: Failed to submit Permit by Rule ("PBR") notification (Form PI-7) within ten days following modifications to the brine process for the aromatic storage wells (EPN Nos. BSRPSR2 and BSRPR2L) in to Lake Warder and SR-2 (benzene brine ponds).

Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Permit 22072, SC 8F PERMIT
Title V Permit O-02212, SC 16 OP

Description: Failed to monitor 504 valves and 1,716 connectors in the fugitive emissions area (EPN No. BSRFUBRCK) during the third and fourth quarters of 2004, and the second quarter of 2005. The estimated amount of volatile organic compound ("VOCs") fugitive emissions during this time period of 273 days is 14.71 tons from the valves, and 2.82 tons from the connectors, for a combined total of 17.53 tons of VOCs. The permitted limit of VOCs from this EPN is 2.04 tons per year.

Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to report the deviation of failure to conduct fugitive emissions monitoring on 504 valves and 1,716 connectors in the fugitive area (EPN No. BSRFUBRCK) during the second quarter of 2005 in the deviation report dated August 5, 2005.

Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.208(d)(7)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Title V O-02212, SC 1D OP

Description: Failed to check for proper operation of the engine (EPN No. BSRGE601) by recorded measurements of nitrogen oxide ("NOx") and carbon monoxide ("CO") emissions after engine maintenance was conducted on February 26, 2005.

Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.216(a)(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Title V O-02212, SC 1D OP

Description: Failed to include the specific rule citations for units with a claimed exemption from the emission specifications of 30 TEX. ADMIN. CODE § 117.206 in the final control report submitted March 31, 2005.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: NSR Permit No. 834, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 3, 401 lbs of the HRVOC ethylene were released from an inconel rupture disc in the Polyethylene #4 Unit (Incident 73950) during an emissions event that occurred on April 4, 2006 and lasted 6 minutes. These emissions are not authorized by the permit.

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)

Rqmt Prov: Permit No. O-02215, SC 2.F. PERMIT

Description: Failed to report within 24 hours the emissions event of 663 lbs of Carbon released on February 10, 2004 for approximately two minutes. The regulated entity reported the event on a deviation report on August 24, 2004.

Effective Date: 02/08/2009 ADMINORDER 2007-1981-AIR-E

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: TCEQ Flex Air Permit No. 20432, SC C III PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 834, SC 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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. 6932, SC1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 06/01/2009 ADMINORDER 2008-0843-AIR-E

Classification: Moderate

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

Rqmt Prov: Flexible Air Permit 20432, SC Chap III-1 PERMIT

Description: As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions during Incident No. 92204, in violation of Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and excessive the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 46431, SC 1 PERMIT

Description: As evidenced by Findings of Fact No. 7, the Respondent failed to prevent unauthorized emissions during Incident No. 92991, in violation of Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and excessive the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions during Incident No. 103332, in violation of Air Permit No. 7386, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized

emissions during Incident No. 103745, in violation of Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

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

Rqmt Prov: Special Condition Chapter III-1 PERMIT

Description: As evidenced by Findings of Fact No. 6, the Respondent failed to prevent unauthorized emissions during Incident No. 104544, in violation of Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

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

Rqmt Prov: Special Condition 1 PERMIT

Description: As evidenced by Findings of Fact No. 8, the Respondent failed to prevent unauthorized emissions during Incident No. 105191, in violation of Air Permit No. 834, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT
Special Condition 10 PERMIT
Special Condition 4B PERMIT

Description: As evidenced by Findings of Fact No. 10, the Respondent failed to prevent unauthorized emissions and maintain a flare flame during Incident No. 105644, in violation of Air Permit No. 8567, Special Condition Nos. 1, 4B, and 10, 40 CODE OF FEDERAL REGULATIONS § 60.18(c)(2) and (c)(3)(ii), 30 TEX. ADMIN. CODE §§ 116.115(c), 101.20(1), and 101.221(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX

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: As evidenced by Findings of Fact No. 9, the Respondent failed to prevent unauthorized emissions during Incident No. 105792, in violation of Air Permit No. 20909, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: As evidenced by Findings of Fact No. 11, the Respondent failed to prevent unauthorized emissions during Incident No. 106640, in violation of Air Permit No. 22072, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 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 THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ FLEX AIR PERMIT #20432, III-1 PERMIT

Description: Failed to comply with permitted emissions limits.

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: TCEQ Flexible Air Permit 20432, SC III-1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

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

Rqmt Prov: 6803, Special Condition 1 PERMIT

Description: Failed to comply with permitted emissions limits. Specifically, on December 29, 2006, Dow conducted a stack test on the 511 Heater (EPN B27S511) located in the B-2700 block of the Plant B Site. Test results showed emissions of NOX at 5.70 lbs/hr, while permitted emissions are 3.73 lbs/hr.

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 7531, SC 2 PERMIT
TCEQ Air Permit No. 7531, SC1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

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

Rqmt Prov: Air Flex Permit 20432, SC Gen Req 4 PERMIT
Air Flex Permit 20432, SC, Chap III-1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter D 382.085(b)
5C THSC Chapter 382 382.0518(a)

Description: Failure to cease unauthorized emissions. Specifically, during an emissions event on March 8, 2007, emergency vents in the Polyethylene 4 Unit, with no authorization to emit, emitted 802 lbs of ethylene and 700 lbs of carbon over a one minute period.

Effective Date: 08/31/2009 ADMINORDER 2008-1723-AIR-E

Classification: Moderate

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

Rqmt Prov: TCEQ Air Permit No. 834, SC 1 PERMIT

Description: Failed to prevent avoidable emissions event.

Classification: Moderate

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

Rqmt Prov: Special Condition Chapter III - 1 PERMIT

Description: the unauthorized release of 86 lbs of acetylene, 12,491 lbs of ethylene, 2,923 lbs of ethane, 12,226 lbs of propylene, 5,859 lbs of propane, 1,088 lbs of 1,3 butadiene, 91 lbs of cis 2-butene, 29,563 lbs of CO, 4,093 lbs of NOx, 81 lbs of isobutane, 235 lbs of n-butane, 352 lbs of trans 2-butene, 1,474 lbs of benzene, 2,337 lbs of toluene, 302 lbs of hexane, 452 lbs of isobutylene, 529 lbs of isopentane, 716 lbs of n-pentane and 331 lbs of 1-butene from Elevated Flare (F1) and Ground Flare.

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

Rqmt Prov: SC Ch III-1 PERMIT

Description: Dow failed to prevent an avoidable emissions event. As a result unauthorized emissions of, 1.00 lbs of benzene; 1.00 lbs of 1,3-butadiene; 1,064.00 lbs of ethylene; 770.00 lbs of carbon monoxide; 107.00 lbs of nitrogen oxides and 9.00 lbs of other chemicals were released to the atmosphere through Flare - FS1.

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, 751.90 lbs of ethylene oxide was released from the Wastewater Treatment Plant THROX (B35EWS200); 3.00 lbs of ethylene oxide was from the R-100 Reactor (EPN B35V100); and 3.00 lbs of ethylene oxide was released from the R-110 Reactor (EPN B35V110) to the atmosphere. Dow's permit did not authorize the release. Consequently, this represents a significant deviation from the permit.

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. As a result, 1,244.00 lbs of ethylene was released from the Polyethylene 4 Reactor, Train 1, Program 3 Valve.to the atmosphere. Dow's permit did not authorize the release from the Program 3 Valve. Consequently, this represents a significant deviation from the permit.

Effective Date: 11/27/2009 ADMINORDER 2008-1555-IHW-E

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)(1)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(2)(ii)(A)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)(1)

Rqmt Prov: Permit Provision (PP) V-I-3-b and d PERMIT

Description: Failed to meet the regulatory limit for stack gas concentration of carbon monoxide ("CO") while burning hazardous waste in Boiler FTB-210 (Notice of Registration Unit 154), as documented an investigation conducted on July 29, 2008. Specifically, ten occurrences were documented during a period from March 30, 2008 through April 21, 2008, when the CO concentration exceeded 100 ppm associated with the automatic waste feed cutoff ("AWFCO") system.

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

Rqmt Prov: Permit Provision (PP) V-I-3-b and d PERMIT

Description: Failed to maintain the minimum permitted liquid to gas ratio ("L/G") of the wet scrubbers, as documented during an investigation conducted on July 29, 2008. Specifically, records for Boiler FTB-603 indicated five excursions with respect to the permitted L/G minimum ratio for the scrubber system.

Effective Date: 04/11/2010 ADMINORDER 2009-1251-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: Special Condition 1 PERMIT
Special Term and Condition 16 OP

Description: Failed to maintain an emission rate below the allowable limit for propylene from the Site Functions 1 Area. TCEQ staff documented the exceedance of the permitted propylene emission limit of 4.05 pounds per hour ("lbs/hr") from the Site Functions 1 Area on June 23-24, 2008 and July 13, 2008, totaling 42.74 lbs of propylene in excess of permitted limits.

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(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 VV 60.482-1(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Term and Condition 16 OP
Special Term and Condition 1A OP

Description: Failed to conduct LDAR on 78 components in VOC service. TCEQ staff documented that quarterly Leak Detection and Repair ("LDAR") had not been conducted on 44 connectors and seven valves in Unit A22FUST from October 16, 2003 through March 31, 2008 and 27 valves in Unit A28FUST from February 5, 2007 through October 14, 2008.

Classification: Major
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, Chapter III-1 PERMIT

Description: Failed to maintain an emission rate below the allowable limit for propylene from the Site Functions 1 Area. TCEQ staff documented the unauthorized release of 11,521 pounds ("lbs") of carbon monoxide, 1,595 lbs of nitrogen oxides, and 12,209 lbs of volatile organic compounds ("VOCs"), including 8,859 lbs of highly reactive VOCs, exceeded permit hourly limits due to the Light Hydrocarbons-8 failure to eliminate non-condensables from the Propylene Refrigeration System causing high pressure in the C

Effective Date: 10/25/2010 ADMINORDER 2010-0477-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 Chapter III - 1 PERMIT

Description: Dow failed to prevent unauthorized emissions during Incident No. 134215. Dow's operating discipline and unit freeze plan did not establish a minimum instrument air dewpoint for the system operating at freezing ambient temperatures.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition Chapter III-1 PERMIT

Description: Dow failed to prevent unauthorized emissions. A vendor's employee did not verify that the proper gas was unloaded from the truck, and did not verify that the correct carrier gas was connected. Dow's employee did not escort the vendor nor verify his work.

Effective Date: 03/07/2011 ADMINORDER 2010-1279-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: Dow failed to prevent unauthorized emissions during Incident No. 137259.

Effective Date: 05/08/2011 ADMINORDER 2010-1450-AIR-E

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THSC Chapter 382 382.0518(a)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit an application for renewal prior to expiration of a permit and continued to

operate the Plant without authorization after the permit expired. Specifically, the Respondent failed to renew Standard Permit No. 43417 before the permit expiration date of February 16, 2010, as

documented during a record review investigation conducted on September 1, 2010.

Classification: Major
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THSC Chapter 382 382.0518(a)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit an application for renewal prior to the expiration of a permit and continued to operate the Plant without authorization after the permit expired. Specifically, the Respondent failed to renew New Source Review ("NSR") Permit No. 9046 before the permit expiration date of July 21, 2010, as documented during a record review investigation conducted on September 1, 2010.

Effective Date: 05/22/2011 ADMINORDER 2010-1781-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Special Condition 4(B) PERMIT

Description: Dow failed to keep the emissions capture equipment and abatement equipment in operation when emissions were routed to it during Incident No. 141646.

Effective Date: 08/13/2011 ADMINORDER 2011-0051-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 Chap III-1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 143416. Dow failed to maintain communications at the operator work stations during a startup. Dow also failed to maintain the operations of the ST-10 turbine during the startup.

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 Chapter III-1 PERMIT

Description: Failure to prevent unauthorized emissions during Incident No. 144990. Dow failed to prevent the flaring of off-spec ethylene, when impure hydrogen was being supplied to the internal header system that supplies LHC-7.

Effective Date: 11/18/2011 ADMINORDER 2011-0581-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: Failure to prevent unauthorized emissions due to obstruction of the filter screen on the oil supply to the oil driven Speed Governor Valve that regulates the compressor speed. Subcategory: A12(i)(6).

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	05/14/2007	(398934)
2	05/11/2007	(462109)
3	03/30/2007	(489438)
4	03/30/2007	(489600)
5	04/15/2008	(510759)
6	05/07/2007	(511310)
7	05/08/2007	(511545)
8	05/08/2007	(511682)
9	05/08/2007	(511841)
10	01/18/2007	(512465)
11	12/13/2006	(512466)
12	12/20/2006	(512546)
13	12/15/2006	(512613)
14	12/18/2006	(512614)
15	08/31/2007	(512665)
16	05/17/2007	(513875)
17	04/18/2007	(514268)
18	05/07/2007	(514793)
19	04/30/2007	(515463)
20	06/08/2007	(515992)
21	05/14/2007	(516545)
22	05/14/2007	(516561)
23	05/14/2007	(516563)
24	12/20/2006	(518862)
25	02/27/2007	(518917)
26	04/19/2007	(531924)
27	04/19/2007	(531943)
28	02/16/2007	(532501)

29 02/15/2007 (532539)

30 04/02/2007 (532635)

31 04/27/2007 (532788)

32 01/19/2007 (532792)

33 07/11/2007 (532793)

34 01/19/2007 (532798)

35 12/12/2006 (532985)

36 01/08/2007 (533024)

37 05/08/2007 (533412)

38 01/03/2007 (533504)

39 01/08/2007 (535581)

40 01/19/2007 (535582)

41 01/19/2007 (535584)

42 01/16/2007 (535585)

43 01/25/2007 (535586)

44 01/19/2007 (535587)

45 04/19/2007 (535999)

46 03/22/2007 (536044)

47 01/17/2007 (537051)

48 02/14/2007 (537570)

49 02/20/2007 (537571)

50 05/21/2007 (538079)

51 03/23/2007 (538331)

52 03/22/2007 (538381)

53 02/16/2007 (538485)

54 02/28/2007 (540981)

55 05/31/2007 (541434)

56 03/23/2007 (542214)

57 03/22/2007 (542323)

58 04/12/2007 (543310)

59 08/16/2007 (543314)

60 10/03/2007 (543554)

61 08/31/2007 (543556)

62 03/23/2007 (543884)

63 03/23/2007 (553947)

64 03/23/2007 (554153)

65 03/23/2007 (554156)

66 03/26/2007 (554162)

67 04/09/2007 (554546)

68 04/09/2007 (554548)

69 05/18/2007 (554549)

70 06/11/2007 (555138)

71 05/09/2007 (555628)

72 04/24/2007 (555828)

73 06/26/2007 (556265)

74 06/25/2007 (556660)

75 06/26/2007 (557013)

76 05/08/2007 (557566)

77 05/08/2007 (557567)

78 05/10/2007 (558404)

79 05/10/2007 (558512)

80 05/14/2007 (559614)

81 05/14/2007 (559653)

82 05/23/2007 (560258)

83 05/25/2007 (560273)

84 05/25/2007 (560284)

85 05/25/2007 (560311)

86 05/31/2007 (561026)

87 05/31/2007 (561133)

88 07/16/2007 (561727)

89 05/25/2007 (561809)

90	05/25/2007	(561826)
91	05/25/2007	(561833)
92	06/01/2007	(562217)
93	06/01/2007	(562270)
94	07/16/2007	(563110)
95	08/10/2007	(563126)
96	08/16/2007	(563635)
97	08/09/2007	(563748)
98	06/22/2007	(563821)
99	06/22/2007	(563870)
100	08/06/2007	(564280)
101	08/09/2007	(564283)
102	07/31/2007	(564288)
103	09/28/2007	(564652)
104	09/28/2007	(564703)
105	07/09/2007	(564733)
106	07/03/2007	(565234)
107	09/28/2007	(565429)
108	02/13/2008	(566562)
109	10/10/2007	(566738)
110	10/23/2007	(566959)
111	10/10/2007	(567008)
112	11/26/2007	(567381)
113	12/21/2007	(567605)
114	10/11/2007	(567653)
115	10/15/2007	(567828)
116	11/28/2007	(568431)
117	11/26/2007	(568480)
118	08/30/2007	(568613)
119	08/06/2007	(568639)

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

Date: 12/13/2006 (512466) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02212, SC 16.A. OP

Description: The Dow Chemical Company, Dow Texas Operations Freeport, failed to submit Form PI-7 on March 31, 2005, for the increase of ethylene and propylene emissions to the monitor well flare (BSRSRMW1T). This constitutes a violation of 30 Texas Administrative Code (TAC) § 106.261(a)(7)(B).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02212, SC 16.A. OP
Permit No. 22072, SC 4 PERMIT

Description: the Dow Chemical Company ("Dow"), Dow Texas Operations Freeport, failed to maintain the minimum heat value for Monitor Well Flare no. 1 (unit I.D. BSRSRFMW1) and Brine Flare 2 (unit I.D. BSRF401).

Date: 12/18/2006 (512614) CN600356976

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Dow failed to maintain records of daily average pH data for the T-734 Scrubber System (EPN B84S734) on October 5 and 6, 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 D 382.085(b)
NSR 7531, SC 1 PERMIT
Title V O-02210, SC 10 OP

Description: Dow failed to meet the maximum permit allowable of 0.06 lb/hr for Cl2 from the T-734 Scrubber System (EPN B84S734) on the following dates during performance testing: 08-18-05 10:33 to 11:15 0.13 lb/hr; 08-29-05 11:23 to 12:14 0.38 lb/hr; 08-30-05 10:52 to 17:04 1.63 lb/hr; 10/12/05 9:43 to 13:23 0.1 lb/hr

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.262
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-02210, SC 10 OP

Description: Dow failed to register a minor process modification made in April 2005 under Permits by Rule (PBR) 106.262(a)(3) within ten days following the modification of the facility.

Date: 01/18/2007 (512465) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(e)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02214, SC 15.A.(i) OP

Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the CO limit of 400 ppmv on Boiler No. 5 (Unit ID no. B664PB5, EPN FB-45). This constitutes a violation of 30 TAC 117.206(e)(1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02214, SC 9.A. OP
Permit No. 46306, SC 7.C. PERMIT

Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the ammonia limit of 10 ppmvd on boiler FB-93 (EPN: B56SB3). This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, Special Condition (SC) 7.C.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02214, SC 9.A. OP
Permit No. 46306, SC 1 PERMIT

Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the maximum allowable emission rate for NOx for boiler FB-92 (EPN: B56SB2) on March 3, 2006. This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, SC 1.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02214, SC 9.A. OP
Permit No. 46306, SC 7.A. PERMIT

Description: The Dow Chemical Company, Dow Texas Operations Freeport exceeded the lb/mmBtu emission rate for NOx for boilers FB-92 (EPN: B56SB2) and FB-94 (EPN: B56SB4) on March 3, 2006. This constitutes a violation of Permit no. 46306, PSD-TX-986, and N-059, SC 7.A.

Date: 02/16/2007 (532501) CN600356976

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 D 382.085(b)
O-02219, SC 1.A. OP

Description: Failure to record 188 daily observation of the flare (Unit I.D. B3808F1) beginning February 3, 2006, through September 30, 2006. This constitutes a violation of 30

Texas Administrative Code (TAC) § 111.111(a)(4)(A)(ii).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02219, SC 2.F. OP

Description: Failure to create a final onsite record of emissions events. This constitutes a violation of 30 TAC § 101.201(b).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02219, General Terms and Conditions OP

Description: Failure to report all incidents of deviations as required by 30 TAC § 122.145(2)(A).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02219, SC 13.A. OP
Permit No. 20775, SC 7.E. PERMIT

Description: Failure to maintain secondary enclosures on the following open-ended line tag nos. EAI 128564.2, EAI 80701.2, EAI 80353, and 80701.2.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.767(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02219, SC 1.I.(iv) OP

Description: Failure to maintain the pressure between on the cooling water side at a minimum of 5 psig for HRVOC greater than the process fluid side for cooling tower B3831CT1.

Self Report? NO Classification: Minor

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

Description: Failure to test HRVOC vents in the Research Reactor (BX250RX1).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.217(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit an Application for Minor Permit Revisions prior to operating the Research Reactor (B250RX1).

Date: 02/28/2007 (542323) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Flex Air Permit No. 20432, SC III-1 PERMIT

Description: Investigation No. 542323 determined that Dow had an avoidable emissions event during Incident No. 84696.

Date: 03/27/2007 (542214) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Air Permit No. 770, SC 1 PERMIT

Description: Investigation No. 542214 determined that Dow Incident No. 84425 could have been avoided by good operations practices.

Date: 03/31/2007 (553947) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
TCEQ Air Permit No. 834, SC1 PERMIT

Description: Investigation No. 553947 determined that Dow Incident No. 85437 was caused by operator error. The incident was avoidable.

Date: 04/02/2007 (532635) CN600356976

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.116(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Site failed to represent volatile organic compound (VOC) emissions from Catalyst Mix Tanks D-10, D-10A, D-11, D-11A, D-12, and D-12A (B77APPT10, B77APPT10A, and B77APPT11, B77APPT11A, B77APPT12, and B77APPT12A) in the permit application for NSR Permit 8567.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02215, SC 2F OP

Description: Site failed to create final records of seven emissions events no later than two weeks after the end of the emissions events.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 8567, SC 6 PERMIT
Title V O-02215, SC 11 OP

Description: Site failed to operate the flare (B78APF1) with a flame present for a total of 21 minutes on February 14, 2006.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 8567, SC 1 PERMIT
Title V O-02215, SC 11 OP

Description: Site failed to maintain the hourly permitted emission limit of 0.34 lbs/hr of VOC for a tank (B78APST5).

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 THC Chapter 382, SubChapter D 382.085(b)
NSR 6803, SC 9E PERMIT
NSR 834, SC 9E PERMIT
NSR 8567, SC 8E PERMIT
Title V O-02215, SC 11 OP
Title V O-02215, SC 1F(v) OP

Description: Site failed to equip five open-ended lines with plugs/blinds. The regulated entity also discovered to fail to equip nine open-ended lines with second valves/plugs on the non-threaded drain lines of D-10, D-11, and D-12 on May 11, 2006.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter H 115.781(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-02215, SC 1F(v) OP

Description: Site failed to conduct weekly visual inspections of pumps, compressors, and agitators in highly reactive volatile organic compound (HRVOC) service during the week of January 15, 2006.

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 D 382.085(b)
Title V O-02215, SC 1F(ii) OP

Description: Site failed to operate Train 1 Make Hoppers, MH-101, MH-102 & MH-103, Check Hoppers CH-101A & CH-101B, and Spin Dryer SD-102 within the established

operating limits for the selected operating parameters to establish maximum potential HRVOC hourly emission data expected during normal operation for the vent (B25P2RX101).

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 48813, SC 1 PERMIT
Title V O-02215, SC 11 OP

Description: Site failed to limit the VOC emissions from Train 2 Make Hoppers MH-201, MH-202, and MH-203 (B25P2SB201, B25P2SB202, and B25P2SB203) within the permit allowables of 1.98 lbs/hr from each hopper vent.

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 D 382.085(b)
Title V O-02215, SC 1F(i) OP

Description: Site failed to operate Make Hoppers MH-241, MH-243, MH-244 and MH-311 within the established operating limits for the selected operating parameters to establish maximum potential HRVOC hourly emission data expected during normal operation for the vent (B25P2VOGS).

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.352(3)
30 TAC Chapter 115, SubChapter H 115.782(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 19519, SC 10H PERMIT
NSR 48813, SC 5H PERMIT
NSR 6803, SC 9H PERMIT
Title V O-02215, SC 11 OP

Description: Site failed to place leaker tags on six leaking valves and four leaking connectors.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 834, SC 1 PERMIT
Title V O-02215, SC 11 OP

Description: Site failed to limit the VOC emissions from Train 1 Blending Silos RB-1, RB-5, RB-9, and RB-13 (B41P4SB1, B41P4SB5, B41P4SB9, and B41P4SB13) within the permit allowables of 3.11 lbs/hr from each silo vent.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 834, SC 3 PERMIT
NSR 8567, SC 6 PERMIT
Title V O-02215, SC 11 OP
Title V O-02215, SC 1F(iii) OP

Description: Site failed to maintain the minimum net heating value of 300 Btu/scf for the gas being combusting at the flare (B78APF1) on two occasions for a total of two hours on June 2 and 30, 2006.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-02215, SC 2 OP

Description: Site failed to determine an emissions event (Incident # 79942) occurred on August 13, 2006 is a reportable emissions event and failed to notify the commission regional office the reportable event no later than 24 hours after the discovery of the emissions event.

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 6803, SC 1 PERMIT
Title V O-02215, SC 11 OP

Description: Site failed to maintain VOC emissions from the flare (B27P3F1) within the emissions allowable of 10.95 lbs/hr for one hour on September 11, 2006.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter H 115.725(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-02215, SC 1F(i) OP

Description: Site failed to conduct testing on the Poly 4 hold up hopper vents (B41V1 and B41V2) to establish maximum potential HRVOC hourly emission data by the compliance date of January 30, 2006.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 8567, SC 1 PERMIT
Title V O-02215, SC 11 OP

Description: Site failed to maintain VOC emissions from Tanks T-10 and T-11 within the permitted allowables of 0.02 lbs/hr for each of the tanks, and 0.06 tons/yr for T-10 and 0.03 tons/yr for T-11.

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 THC Chapter 382, SubChapter D 382.085(b)
Title V O-02215, General Conditions OP

Description: Site failed to report all instances of deviations in deviation reports.

Date: 04/13/2007 (543310) CN600356976

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02203, SC 14.A. OP
Permit No. 4031, SC 16.E. PERMIT

Description: Failure to seal an open-ended line (OEL) in organic hazardous air pollutant service (unit ID: B13GBFU3).

Date: 04/27/2007 (532788) CN600356976

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02217, SC #15 OP
TCEQ Air Permit No. 6932, SC #3A PERMIT

Description: Dow failed to prevent inadequate fuel supply to the flares.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02217, SC #15 OP

TCEQ Air Permit No. 6932, S C #1 PERMIT

Description: Dow failed to control the release of unauthorized VOCs.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02217, SC 15 OP
TCEQ Air Permit No. 19720 SC 3 PERMIT

Description: Dow exceeded their annual permitted throughput loading rate.

Date: 06/30/2007 (575538) CN600356976

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: 07/11/2007 (532793) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Permit # O-02311, General Terms & Cond. OP
Permit # O-02311, Special Condition #10 OP
Permit #20776, Special Condition #5 PERMIT

Description: Failure to prevent the solvent recovery tank system pressure from exceeding 10 psig.

Date: 07/27/2007 (563635) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.15(3)(A)
Provision IV.A PERMIT

Description: Failure to notify acceptance of unmanifested wastes within 15 days from the date the wastes were accepted.

Date: 08/06/2007 (568640) CN600356976

Self Report? NO Classification: Moderate

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

Description: Failure to submit a deviation report by the submittal due date.

Date: 08/14/2007 (568679) CN600356976

Self Report? NO Classification: Moderate

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

Description: Failure to submit semiannual deviation report within 30 days of end of deviation reporting period.

Date: 08/31/2007 (512665) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP Permit No. O-02206, STC 11 OP
NSR Permit No. 2472 SC 9E PERMIT
NSR Permit No. 2773 SC 12 E PERMIT

Description: Failure to plug 35 open-ended lines.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP No. O-02206 STC 10 OP
FOP No. O-02206 STC 1D OP

Description: failure to record solvent flow and pH for the units A32TO560, A32STHROX, A32CPST06C&D, and A32CSST284 during February 20, 2006 at 3:03 p.m. through February 21, 2006 till 7:35 a.m.

Self Report? NO Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02206 STC 11 OP
NSR Permit No. 770 SC 11 PERMIT

Description: failed to complete annual refresher training for the year 2005.

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)

Description: failure monitor 29 connectors initially and annually as required from January 16, 2005 through July 15, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02206 STC 11 OP

Description: failure to record firebox temperature of incinerators A32CPSTO6D and A32CPSTO6C and failed to detect pilot flame for flare A32CSST284 for one hour between April 25, 2006 at 9:00 a.m. through April 26, 2006 at 10:00 a.m. while compute files were backed-up.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP O-02206 STC 11 OP
NSR Permit No. R-770 SC 17 B(2) PERMIT

Description: faillure to maintain minimum Liquid / Gas (L/G) ratio for the Huntsman's ammonia scrubber 36 times during July 16, 2005 through January 15, 2006.

Date: 08/31/2007 (543556) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
O-2208, STC 3(A)(ii) OP

Description: Failure to conduct visible emission observations for unit ID B19S2, each quarter from April 4, 2004 through September 30, 2005.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR Permit No. 20432 SC 2E PERMIT
O-02208 STC 1(F) OP

Description: Failure to plug 12 open-ended lines during October 19, 2005 through September 27, 2006.
This is an alleged violation of 40 CFR 63.167(a)(1) and 30 TAC 115.352(4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR Permit No. 20232 SC 4 PERMIT
O-02208 STC 17 OP

Description: Failure to maintain minimum BTU of 300 Btu/scf for the flares B23G1FS865, B70ALF1, and B70ALF801 during April 19, 2006 through October 17, 2006 and November 5, 2005 through April 18, 2006.

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 THC Chapter 382, SubChapter D 382.085(b)
O-02208 STC 1M OP

Description: Failure to analyze grab samples when the on-line analyzer data unavailable for 15 instances from June 13, 2006 through August 13, 2006 for the unit B23G2F865 and for two instances from February 1, 2006 through June 27, 2006 for the unit B70AKF1.

Self Report? NO Classification: Minor

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

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR Permit No. 20432 SC 1-12A PERMIT
O-0228 STC 17 OP

Description: failure to install a rupture disc upstream of PSV in HAP service. This is an alleged violation of NSR Permit No. 20432 SC I-12A

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT A 61.14(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02208 STC 9G OP

Description: failure to maintain monitoring data for the flare, B23G2F865 from July 4, 2006 through July 5, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02208 STC 1F OP

Description: failure to monitor a pump during September 1, 2006 through October 18, 2006. This is an alleged violation of 40 CFR 63.163(b)(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)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR Permit 20432 SC 2F PERMIT
O-02208 STC 17 OP

Description: failure to replace rupture disc at the earliest convenience during January 31, 2006 through March 29, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(ii)
5C THC Chapter 382, SubChapter D 382.085(b)
O-02208 STC 11 OP

Description: failed to install car seal on the ten (10) bypass valves on closed vent system during December 13, 2005 though December 14, 2005.

Date: 10/03/2007 (543554) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 20432; SC I-9.C.,SC I-9.D.,SC I-9.E. PERMIT
Title V O-02207; SC 14.A. OP

Description: failed to maintain water flow rates to scrubbers with a minimum rate as indicated in the permit

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-02207: SC 14.A. OP

Description: failed to maintain water flow to the Scrubber, EPN B64VS3, with a minimum rate of 30 gallons per minute on November 27, 2005.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 20432,; SC I-38.C. PERMIT
Title V O-02207; SC 14.A. OP

Description: failed to perform quarterly cylinder gas audits (CGAs) on the continuous emissions monitoring system (CEMS) for Epoxy 2 Carbon Bed, EPN B62CB1 from April 1, 2005 through June 30, 2006.

Self Report? NO Classification: Minor

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

Title V O-02207; SC 3.B.(iii) OP

Description: failed to perform annual observations of the stationary vents, EPN B62E2RX1 and

B43E3RX1 from January 16, 2004 to April 18, 2006, and failed to keep records of annual observations of the stationary vent, EPN B52V001 from April 18, 2004 to October 18, 2006

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 20432; SC I-37.C. PERMIT
Title V O-02207: SC 14.A. OP

Description: failed to convert volatile organic compounds (VOC) concentrations to pounds per hour from April 1, 2005 to July 31, 2006 for Epoxy 2 Carbon Bed, EPN B62CB1.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
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 D 382.085(b)
NSR 20432: SC 2E PERMIT
Title V O-02207; SC 1.A., 14.A. OP

Description: failed to equip open-ended lines in hazardous air pollutant (HAP) and in VOC service with a cap or plug.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.345(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-02207; SC 1.A. OP

Description: failed to submit a semi-annual NOx CEMS report for Boilers B-901, B-902, and B-903, EPN OC3U3B901, EPN OC3U3B902, and EPN OC3U3B903, within the established deadline.

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(e)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT W 63.528(a)
5C THC Chapter 382, SubChapter D 382.085(b)
Title V O-02207; SC 1.A. OP
Title V O-02207; SC 8.G. OP

Description: failed to submit a semi-annual report for the Epoxy Products (1) Unit, within the established deadline.

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 H 63.163(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 3434; SC 6.F. PERMIT
Title V O-02207; SC 1.A., 14.A. OP

Description: failed to re-monitor of a fugitive leaker within 15 days of the detection of the leak.

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 THC Chapter 382, SubChapter D 382.085(b)
Title V O-02207: General Conditions OP

Description: failed to report all instances of deviations in the deviation report dated November 18, 2005

Date: 10/23/2007 (566959) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
NSR 20909; SC 7. PERMIT
Title V O-02211; SC 14. OP

Description: Site failed to maintain a positive flow from the vent header system to the thermal

oxidizer (EPN B35EWS200) on November 14 and 15, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.69(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Title V O-02211; SC 20 OP

Description: Site failed to certify the operating procedures required by 40 CFR 68.69(c) pertaining to risk management processes to assure that they are current and accurate.

Date: 01/09/2008 (595622) CN600356976

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)
FOP 2212, SC # 16 OP
FOP 2212, SC # 1A OP
NSR # 22072 SC # 4 PERMIT

Description: Failure to maintain minimum flare heating values of 300 Btu/scf for flares BSRFMNF and BSRF401

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 2212, SC #16 OP
NSR # 22072, SC # 1 PERMIT

Description: Failure to maintain maximum allowable VOC emissions of 0.94 lb/hr during the times the BSRFMNF flare was below 300 Btu/scf on July 24, 2006 from 1500-1600, and from August 11, 2006 at 1900 to August 14, 2006 at 0700.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(2)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to record permanent records of the daily NOx emissions and fuel usage (or exhaust stack flow) from January 1, 2007 to March 28, 2007 for EPN BSRHDHTR.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP 2212, SC # 17 OP
NSR # 22072, SC # 10A PERMIT

Description: Failure to consistently conduct audio, visual, & olfactory (AVO) inspections for chlorine leaks within the operating area every four hours (19 times) from January 1, 2007 to July 6, 2007.

Date: 01/09/2008 (595628) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR #770, SC26E PERMIT
O-02206, STC 11 OP
O-02206, STC 1A OP

Description: Failed to seal 10 open-ended valves or lines with a cap, blind flange, plug or a second valve.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)
5C THSC Chapter 382 382.085(b)
NSR#770, SC26F PERMIT

O-02206, SC12 OP
O-02206, SC1A OP

Description: Failed to monitor nine fugitive components.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.116(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(2)(ii)

5C THSC Chapter 382 382.085(b)
O-02206, STC1A OP

Description: Failed to record two periodic monitoring records.

Date: 01/28/2008 (610685) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
37884, SC 3 (C) PERMIT
5C THSC Chapter 382 382.085(b)
O-02313, SC 9 OP

Description: Failure to stay below the maximum operating limit for NOx on flare FV600.

Date: 01/29/2008 (615960)

Self Report? NO Classification: Moderate

Citation: 20774 PA
30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to inspect relief valves as required by permit No. 20774.

Date: 02/13/2008 (610665) CN600356976

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 Permit 20776, Special Condition 5 PERMIT
O-02311, Special Terms and Conditions 10 OP

Description: Failure to operate at a minimum pressure of 2 psig and a maximum pressure of 10 psig on Unit B6610QUV53.

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 Permit 20776, Special Condition 8 PERMIT
O-02311 Special Terms and Conditions 10 OP

Description: Failure to maintain the minimum flow rate of 0.6 gallon per minute on the Acid Scrubber System (D-27).

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 Permit 20776, Special Condition 7I PERMIT
O-02311, Special Terms and Conditions 10 OP

Description: Failure to monitor one component out of 3814 fugitive components for three monitoring periods.

Date: 02/28/2008 (637300) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(B)(ii)

Description: Failure to provide a ground storage capacity which is equal to 50% of the maximum daily demand.

Date: 03/06/2008 (595630) CN600356976

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-02213, SC 1(L)(iii) OP

Description: Failure to collect grab samples when the on-line analyzer (OC6L8F1000) data was unavailable (2 instances) from November 1, 2006 at 0833 to November 30, 2006 at 0955.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
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)
FOP O-02213, SC 1(A) OP
FOP O-02213, SC 1(D) OP

FOP O-02213, SC 16 OP
NSR 20432, SC 1(E) PERMIT

Description: Failure to seal fifty (50) open-ended lines containing volatile organic compounds for B72L2FU1 and OC6L8FU01 from May 16, 2006 at 1500 to August 3, 2006 at 1159 and from November 29, 2006 at 1200 to March 21, 2007 at 1150.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
5C THSC Chapter 382 382.085(b)
FOP O-02213, SC 1(A) OP
FOP O-02213, SC 1(D) OP
FOP O-02213, SC 16 OP
NSR 20432 (GMA) SC 1(F) PERMIT

Description: Failure to monitor 61 newly installed valves as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.354(11)
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-02213, SC 16 OP
NSR 20432 (GMA), SC 1(E) PERMIT

Description: Failure to monitor 512 newly installed connectors as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)
FOP O-02213, SC 1(A) OP
FOP O-02213, SC 1(D) OP
FOP O-02213, SC 16 OP
NSR 20432 (GMA), SC 1(G) PERMIT

Description: Failure to monitor 2 newly installed pumps as required from October 15, 2006 at 0000 to April 18, 2007 at 2359 for B72L2FU1.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)
FOP O-02213, SC 1(A) OP
FOP O-02213, SC 1(D) OP
FOP O-02213, SC 16 OP
NSR 21596, SC 13 PERMIT

Description: Failure to monitor one fugitive component (pump EAI266096 in light liquid service)

from November 1, 2006 at 0000 to April 18, 2007 at 2350 for A17FU2.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02213, SC 16 OP
NSR 20432, Ch. III, SC III-24(G)(1)(b) PERMIT

Description: Failure to complete analysis of cracked gas sulfur content which was collected but not analyzed by the end of the 1st quarter, from April 1, 2007 at 0000 to April 18, 2007 at 2359.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02213, SC 16 OP

Description: Failure to submit a permit-by-rule for HRVOC analyzer vents B72L7FU1, OC6L8FU01, A17EAFU2, B31S1FU1, and B71S2FU1) from January 30, 2006 at

0000 to October 18, 2006 at 2350 and from October 19, 2006 at 0000 to April 18, 2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02213, SC 16 OP
NSR 20432, Ch. IV, SC IV-10(D) PERMIT
NSR 21596, SC 15(C) PERMIT

Description: Failure to reduce the individual average NOx and CO concentrations to units of the applicable permit allowable emission rates at the required frequency as stated in the permit from April 19, 2004 at 0000 to April 4, 2007 at 2359 for B31HMOD1B and 71S123/A17S551.

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-02213, SC 16 OP
NSR 20432 (GMA), SC 4 PERMIT

Description: Failure to prevent five (5) occurrences of excess the flare tip exit velocity for flare waste gas from May 03, 2006 at 0200 to May 11, 2006 at 2100 (2 occurrences) and from November 22, 2006 at 0800 to February 2, 2007 at 1500 (3 occurrences) for flare OC6L8F1000.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02213, SC 16 OP
NSR 20432, Ch. III, SC III-1 PERMIT

Description: Failure to prevent Maximum Allowable Emissions Rate Table (MAERT) occurrences due to excess the flare tip exit velocity for flare waste gas on February 4, 2007 for flare OC6L8F1000. Total VOC emissions were 267.6 lbs/hr (126.0 lbs/hr maximum allowed per the interim CAP effective from December 31, 2005 to July 1, 2008).

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-02213, SC 1(A) OP
FOP O-02213, SC 16 OP
NSR 21596, SC 8 PERMIT

Description: Failure to maintain minimum flare Btu/scf value at or above 300 on August 6, 2006 from 1300-1400 for A17EAF11.

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 NNN 60.662(a)

5C THSC Chapter 382 382.085(b)
FOP O-02213, SC 16 OP
NSR 21596, SC 3 PERMIT

Description: Failure to maintain minimum firebox temperature at or above 663 degrees Celsius on May 21, 2006 from 1300 to 2100 for A17EAH551.

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-02213, SC 16 OP
NSR 21596, GC 8 PERMIT
NSR 21596, SC 1 PERMIT

Description: Failure to prevent Maximum Allowable Emission Rate Table (MAERT) exceedance for A17S551 due to low firebox temperature below 663 degrees Celsius on May 21, 2006 from 1300 to 2100 for A17EAH551.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
FOP O-02213 SC 2F OP

Description: Failure to make a final record of a recordable event within 14 days (2 occurrences) for the loss of 2 lbs of VOC from A17EAF11 and the 3 lbs of VOC from A17EAF11.

Date: 03/10/2008 (619156) CN600356976

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
TCEQ Air Permit No. 21596, SC 3 PERMIT
TCEQ Air Permit No. 21596, SC 8 PERMIT

Description: Dow failed to maintain the net heating value of the flare for one hour during an emissions event (Incident 101569) that occurred on December 19, 2007 and lasted 15 hours and 17 minutes.

Date: 06/30/2008 (690045) CN600356976

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: 07/02/2008 (618777) CN600356976

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 1, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(d)
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 61.242-1(c)
40 CFR Part 60, Subpart VV 60.482-1(c)
5C THSC Chapter 382 382.085(b)
SC 15 OP
SC 2 E PERMIT

Description: Failure to install plugs for open ended lines during the annual compliance certification period 10/19/06 through 10/18/07.

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145
5C THSC Chapter 382 382.085(b)

SC 15 OP
SC I-9 (B), (C), & (D) PERMIT

Description: Failure to maintain inlet water flow to the adsorber, process vents and storage tanks.

Date: 08/11/2008 (681763) CN600356976

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02204, General Terms & Conditions OP
FOP O-02204, Special Term & Condition 10 OP

Description: Failure to operate the liquid/gas ratio of the scrubber at the prescribed levels.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02204, Special Term & Condition 11 OP
FOP O-02204, Special Term & Condition 1A OP
Permit 19041, Special Condition 20F PERMIT

Description: Failure to perform Method 21 monitoring to one valve in VOC service on a quarterly basis.

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 63.6(e)(3)(iii)
5C THSC Chapter 382 382.085(b)
FOP O-02204, Special Term & Condition 1A OP

Description: Failure to properly and completely record corrective actions in response to an SSM event.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02204, Special Term & Condition 11 OP
Permit 19041, Special Condition 2A PERMIT

Description: Failure to operate one safety valve in conjunction with a rupture disc.

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 H 63.168(f)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
5C THSC Chapter 382 382.085(b)
FOP O-02204, Special Term & Condition 11 OP
FOP O-02204, Special Term & Condition 1A OP
Permit 19041, Special Condition 20I PERMIT
Permit 48715, Special Condition 8I PERMIT

Description: Failure to perform remonitoring of seven leaking LDAR components, after repairs were made, within 15 days of the date the leak was found.

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THSC Chapter 382 382.085(b)
FOP O-02204, Special Term & Condition 11 OP
FOP O-02204, Special Term & Condition 1A OP
Permit 941, Special Condition 5E PERMIT

Description: Failure to perform quarterly LDAR monitoring to 338 components from February 25, 2005 through January 31, 2008.

Date: 08/20/2008 (610600) CN600356976

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter H 115.726(c)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
FOP 2219, Spec. Cond 1I OP

Description: Failure to record pressure readings on a pressure safety valve (PSV).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
NSR Permit No. 20775, Spec. Cond 3E PERMIT

Description: Failure to record leaks from AVO observations.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Spec. Cond. 14 OP

Description: Late submittal of a Permit by Rule (PBR).

Date: 08/27/2008 (680057) CN600356976

Self Report? NO Classification: Moderate

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)
O-02220 General Terms and Conditions OP

Description: Failure to submit the semi-annual deviation report dated August 28, 2007 within thirty days of the end of the reporting period.

Self Report? NO Classification: Moderate

Citation: 1472 Special Condition 7(A) PERMIT
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)
O-02220 Special Terms and Conditions 1A OP
O-02220 Special Terms and Conditions 7 OP

Description: Failure to maintain a minimum net heating value of 300 BTU/scf for the gas being combusted at the flare (A26VEF1) on two occasions from September 15 to 16, 2007 and November 11 through 28, 2007.

Date: 09/30/2008 (710825) CN600356976

Self Report? YES Classification: Moderate

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

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

Date: 11/07/2008 (701151) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(c)

Description: Failure to submit a Final Report for Incident No. 109697 within 14 days of the end of a startup activity

Date: 12/31/2008 (727542) CN600356976

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: 01/29/2009 (703338) CN600356976

Self Report? NO Classification: Moderate

Citation: Federal Operating Permit 02214 SC 10 OP
New Source Review (NSR) 46306 SC 7B PERMIT

Description: Failure to prevent Carbon Monoxide emissions from Boiler EPN B56PSB3.

Date: 01/29/2009 (681611) CN600356976

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Permit 7531 SC #1 PERMIT

Description: Failure to maintain emissions of chlorine from F-732 Throx unit below the permit allowable.

Date: 02/24/2009 (705417) CN600356976

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5340 Special Condition 13F PERMIT
5C THSC Chapter 382 382.085(b)
FOP O-01388 ST&C 17 OP
FOP O-01388, ST&C 1A OP

Description: Failure to monitor five leak detection and repair (LDAR) components, from January 1, 2007 through February 13, 2008.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(5)
5C THSC Chapter 382 382.085(b)
FOP O-01388 ST&C 1A OP

Description: Failure to submit a 30 day notification to the Administrator prior to refilling Tank NV-11.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5340, Special Condition 11C PERMIT
5C THSC Chapter 382 382.085(b)
FOP O-01388, ST&C 17 OP

Description: Failure to maintain the caustic flow to the scrubber, from 0745 through 0900 hours on December 13, 2008, at or above the minimum of 600 lbs/hr.

Date: 02/27/2009 (723999) CN600356976

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: Dow failed to prevent unauthorized emissions. Dow had an avoidable emissions event caused by failure to follow good design practices. Dow failed to install compatible pilot mixing chambers on flare FS-11, which caused the flare to loose the pilot flame during a rain event.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Special Condition 8 PERMIT

Description: Dow failed to prevent unauthorized emissions. Dow failed to keep the flare FS-11 lit when emissions were being routed to it.

Date: 03/17/2009 (721122) CN600356976

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(e)(3)
5C THSC Chapter 382 382.085(b)
Special Condition 1D OP

Description: Failure to submit the semi annual report required under 40 CFR 63, Subpart MMM for the site within the required timeframe. (Category C3)

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 12 OP
Special Condition 1A OP
Special Condition 27 PERMIT

Description: Failure to monitor tag nos. EAI904489, EAI904491, EAI904494 and EAI904498 annually for fugitive leaks. (Category C1)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Spcail Condition 11 OP
Special Condition 1A OP
Special Condition 26E PERMIT

Description: Failure to seal five open-ended lines containing VOCs and HAPs in units A32CPFUPIC and A32CSFUSYM. (Category C10)

Date: 03/31/2009 (750354) CN600356976

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: 04/08/2009 (703324) CN600356976

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)
GP 7(E) PERMIT
GP 7(F) PERMIT
GP 7(G) PERMIT
ST&C 11 PERMIT

Description: Failure to conduct fugitive monitoring on eight (8) components on the K-11 reactor UNIT ID B5010K11 (CATEGORY C1 violation)

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 3E PERMIT
ST&C 11 PERMIT

Description: Failure to conduct fugitive monitoring on one (1) connector on the D-37 Storage Tank UNIT ID B5006ST37, one (1) connector on the D-38 Storage Tank UNIT ID B5006ST38, and one (1) connector on the D-703 Reactor/Agitator UNIT ID B5006D703 (Category C1 violation)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 3E PERMIT
ST&C 11 PERMIT

Description: Failure to seal one open ended line containing volatile organic compounds (CATEGORY C10 violation)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 10G PERMIT
ST&C 12 PERMIT

Description: Failure to conduct fugitive monitoring on one (1) component on the Vent Header for Product Vents UNIT ID B5016RX341(CATEGORY C1 violation).

Date: 04/10/2009 (703330) CN600356976

Self Report? NO Classification: Minor
Citation: 20432, SGR 1E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
O-02213, SC 13 OP
Description: Failure to plug/cap all open ended lines (Category C10).

Self Report? NO Classification: Minor
Citation: 20432, SGR 4 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)(1)
5C THSC Chapter 382 382.085(b)
O-02213, SC 13 OP
Description: Visible emissions from the Tank Farm Flare.

Self Report? NO Classification: Minor
Citation: 20432, SGR 4 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-02213, SC 13 OP
Description: Pilot flame outage on three occasions.

Self Report? NO Classification: Minor
Citation: 20432, SGR 4 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart A 60.18(c)(4)(i)
5C THSC Chapter 382 382.085(b)
O-02213, SC 13 OP
Description: Exceeded maximum allowable flare tip velocity.

Self Report? NO Classification: Minor
Citation: 21596, SC 11F PERMIT
30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02213, SC 1A OP
Description: Failed to conduct LDAR monitoring on a valve and eight connectors in VOC service.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02213, SC 1A OP
Description: Failed to retest a repaired leaking component.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02213, SC 1A OP
Description: Exceeded 24 hour rolling average carbon monoxide 400 ppm limit.

Self Report? NO Classification: Minor
Citation: 21596, SC 8 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart A 60.18(c)(4)(i)
5C THSC Chapter 382 382.085(b)
O-02213, SC 13 OP
Description: Failed to maintain flare inlet heat content at or above 300 BTU/scf.

Self Report? NO Classification: Minor
Citation: 20432, SGR 2E PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)
5C THSC Chapter 382 382.085(b)
O-02213, SC 13 OP

Description: Failure to conduct weekly Audiovisual-olfactory (AVO) monitoring of pump seal and connector in VOC/HAP service.

Self Report? NO Classification: Minor

Citation: 21596, SC 3 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 60.7(c)
5C THSC Chapter 382 382.085(b)
O-02213, SC 13 OP

Description: Failed to submit 40 CFR 60, Subpart NNN report on time

Self Report? NO Classification: Minor

Citation: 20432, SC IV-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 60.7(c)
5C THSC Chapter 382 382.085(b)
O-02213, SC 13 OP

Description: Failed to include CEMS/PEMS downtime report in the site report.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O-02213, SC 20 OP

Description: Failed to comply with the risk management program specified in Federal Operation Permit O-02213, Special Terms and Condition 20.

Date: 06/10/2009 (721172) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.213(b)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failed to update the site wide VOC Loading Control Plan within 30 days as required after a Thermal Oxidizer (TOX) was added to the VOC loading rack

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition No. 13 OP
Special Condition No. 3E PERMIT

Description: Failed to operate the process unit with no 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)
Special Condition No. 14 OP
Special Condition No. 3F PERMIT

Description: Failed to conduct quarterly monitoring of three valves in the B3831 Unit for fugitive emissions

Date: 06/16/2009 (721240) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(1)(A)
5C THSC Chapter 382 382.085(b)
NSR SC 18A PERMIT
NSR SC 4A PERMIT
NSR SC 5A PERMIT
O-02215 General Terms and Conditions OP

O-02215 Special Terms and Conditions 11 OP

Description: Failure to maintain net heating value for the flares B45F1, B27F2, and B27F1. (Category B18)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(1)(A)
5C THSC Chapter 382 382.085(b)
NSR SC 7 PERMIT
O-02215 General Terms and Conditions OP
O-02215 Special Terms and Conditions 11 OP

Description: Failure to conduct monthly cooling tower return water VOC testing for the months of February through June 2008. (Category B1)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)
5C THSC Chapter 382 382.085(b)
NSR SC 11E PERMIT
O-02215 Special Terms and Conditions 1A OP

Description: Failed to monitor 488 connectors at the Poly3 (B27P3FU1) unit during 1/28/2003 through 3/31/2008. (Category B1)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR SC 11F PERMIT
O-02215 Special Terms and Conditions 1A OP

Description: Failed to monitor 77 valves at the Poly3 (B27P3FU1) unit during 1/28/2003 through 3/31/2008. (Category B1)

Date: 06/17/2009 (703327) CN600356976

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP SC 17 OP
SC 13(A)(2) PERMIT
SC 5(F) PERMIT

Description: Failure to monitor 450 fugitive components (Category B1).

Self Report? NO Classification: Minor

Citation:
22072, SC 5(H) PERMIT
2212, FOP SC 17 OP
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to complete repairs on one fugitive component (Category B1).

Date: 07/01/2009 (738610) CN600356976

Self Report? NO Classification: Minor

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 12F PERMIT
Special Term and Condition 16 OP

Description: Failure to promptly retest a repaired component. (CATEGORY C1 VIOLATION)

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 5 PERMIT
Special Term and Condition 16 OP

Description: Failure to stay below the annual ethylbenzene throughput limit at the marine loading dock. (CATEGORY B13 VIOLATION)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
Special Term and Condition 16 OP

Description: Failure to keep the outlet temperature on the refrigeration unit MU7001 below 4 degrees Celsius. (CATEGORY B18 VIOLATION)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.880
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2378(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.996(c)(1)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A OP
Special Term and Condition 1E OP

Description: Failure to operate the pressure swing adsorber within the daily operating parameters. (CATEGORY B18 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 9A OP

Description: Failure to submit notification for new tank construction within 30 days of starting the project. (CATEGORY C3 VIOLATION)

Date: 08/06/2009 (747387) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(2)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1E OP

Description: Failure to conduct daily CEMS audits on EPN B33INS1. (CATEGORY C3 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 24.B.2 PERMIT
Special Terms and Conditions 14 OP

Description: Failure to conduct cylinder gas audits for the CEMS on EPN B8S180 for the period of 02/07/2007 through 12/31/2008. (CATEGORY B3 violation)

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.994(c)(1)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.996(c)(5)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(b)(1)(i)
Special Terms and Conditions 1.G OP

Description: Failure to maintain monitoring data for the liquid to gas (L/G) ratio on EPN B34S1400. (CATEGORY C3 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 27 PERMIT
Special Condition 28 PERMIT
Special Terms and Condition 14 OP

Description: Failure to maintain MSS records relating to EPN B8FU180 during maintenance, startup and shutdown activities. (CATEGORY B3 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)
Special Condition 7 PERMIT
Special Terms and Condition 14 OP

Description: Failure to maintain positive gas flow to EPN B35EWS200. (CATEGORY C4 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 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)
Special Condition 17.E PERMIT
Special Terms and Condition 14 OP
Special Terms and Condition 1A OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
Condition X.B.2.g PERMIT
Special Condition 17.F PERMIT
Special Condition 6.F PERMIT
Special Terms and Condition 14 OP
Special Terms and Condition 1A OP

Description: Failure to monitor valves for the Leak Detection and Repair program. (CATEGORY B1 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-8(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
5C THSC Chapter 382 382.085(b)
Special Terms and Conditions 1(A) OP

Description: Failure to monitor connectors and pressure relief valves for the Leak Detection and Repair program. (CATEGORY B1 violation)

Date: 08/13/2009 (721183) CN600356976

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 11A OP
Special Condition 8 OP

Description: Failure to stay below the required pH level on the Acid Vent Scrubber (D-27) during volatile organic compound (VOC) venting operation. B19 (g) (1)

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 11A OP
Special Condition 6F OP
Special Condition 7F OP

Description: Failure to record 3 quarters of monthly monitoring of 14 components. B19 (g) (4)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to submit all deviations in the deviation report dated September 1, 2007 through February 29, 2008. B3

Date: 08/18/2009 (747034) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(c)
5C THSC Chapter 382 382.085(b)
Special Condition 10 PERMIT

Special Condition 7E PERMIT
Special Condition 7F PERMIT
Special Condition 8 PERMIT
Special Term and Condition 1A OP
Special Term and Condition 7 OP

Description: Failure to monitor fugitive components. (CATEGORY B1 VIOLATION)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 4 PERMIT
Special Term and Condition 7 OP

Description: Failure to install upstream rupture disks on relief valves. (CATEGORY B18 VIOLATION)

Date: 08/18/2009 (737079) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 16A OP
SC 7 PERMIT

Description: Dow failed to conduct weekly testing of the carbon canister.

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)
SC 16A OP
SC 16E PERMIT
SC 1A OP

Description: Dow failed to seal one open ended line. (C10 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)
SC 2F OP

Description: Failure to record four emission events.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 16A OP
SC 18 PERMIT

Description: Dow failed to meet the 100 ppm CO hourly rolling average. (Category B19 (g) (1) violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
SC 15 PERMIT

Description: Dow failed to meet the hourly average temperature. (CATEGORY B19 (g)(1))

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 16A OP
SC 20 PERMIT

Description: Dow failed to maintain the caustic concentration. (CATEGORY B19 (g)(1) violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC 1 PERMIT
SC 16A OP

Description: Dow failed to control CO emission from a furnace. (CATEGORY B19 (g)(1) violation)

Date: 08/19/2009 (747013) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to seal two open ended lines (OELs) or 0.04% out of 4714 potential OELs from June 12, 2008 through September 22, 2008 in Unit ID B23G2FU2 and B70FU1. These lines were in volatile organic compound (VOC) service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: failed to maintain the Btu value of the vent to the flare (Unit Id B70ALF801) on 12/10/2007, 9/19/2008 and 9/24/2008. The incident on 12/19/2007 resulted in unauthorized emissions of 3 lbs VOC; and the incident on 9/19/2008 and 9/24/2008 resulted in unauthorized emissions of 2 lbs of HRVOC and 6 lbs VOC due to loss of flare pilot.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to monitor monthly 0.02% of 28,529 fugitives components (Unit ID B19G1FU1, B19G1FU5, B19G1FU6, B19G1FU7, B19G1FU9, B15G1FU2, B23G2FU2, and B23G2FU8) in the affected area from April 18, 2004 through October 18, 2008.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 18 OP
SC 2F PERMIT

Description: Failure to monitor quarterly 3 valves in VOC service from December 14, 2006 through December 12, 2007.

Self Report? NO Classification: Moderate

Citation: 1A OP
30 TAC Chapter 116, SubChapter G 116.716(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: failed to maintain emission limit for the flare (Unit ID B23F865). An unauthorized emission of 0.09 ton of propylene and 0.76 ton VOC (not including propylene) were released from October 19, 2007 through December 31, 2007.

Date: 08/26/2009 (761298) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
46306 SC.17(A) PERMIT
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct annual RATAs as required by Permit #46306.

Date: 08/31/2009 (767261) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(5)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(d)(1)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(d)(2)
Provision II.A.1., II.C.d. PERMIT

Description: Unauthorized waste streams

Date: 09/03/2009 (759159) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(18)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1061(b)(2)
VI.A.21.a. PERMIT

Description: Failure to provide the notification and perform annual monitoring of valves in light

liquid service.

Date: 10/23/2009 (737253) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
5C THSC Chapter 382 382.085(b)
FOP O-2207, SC 15 ORDER
FOP O-2207, SC 1A ORDER
NSR 20432, SC 2F PERMIT
NSR 20432, SC 2G PERMIT
NSR 3434, SC 6F PERMIT
NSR 3434, SC 6G PERMIT

Description: Failure to monitor fugitive components from April 18, 2004 - April 18, 2008. (CATEGORY B19g1 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-2207, SC 15 ORDER
NSR 20432, SC 2E PERMIT

Description: Failed to seal open-ended lines containing volatile organic compounds. (CATEGORY C10 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-2207, SC 15 ORDER
NSR 28363, SC 12 PERMIT
NSR 28363, SC 8 PERMIT

Description: Failure to operate the Thermal Oxidizer at 99.9% destruction efficiency. (CATEGORY B19g1 violation)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-2207, SC 15 ORDER
NSR 28363, SC 15E PERMIT

Description: Failure to submit the final sampling report within forty-five (45) days after sampling was completed. (CATEGORY C3 violation)

Date: 11/20/2009 (778896) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Permit #43603, S.C. 17(a) PERMIT

Description: Boiler 91 (EPN:B56SB1) did not pass Relative Accuracy requirements for the NOx analyzer.

Date: 12/02/2009 (778760) CN600356976

Self Report? NO Classification: Minor

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

Description: Dow failed to submit a Final Report in Steers within 14 days of the end of the emissions event.

Date: 12/11/2009 (781124) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
5C THSC Chapter 382 382.085(b)
NSR 770 OP

Description: Failure to conduct fugitive monitoring on valves.

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)

Description: Failure to timely report deviations within their respective reporting period.

Date: 03/24/2010 (781130) CN600356976

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 6A PERMIT
ST & C 17 PERMIT
ST & C 1A PERMIT

Description: Failure to monitor one fugitive emission connector in VOC service between May 28, 2008 and June 23, 2009. (Category C1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
5C THSC Chapter 382 382.085(b)
ST & C 17 OP

Description: Failure to perform a timely first attempt repair of a fugitive component (EPN BSRFUSTV). (Category C1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
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 61.242-7(a)
5C THSC Chapter 382 382.085(b)
SC 5F PERMIT
ST & C 17 OP
ST&C 1A OP

Description: Failure to monitor 211 valves in their LDAR program in units BSRSRFUSTV, BSRSRFUDOW AND BSRSRFUBRK, from July 7, 2008 through September 30, 2008. (Category C1 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 6A PERMIT
ST&C 17 OP
ST&C 1A OP

Description: Failure to monitor 865 connectors in the fugitive monitoring program in units BSRSRFUSTV, BSRSRFUDOW AND BSRSRFUBRK, from July 7, 2008 through September 30, 2008. (CATEGORY C1 VIOLATION)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)
5C THSC Chapter 382 382.085(b)
ST&C 17 OP
ST&C 1A OP

Description: Failure to monitor 2 pressure relief valves in units BSRSRFUSTV, BSRSRFUDOW AND BSRSRFUBRK, from July 7, 2008 through September 30, 2008. (Category C1 violation)

Self Report? NO Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT ZZZZ 63.6600(a)
5C THSC Chapter 382 382.085(b)
ST&C 13C OP
ST&C 17 OP

ST&C 1A OP

Description: Failure to maintain the pressure drop across the catalyst in unit BSRGE14 within the allowable limits. (Category C1 VIOLATION)

Date: 04/05/2010 (789344) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Dow failed to prevent unauthorized emissions. Dow failed to submit an Initial Notification in Steers within 24 hours of the discovery of the emissions event (Incident No. 133636).

Date: 04/20/2010 (784861) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)(ii)
5C THSC Chapter 382 382.085(b)
FOP O-02219 STC 1A OP
NSR 20775 SC 3(F) PERMIT
NSR 20775 STC 1A PERMIT

Description: failure to monitor LDAR components on a quarterly basis (Category C1 Violation)

Date: 04/28/2010 (790223) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC(1) PERMIT
ST&C(16) OP

Description: Failure to prevent MAERT exceedance for EPN B44S100 and A36MDH621 (Category B19(g)(1) violation).

Self Report? NO Classification: Minor

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

Description: Failure to conduct opacity observations during the third quarter of 2008 (Category B1 violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC(8) PERMIT
ST&C(16) OP

Description: Failure to maintain a hourly average firebox temperature on the TOX unit (EPN B44S200) above the permitted minimum limit of 840 degrees Celsius (Category B19(g)(1) violation).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
5C THSC Chapter 382 382.085(b)
SC16(E) PERMIT
ST&C(1)(A) OP
ST&C(16) OP

Description: Failure to prevent open-ended lines (Category C10 violation).

Self Report? NO Classification: Moderate

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

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC(11) PERMIT
ST&C(16) OP

Description: Failure to maintain the maximum hourly vent flow rate to the Thermal Treatment Unit (TTU) in accordance with permitted limits (Category B19(g)(1) violation).

Date: 05/07/2010 (792699) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.211(c)
5C THSC Chapter 382 382.085(b)

Description: Dow failed to report within 14 days of the end of an air shutdown.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(1)(E)
5C THSC Chapter 382 382.085(b)

Description: Dow failed to include the FIN or common name of the portable flare in the final report.

Date: 05/12/2010 (795204) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Effluent Limits & Monit. Reqmnt. No. 1. OP

Description: Failure to maintain compliance with the permit effluent limits for total suspended solids at outfall 202.

Date: 06/10/2010 (784758) CN600356976

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)
Special Condition 1F OP

Description: Failure to collect samples manually during extended HRVOC data collection system outage for units B27F1 flare and B45F1 flare on July 30 & 31 (Category B1 Violation).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 11 OP
Special Condition 1A OP
Special Condition 7E PERMIT

Description: Failure to equip three open-ended lines with a cap, blind flange, plug or a second valve to seal the line so that no leak occurs on May 15, 2009 to July 12, 2009. Immediate steps were taken to cap the open ended lines (Category C10 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 10 PERMIT
Special Condition 11 OP
Special Condition 12 PERMIT
Special Condition 14 PERMIT

Description: Failure to monitor fugitive components in VOC service annually for connectors unit B41P4FU1 on from January 28, 2003 to March 31, 2009. This constitutes a violation of NSR Permit 834, SC14 (Category B1 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)
Special Condition 1F OP

Description: Failure to comply with the established HRVOC operating parameter limits for units

B41SP2 blender, B41V2A/B check hopper and B41SB8 blender when the production rate of on Train 2 was exceeded by 593 lbs for one hour on January 14, 2009. This constitutes a violation of 30 TAC 115.725(a)(2)(D) (Category B1 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to monitor fugitive components in VOC service quarterly for 2 pressure relief valves in unit B77APFU1 from January 28, 2003 to March 31, 2009 (Category B1 Violation).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 11 OP
Special Condition 1A OP
Special Condition 7F PERMIT
Special Condition 8F PERMIT

Description: Failure to monitor fugitive components in VOC service quarterly for 36 valves in unit B77APFU1 from January 28, 2003 to March 31, 2009. This constitutes a violation of NSR Permit 8567, SC7F and 30 TAC 115.354(2)(C), (Category B1 Violation).

Date: 06/17/2010 (794178) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
SC(5) PERMIT
ST&C (1)(A) OP
ST&C (16) OP

Description: Failure to maintain a continuous pilot flame (Category C4).

Date: 06/17/2010 (798009) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)
5C THSC Chapter 382 382.085(b)
ST&C(1)(A) OP

Description: Failure to conduct quarterly monitoring (Category B1 violation)

Date: 06/18/2010 (803089) CN600356976

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)

Description: Failure to submit the devaition report dated November 17, 2009, within the required 30 day time period.

Date: 06/28/2010 (794062) CN600356976

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 03005 Special Term and Condition 8 OP
NSR Permit 75751 SC7 PERMIT
NSR Permit 75751 SC9A PERMIT

Description: Failure to conduct quarterly monitoring for 168 connectors out of 329

components. Category B1

Date: 07/22/2010 (794057) CN600356976

Self Report? NO 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)
FOP O-02208 General Terms and Conditions OP

Description: Failure to report all deviations in the first semi-annual deviation report dated October19, 2008-March 31, 2009. Category B3

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)
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 60.482-4(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.165(a)
5C THSC Chapter 382 382.085(b)
FOP O-02208 SC 18A OP
FOP O-02208 SC 1A OP
NSR 20432 GC 2F PERMIT
NSR 20432 SC I-3 (C) PERMIT
NSR 20432 SC I-5 PERMIT

Description: Failure to monitor the relief valves on process vents (B19FU6). Category B19 (g) (1)

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)
FOP O-02208 SC 1M (iii) OP

Description: Failure to collect grab samples on flares B70ALF1, B70ALF801, and B23G2F865. Category B19 (g) (1)

Self Report? NO Classification: Moderate

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

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)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.702(b)
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139(c)(3)
5C THSC Chapter 382 382.085(b)
FOP O-02208 SC 18A OP
FOP O-02208 SC 1A OP
NSR 20432 GC 4 PERMIT
NSR 20432 SC I-16A PERMIT
NSR 20432 SC I-16B PERMIT

Description: Failure to maintain a lit pilot on flare B70ALF801. Category B19 (g) (1)

Date: 08/12/2010 (803145) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 68, SubChapter C, PT 68, SubPT G 68.168
5C THSC Chapter 382 382.085(b)
FOP ST&C 16 OP

Description: Failed to submit the five (5) year Risk Management Plan (RMP) accident history reports within the required six (6) month period from May 16, 2007 to June 26, 2009. [Category B3 violation]

Date: 08/24/2010 (803091) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)

5C THSC Chapter 382 382.085(b)
Special Term and Condition 5 OP

Description: Failure to conduct monthly fugitive emission monitoring for a pump during the months of November 2009 and December 2009. (Category C1 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 19I PERMIT
Special Term and Condition 9 OP

Description: Failure to conduct annual fugitive emission monitoring for a valve for 2008 and 2009. (Category C1 violation)

Date: 08/25/2010 (841818) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(15)
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)
PROVISION V.I.7.c. PERMIT

Description: Failure to perform a quarterly calibration error test during the second quarter (April 1 - June 30) of 2009.

Date: 08/30/2010 (767572) CN600356976

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)
General Terms and Conditions OP

Description: Failure to submit the deviation report within the time frame (B3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)
30 TAC Chapter 122, SubChapter B 122.132(e)(3)
5C THSC Chapter 382 382.085(b)

Description: Failure to include NSPS Subpart D information in the permit application (C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to include a deviation in the deviation report (C3)

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 Conditions 1 and 7A PERMIT
Special Term and Condition 12A OP

Description: Failure to limit NOx emissions from Boiler FB-92 (B18)

Date: 08/31/2010 (841819) CN600356976

Self Report? NO Classification: Moderate

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

Description: Failure to have a permit or interim status to store hazardous waste on-site for more than 90 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174

Description: Failure to have records indicating inspections were conducted for on-site hazardous waste containers.

Date: 08/31/2010 (803096) CN600356976

Self Report? NO Classification: Moderate

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

SC(17) PERMIT
ST&C (12) OP

Description: Failure to take corrective action on July 9, 2009, July 10, 2009 and July 10, 2009 when averaged stripping tower T-444 had a VOC concentration of greater than 10 ppm (Category B13).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C (1)(A) OP

Description: Failure to monitor Difficult to Monitor Component Tag # 415729 in 2008 (Category C1).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C (5)(A)(iii) OP

Description: Failure to conduct inspections during VOC loading on the following dates: March 4, 2009, March 5, 2009, and March 6, 2009 (Category C1).

Self Report? NO Classification: Moderate

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

Description: Failure to conduct visible emission observations for one emergency generator and two pumps (EPNs OC1GE12, OC1GE500, and A70GE503) between February 28, 2005 and March 31, 2009 (Category B1).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.213(b)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC(10) PERMIT
ST&C (1)(A) OP

Description: Failure to notify the TCEQ within 30 days of using an alternate control method during loading operations on April 24, 2009 (Category B3).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
SC (8)(F) PERMIT
ST&C (1)(A) OP
ST&C (12) OP

Description: Failure to monitor 103 components quarterly from February 28, 2005 through June 30, 2009 (Category B18).

Self Report? NO Classification: Minor

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

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
5C THSC Chapter 382 382.085(b)
ST&C (1)(A) OP

Description: Failure to monitor pump (EPN A70ECFU3) monthly for July 2009 and August 2009 (Category C1).

Self Report? NO Classification: Minor

Citation: 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)
SC (3) PERMIT
ST&C 12 OP

Description: Failure to operate flare (EPN OC6F1018) with a flame present at all times on March 18, 2009, August 16, 2009, and August 23, 2009 (Category B18).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain a record of the expected volatile organic compound emissions if the process unit is shut down for repair of components or other equipment (Category C3).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.345(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C (1)(A) OP
Description: Failure to maintain startup and shutdown records that include type of fuel burned, quantity of each type of fuel burned, and the date, time, and duration of the procedure (Category C3).

Date: 10/15/2010 (843113) CN600356976
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: Dow failed to prevent unauthorized emissions during an emissions event Incident No.142568.

Date: 11/05/2010 (870457) CN600356976
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC(17) PERMIT
ST&C (12) OP
Description: Failure to take corrective action on July 9, 2009, July 10, 2009 and July 10, 2009 when averaged stripping tower T-444 had a VOC concentration of greater than 10 ppm (Category B13).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C (1)(A) OP
Description: Failure to monitor Difficult to Monitor Component Tag # 415729 in 2008 (Category C1).
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Description: Failure to maintain a record of the expected volatile organic compound emissions if the process unit is shut down for repair of components or other equipment (Category C3).
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.345(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C (1)(A) OP
Description: Failure to maintain startup and shutdown records that include type of fuel burned, quantity of each type of fuel burned, and the date, time, and duration of the procedure (Category C3).

Date: 11/19/2010 (857948)
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 Db 60.48b(e)
5C THSC Chapter 382 382.085(b)
Special Condition 15 OP
Special Condition 21 B (1) PERMIT
Description: Failure to conduct an annual RATA in 2006, 2007 and 2008. B-1

Date: 11/23/2010 (866448) CN600356976
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
5C THSC Chapter 382 382.085(b)
FOP O-02208 Special Term & Condition 1A OP
NSR Permit 20432 SC 1F PERMIT
NSR Permit 20432 SC 1N PERMIT
NSR Permit 20432 SC 2I PERMIT

Description: Failure to conduct fugitive monitoring on components. Category C1

Date: 12/17/2010 (864696) CN600356976

Self Report? NO Classification: Moderate

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

Description: Dow failed to keep the emissions capture equipment and abatement equipment in operation when emissions were routed to it during Incident No. 144439.

Self Report? NO 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)
SC 5(B) PERMIT

Description: Dow failed to operate the flare with the flame present at all times during Incident No. 144439.

Self Report? NO Classification: Minor

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

Description: Dow failed to report the agency-established facility identification number of the facilities that experienced the emissions event during Incident No. 144439.

Date: 12/31/2010 (902329) CN600356976

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: 01/21/2011 (877751) CN600356976

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 THSC Chapter 382 382.085(b)
ST&C 1A OP

Description: Failure to record daily flare observations of the flare (EPN: B27P3F1) on: November 12, 2009, January 1, 2010, January 26, 2010, and February 25, 2010. [Category C3]

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)
SC 11.E. PERMIT
SC 13.E. PERMIT
ST&C 1.A. OP

ST&C 11 OP

Description: Failure to monitor four components in fugitive service. [Category C4]

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
5C THSC Chapter 382 382.085(b)

SC 11F PERMIT
ST&C 1.A. OP
ST&C 11 OP

Description: Failure to monitor three components in fugitive service. [Category C1]

Date: 02/28/2011 (916366) CN600356976

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: 02/28/2011 (877635) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Term and Condition 12 OP

Description: Failure to comply with the maximum allowable emission rate limit of total volatile organic compounds (VOC) for the Polypropylene Flare (EPN: OC4F600). During the calendar year of 2009, the total VOC maximum allowable emission rate of 1.37 tons per year was exceeded by 0.7909 tons per year. (Category B13)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Term and Condition 12 OP

Description: Failure to comply with the maximum allowable emission rate limit of volatile organic compounds (VOC) for the Polypropylene Flare (EPN: OC4F600). The VOC hourly permit limit of 3.90 lb/hr was exceeded on October 13, 2009 at 12:00 p.m. to 1:00 p.m. by 0.43 lbs/hr. (Category B13)

Date: 03/01/2011 (877980) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02206 Special Term & Condition 12 OP

Description: Failure to maintain periodic monitoring records. (CATEGORY C3 Violation)

Date: 03/04/2011 (887741) CN600356976

Self Report? NO Classification: Moderate

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

Description: Dow failed to prevent unauthorized emissions during Incident No. 147918. Dow failed to prevent the flaring of off-spec ethylene, when the hydrogen feed to the acetylene reactors changed due to a drop in hydrogen purity.

Date: 03/09/2011 (897488) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
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 60, SubChapter C, PT 60, SubPT QQQ 60.702(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139(c)(3)
5C THSC Chapter 382 382.085(b)
FOP O-02208 SC 18A OP

FOP O-02208 SC 1A OP
NSR 20432 GC 4 PERMIT
NSR 20432 SC I-16A PERMIT
NSR 20432 SC I-5 PERMIT

Description: Failure to maintain the net heating value on the flares B70ALF1 and B70ALF801. Category B19 (g) (1)

Date: 06/27/2011 (858041) CN600356976

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter H 115.722(d)
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)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.702(b)
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)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139(c)(3)
5C THSC Chapter 382 382.085(b)
FOP O-02213 SC 13 OP
FOP O-02213 SC 1A OP

Description: Failure to maintain the flare pilot/flame at all times. [Category B19 (g)(1)]

Self Report? NO Classification: Moderate

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)
FOP O-02213 SC 1A OP

Description: Failure to stay below the permitted limit for carbon monoxide. [Category C1]

Self Report? NO Classification: Minor

Citation:
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 63, SubChapter C, PT 63, SubPT UU 63.1024(a)
5C THSC Chapter 382 382.085(b)
FOP O-02213 SC 13 OP
FOP O-02213 SC 1A OP
NSR 20432 SC GR 1E PERMIT

Description: Failure to monitor components. [Category C1]

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 117, SubChapter B 117.345(f)(10)(D)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP O-02213 SC 13 OP
FOP O-02213 SC 1A OP
NSR 20432 SC III-24-F PERMIT

Description: Failure to record monthly hours of operation. [Category C1]

Self Report? NO Classification: Moderate

Citation:
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
FOP O-02213 SC 13 OP
FOP O-02213 SC 1A OP
NSR 20432 SC GR 1E PERMIT

Description: Failure to plug/cap open-ended lines containing VOCs. [Category C10]

Date: 07/25/2011 (922533) CN600356976

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 EEEE 63.2346(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)

FOP #O-2218, ST&C 1A and 7 OP
NSR Permit #35022, Special Condition 7E PERMIT

Description: Failure to seal open-ended lines containing volatile organic compounds (VOCs)

(CATEGORY C10).

Date: 08/02/2011 (936644) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Term & Condition 14 OP

Description: Failure to prevent unauthorized emissions.

Date: 08/05/2011 (914055) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174

Description: Failure to have records indicating inspections were conducted for the containers on-site during several weeks between January 1, 2009 through April 30, 2011.

Date: 08/22/2011 (900010) CN600356976

Self Report? NO Classification: Minor

Citation: SC 2E PERMIT
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
ST&C No. 17 OP

Description: Failure to equip one open-ended line (OEL) in HAP services with a cap, plug, flange or second valve in the in the Fugitives, Novolac/Epoxidation Area (EPN B39SNFU1) on November 13, 2009. This is a category C10 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)
Special Condition I-28 B2 PERMIT
Special Term & Condition No. 17 OP

Description: Failure to complete daily calibration of CEMS analyzer at the B62CB1 unit form June 09, 2010 through June 29, 2010. This is a category C1 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 1 PERMIT
Special Term and Condition (ST&C) 17 OP

Description: Failure to comply with submerged fill drumming requirements at the B52DL1 unit form from April 01, 2010 through August 15, 2010. This is a category B1 violation

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC I-9 B PERMIT
ST&C No. 17 OP

Description: Failure to maintain scrubber DRE (99%) requirement at the B52SV700 unit on April 21, 2010. This is a category B1 violation.

Date: 08/23/2011 (943190) CN600356976

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 Term & Condition 9 OP

Description: Failure to prevent unauthorized emissions, Dow failed to install the correct rupture disc in Tower T-242.

Date: 08/26/2011 (949076)

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 Term & Condition 16 OP

Description: Failure to prevent unauthorized emissions, Dow failed to prevent excess flaring while repairing a leak in the Crude Butadiene line.

Date: 08/30/2011 (922713) CN600356976

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
SC 7A PERMIT
ST&C 1 and 9 OP

Description: Failure to meet the minimum net heating value of 200 Btu/scf for the Flare FS-1 (A26VEF1)

Date: 08/31/2011 (877736) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term and Condition 1A PERMIT

Description: Failure to prevent OEL on February 2, 2010. [Category C10]

Date: 09/02/2011 (951234)

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 Term & Condition 14 OP

Description: Dow failed to notify the TCEQ Region 12 Office of a reportable emissions event within 24 hours of its discovery.

Self Report? NO Classification: Minor

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

Description: Dow failed to notify the TCEQ Houston Region Office of the emissions event within 24 hours of its discovery.

Date: 10/28/2011 (952189) CN600356976

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Term & Condition 21 OP

Description: Failure to prevent unauthorized emissions.

F. Environmental audits.

06/13/2006
(484536)

Notice of Intent Date:
Disclosure Date: 05/14/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)
Rqmt Prov: PERMIT NSR permit 20432

Description: Failure to monitor components
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components on EIQ reports

06/20/2006
(486601)

Notice of Intent Date:
Disclosure Date: 12/21/2006
Viol. Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter K 106.261
30 TAC Chapter 106, SubChapter K 106.262

30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(3)
30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 115, SubChapter H 115.789(1)
Rqmt Prov: PERMIT NSR permit 20775

Description: Failure to monitor components
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components on EIQ submittals
Viol. Classification: Minor
Rqmt Prov: PERMIT Title V Operating Permit O-02219

Description: Failure to include missed monitored components on Title V deviation report

06/26/2006
(488476)

Notice of Intent Date:
Disclosure Date: 12/27/2006
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(1)
Rqmt Prov: PERMIT NSR 19041

Description: Failure to monitor 3126 valves, 10975 connectors, 8 relief devices, 12 pumps.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emission calculations reporting.
Viol. Classification: Moderate

Rqmt Prov: PERMIT O-2204

Description: Failure to include missed monitored components in previous Title V deviation reports.

10/24/2006

(461404)

Notice of Intent Date:

Disclosure Date: 04/25/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to monitor valves, connectors, relief devices and pumps.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include emissions of missed monitored components in emission calculation reporting.

Viol. Classification: Moderate

Citation: 1 THC Chapter 1 1.001(a)

Rqmt Prov: PERMIT Title V Permit O-2207

Description: Failure to include missed monitored components in Title V deviation reports.

12/13/2006

(536545)

Notice of Intent Date:

Disclosure Date: 06/13/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

Rqmt Prov: PERMIT Permit 20777

Description: Failure to monitor components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ submittals.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V Operating Permit O-02218

Description: Failure to include missed monitored components in the Title V deviation report.

12/13/2006

(536549)

Notice of Intent Date:

Disclosure Date: 06/13/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

Rqmt Prov: PERMIT Title V Operating Permit O-02221

Description: Failure to monitor components

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor

Citation: 1 THC Chapter 1 1.001(a)

Rqmt Prov: PERMIT Title V O-02221

Description: Failure to include missed monitored components in Title V deviation report

12/27/2006
(537891)

Notice of Intent Date:
Disclosure Date: 06/26/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)
Rqmt Prov: PERMIT NSR permit 4031

Description: Failure to monitor components
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include components in EIQ report submittals
Viol. Classification: Minor
Citation: 1 THC Chapter 1 1.001(a)
Rqmt Prov: PERMIT Title V Operating Permit O-02203

Description: Failure to include missed monitored components on Title V deviation report

01/09/2007
(541786)

Notice of Intent Date:
Disclosure Date: 07/11/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
Rqmt Prov: PERMIT NSR Permit 20432

Description: Failure to monitor components under a prescribed LDAR program.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10(a)

Description: Failure to include missed monitored components in Emissions Inventory
Viol. Classification: Minor
Rqmt Prov: PERMIT Title V O-02207

Description: Failure to include missed monitored components in Title V deviation reports.

01/12/2007
(554256)

Notice of Intent Date:

No DOV Associated

01/19/2007
(541798)

Notice of Intent Date:
Disclosure Date: 07/12/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)

Rqmt Prov: PERMIT NSR permit 48715

Description: Failure to, under a prescribed LDAR program, monitor 462 valves, 2873 connectors, 1 pump, 5 relief

valves.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQs.

Viol. Classification: Minor
Rqmt Prov: PERMIT Title V O-02204

Description: Failure to include missed monitored components in Title V deviation report.

01/19/2007
(541800)

Notice of Intent Date:
Disclosure Date: 07/13/2007

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR 3320

Description: Failure to monitor components under a prescribe LDAR program.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor
Rqmt Prov: PERMIT Title V O-02209

Description: Failure to include missed monitored components on Title V deviation report.

01/25/2007
(541805)

Notice of Intent Date:
Disclosure Date: 07/30/2007

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

Description: Failure to monitor components.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor
Rqmt Prov: PERMIT Title V O-02211

Description: Failure to include missed monitored components onTitle V deviation report.

01/25/2007
(541810)

Notice of Intent Date:
Disclosure Date: 07/25/2007

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(f)
30 TAC Chapter 115, SubChapter H 115.789(1)

Description: Failure to monitor components under a prescribed LDAR program.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor
Rqmt Prov: PERMIT Title V O-02311

Description: Failure to include missed monitored components on Title V deviation report.

02/13/2007
(542642)

Notice of Intent Date:
Disclosure Date: 07/30/2007
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1362(c)(6)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)

Description: Failure to monitor components under a prescribe LDAR program.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components EIQ.
Viol. Classification: Minor
Rqmt Prov: PERMIT Title V O-02205

Description: Failure to include missed monitored components on Title V deviation report.

02/12/2007
(542650)

Notice of Intent Date:
Disclosure Date: 07/14/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
Rqmt Prov: PERMIT NSR 2008

Description: Failure to monitor components under a prescribed LDAR program.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in Emissions Inventory.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10
Rqmt Prov: PERMIT O-02216

Description: Failure to include missed monitored components in Title V deviation report.

02/26/2007
(554272)

Notice of Intent Date:
Disclosure Date: 08/23/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
Rqmt Prov: PERMIT NSR 4031

Description: Failure to monitor all valves, connectors, pumps, relief valves under a prescribed leak detection and repair program.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to report missed monitored components in emissions calculations.
Viol. Classification: Minor
Rqmt Prov: PERMIT O-02203

Description: Failure to include missed monitored components on Title V deviation report.

02/26/2007
(554275)

Notice of Intent Date:
Disclosure Date: 08/24/2007
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions calculations.

Viol. Classification: Minor
Citation: 2E THSC Chapter 101, SubChapter B 101.001
Rqmt Prov: PERMIT O-02204

Description: Failure to included missed monitored components on a Title V deviation report.

02/26/2007
(554300)

Notice of Intent Date:
Disclosure Date: 08/23/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(2)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1035
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)
Rqmt Prov: PERMIT NSR 18561

Description: Failure to monitor all valves, connectors and a pump under a prescribed Leak Detection and Repair program.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to report missed monitored components in emissions calculations.

Viol. Classification: Minor
Rqmt Prov: PERMIT O-02203

Description: Failure to include missed monitored components on Title V deviation reports.

04/02/2007
(557536)

Notice of Intent Date:
Disclosure Date: 10/11/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)
30 TAC Chapter 115, SubChapter D 115.352(1)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1026(b)(2)(iii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1035
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346
Rqmt Prov: PERMIT NSR Permit 18950
PERMIT NSR Permit 19720
PERMIT NSR Permit 19792
PERMIT NSR Permit 22070
PERMIT NSR Permit 22071
PERMIT NSR Permit 48892

Description: Failure to monitor several components in the Marine and Terminal Operations.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to included missed monitored components in EIQ.

Viol. Classification: Minor
Citation: 1 THC Chapter 1 1.001(a)

Rqmt Prov: PERMIT Title V Permit O-02217

Description: Failure to include missed monitored components on Title V Deviation Report.

04/02/2007

(557539)

Notice of Intent Date:

Disclosure Date: 07/25/2007

Viol. Classification: Moderate

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

30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

40 CFR Part 63, Subpart H 63.173

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR 7531

Description: Failure to monitor all valves, connectors, relief valves, pumps and agitator.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to report missed monitored components in emissions calculations.

Viol. Classification: Minor

Rqmt Prov: PERMIT O-02210

Description: Failure to include missed monitored components in Title V deviation report.

04/02/2007

(557547)

Notice of Intent Date:

Disclosure Date: 10/11/2007

Viol. Classification: Moderate

Citation: 1 THC Chapter 1 1.001(a)

30 TAC Chapter 115, SubChapter B 115.132(a)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(c)

Description: Failure to monitor components in B-52 Epoxy.

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in EIQ.

Viol. Classification: Minor

Rqmt Prov: PERMIT Title V Operating Permit O-02207

Description: Failure to include missed monitored components in Title V report.

04/18/2007

(558622)

Notice of Intent Date:

No DOV Associated

04/16/2007

(558628)

Notice of Intent Date:

Disclosure Date: 11/04/2007

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1035(b)

Rqmt Prov: PERMIT NSR 1472

Description: Failure to monitor specific components.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components on emissions inventory report.

Viol. Classification: Minor
Rqmt Prov: PERMIT O-2220

Description: Failure to include missed monitored components on emissions inventory report.

04/19/2007
(558643)

Notice of Intent Date:

No DOV Associated

04/19/2007
(558652)

Notice of Intent Date:
Disclosure Date: 04/24/2008

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1035(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to monitor 49 valves, 186 connectors and 1 pump under a prescribed LDAR program.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to report missed monitored components in emissions calculations.

Viol. Classification: Minor
Rqmt Prov: PERMIT Title V Permit O-02211

Description: Failure to include missed monitored components in Title V deviation report.

04/20/2007
(558658)

Notice of Intent Date:
Disclosure Date: 11/16/2007

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)(1)

Description: Failure to monitor specific components.

Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include missed monitored components in emissions inventory report.

Viol. Classification: Minor
Rqmt Prov: PERMIT O-2213

Description: Failure to include missed monitored components on Title V deviation report.

04/18/2007
(558712)

Notice of Intent Date:
Disclosure Date: 04/24/2008

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1062(b)(3)
40 CFR Part 60, Subpart VV 60.482-8
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.243-2(b)(3)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(e)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)

Description: Failure to monitor 110 valves and 567 connectors under a prescribed LDAR program.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to report emission calculations for missed monitored components.
Viol. Classification: Minor
Rqmt Prov: PERMIT Title V Permit O-02211

Description: Failure to include missed monitored components in Title V deviation reports.

04/20/2007
(558725)
Notice of Intent Date:
Disclosure Date: 11/16/2007
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(2)(D)
30 TAC Chapter 115, SubChapter H 115.781(b)
30 TAC Chapter 115, SubChapter H 115.781(b)(8)
30 TAC Chapter 115, SubChapter H 115.781(f)

Description: Failure to monitor specific components under a prescribed Leak Detection and Repair Program.
Viol. Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to report emission calculations for missed monitored components.
Viol. Classification: Minor
Rqmt Prov: PERMIT O-2213

Description: Failure to include missed monitored components in Title V deviation report.

04/18/2007
(558733)
Notice of Intent Date:
Disclosure Date: 04/24/2008
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Part 60, Subpart VV 60.482-8
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)
Rqmt Prov: PERMIT NSR 46428

Description: Failure to monitor 42 valves and 291 connectors under a prescribed LDAR program.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to report emissions calculations for missed monitored components.
Viol. Classification: Minor
Rqmt Prov: PERMIT Title V Permit O-02211

Description: Failure to include missed monitored components in Title V deviation report.

05/14/2007
(564251)
Notice of Intent Date:

No DOV Associated

10/02/2007
(598845)

Notice of Intent Date:

No DOV Associated

10/25/2007
(600864)

Notice of Intent Date:
Disclosure Date: 02/27/2009
Viol. Classification: Moderate
Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: Failure to maintain a service schedule for the calibration of the thermocouples, pressure sensors, and flow sensors on the F-210.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)

Description: The system response for periods of failure of the data historian is inadequate as shown by gaps in the operating records, for F-210 and FTB-603, for periods of time when the primary data historian is not functioning.

Viol. Classification: Minor
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)

Description: Inspection of the weekly AWFCO records from May 2008 through September 2008 for F-210 indicates that some weekly inspections exceeded seven days.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(iii)

Description: Lack of Hazardous Organic NESHAP (HON) Start-up, Shutdown and Malfuntion Plan (SSMP) records.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(g)

Description: B70F1 glare (FS-101) can receive halogenated vent streams and is incorrectly listed as a HON control device in the Notification of Compliance Status submitted 09/10/1997.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(C)(ii)
Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: Ash feed rate is not being monitored or recorded for FTB-603 and F-210.

Viol. Classification: Minor
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)

Description: Data for total chloride/chlorine feed rate is not being transferred to the historical data server for long term storage.

Viol. Classification: Minor
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

Description: One minute averages for some parameters are not being recorded int he BIF data files as per the parameters listed in Table V.I.2. of the RCRA permit for FTB-603.

Viol. Classification: Minor
Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: The daily inspection forms for F-210 and FTB-603 do not have an entry for inspecting for "External corrosion that may affect integrity".

Viol. Classification: Moderate
Rqmt Prov: PERMIT IHW 50106

Description: Several of the FTB-603 AWFCO parameters are not included, such as scrubber L/G, scrubber pH, scrubber blowdown, etc., in the annual AWFCO function test. Two BIF prameters (combustion chamber temperature and combustion air flow) are included but are tested on a two year frequency instead of annual.

Viol. Classification: Minor
Rqmt Prov: PERMIT Flexible Air Permit 20432
PERMIT IHW Storage Permit 50161

Description: Records for the 4Q07, calibration error (CE) test, and the 1Q07, 2Q07, 3Q07 quarterly CGA test for FTB-603 could not be located. Records for the 1Q06 and 2Q07, calibration erro (CE) tests and the 1Q07, 2Q07, 3Q07, 1Q08, 2Q08, 3Q08 quarterly CGA tests for F-210 could not be located.

Viol. Classification: Moderate
Citation: 2E THSC Chapter 101, SubChapter B 101.001

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: Loss of the fan on FTB-603 is not included in the AWFCO tests.

Viol. Classification: Moderate
Rqmt Prov: PERMIT Flexible Permit 20432

Description: Failure to fully complete all stack testing at FTB-603 and F-210.

Viol. Classification: Moderate
Rqmt Prov: PERMIT Flexible Permit 20432

Description: Lack of historical data recording individual flow rate data for each waste stream feeding F-210 and FTB-603.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: For FTB-603 and F-210, hazardous waste feed rate is incorrectly recorded in units of thousand of pounds per day. Primary stack flow is incorrectly recorded in Standard Cubic Feet per Minute. Total chloride/chlorine feed rate is incorrectly recorded in thousands of pounds per day. Metals feed rates (As, Be, Cd, Cr, Sb, Ba, Pb, Hg, Ni, Se, Ag, Tl, and Zn) are incorrectly recorded in grams/year.

Viol. Classification: Moderate
Rqmt Prov: PERMIT New Source Review Permit 20432

Description: Missing TTU outage records for FTB-603 and F-210.

Viol. Classification: Minor
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(e)

Description: Since the Notification of Compliance Status was submitted 09/10/1997, the document has incorrectly listed the minimum firebox temperature for FTB-603.

Viol. Classification: Minor
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

Description: Recordkeeping for some BIF parameters includes the snapshot data instead of the one-minute average data.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: The hourly rolling average data for % Oxygen is not recorded.

Viol. Classification: Moderate
Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: No recordkeeping of soot-blowing events as required in IHW permit with monitoring basis of "event".

Viol. Classification: Moderate
Rqmt Prov: PERMIT IHW Storage 50161

Description: The AWFCO for low combustion air flow is not tested weekly as required.

Viol. Classification: Moderate
Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: The AWFCO for maximum combustion chamber temperature is set at 2183 degree F, but the permit limit is 2182 degrees F.

Viol. Classification: Minor
Rqmt Prov: PERMIT IHW permit 50161

Description: The daily inspection form does not include documentation of inspection for "external corrosion that may affect integrity" as required in the IHW permit.

Viol. Classification: Moderate
Rqmt Prov: PERMIT New Source Review Permit 3434

Description: Review of data from 08/18/2006 to 03/31/2008 showed four instances when the total light oil feed rate to the boilers exceeded the air permit representation used in the emissions calculations.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: No AWFCO in place for maximum cobustion air flow as required in the IHW permit.

10/25/2007
(600866)

Notice of Intent Date:

No DOV Associated

04/29/2008
(681813)

Notice of Intent Date:

No DOV Associated

07/02/2008
(114194)

Notice of Intent Date:

No DOV Associated

09/02/2008
(706228)

Notice of Intent Date:
Disclosure Date: 04/03/2009

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125
Rqmt Prov: PERMIT RCRA Permit HW-50161-001

Description: Failure to maintain sufficient documentation demonstrating that personnel responsible for ensuring compliance with the RCRA permit are familiar with the location and content of the RCRA permit.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.37(a)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.37(b)

Description: Failure to maintain sufficient documentation that confirms arrangements with local authorities (police and hospital) is in place as appropriate for the type of waste handled at the Dow facility in Freeport, Texas.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125
Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that annual certification of wastes meeting Land Disposal Requirements are kept on record at the Dow facility in Freeport, Texas.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125
Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to use the sampling and analytical methods in permit 50161-001 during initial pre-shipment analysis of incoming bulk, liquid wastes at the B-33 Kiln.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.177(c)

Description: Failure to properly store hazardous waste. Specifically, storage containers holding a hazardous waste that may be incompatible with waste or other materials stored nearby, in other containers, are not separated from other materials or protected from them by means of a dike, berm, wal, or other device.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125
Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that compressive strength testing is performed to demonstrate successful stabilization prior whenever stabilization of hazardous waste is based solely on a pozzolanic

reaction.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125
Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that compressive strength testing was performed to demonstrate successful stabilization of waste prior to landfilling.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT O 268.3
Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to properly manage waste streams subject to Land Disposal Restrictions. Specifically, waste streams may have been treated using a potentially ineffective treatment method.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125
Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that initial shipments and random fingerprint analysis on subsequent shipments of offsite bulk and containerized wastes, destined for the B-51 Hazardous Waste Landfill are subjected to a fingerprint analysis to verify that the Waste Profile associated with the waste is correct.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125
Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that incinerator residue contaminated with F024/K022 (scrubber water filter cake) waste number 5034503H on the Notice of Registration (Dow Waste Profile Number 119111-000) were adequately analyzed after stabilization and prior to landfilling.

10/24/2008
(707543)
Notice of Intent Date:
Disclosure Date: 11/10/2009
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)
30 TAC Chapter 115, SubChapter B 115.122(a)(2)
30 TAC Chapter 115, SubChapter B 115.125
30 TAC Chapter 115, SubChapter B 115.126
30 TAC Chapter 115, SubChapter B 115.126(1)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.102(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)

Description: Failure to classify caustic scrubbers as HON control devices and perform tests or monitor HON control devices for purposes of HON MACT or Reg V Vent Gas Control requirements.

Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to amend the NSR Air permit to authorize process vents to be intermittently redirected from the THROX to the T-2910/T-2912 caustic scrubbers under normal operating conditions since 1999.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.103(c)

Description: Failure to keep available bypass records for any SSM diversions of DK-2822 from F-2820 boiler/T-2830 halogen scrubber to the caustic scrubbers, T2910/T-2912.

Viol. Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.11(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: Failure to submit update to Title V for NSPS RRR and NSPS NNN applicability related to reactors R-2301 and R-2302 and distillation units RT-2303 and T-2403, respectively.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.129
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)

Description: Failure to submit either original HON Subpart Notification of Compliance Status (NOCS) or supplemental NOCS for the Group 2 TDI tank truck (B4TDILR1) and railcar (B4TDILR2) transfer operations.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.1(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2515(b)

Description: Failure to document negative applicability with 40 CFR 63 Subpart FFFF, Miscellaneous Organic NESHAP (MON).

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to maintain adequate records for MSS activities and emissions that are noted in Special Condition No. 21 of NSR Air permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.263

Description: Failure to amend TCEQ NSR Air Permit No. 2008 to authorize maintenance, startup, shutdown emissions routed from the emissions vacuum system to the T-2914 scrubber.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)

Description: Failure to maintain adequate operating procedures and recordkeeping for emission events that emit less than Reportable Quantity (RQ).

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter D 115.354(3)

Description: Failure to operate forced and induced draft blowers to maintain proper mitigation building pressure while the phosgene service units are in operation.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to abide by Condition 4 of the AMOC 2000-01 which requires the Flange Leak Detection System (FLDS) to be vented to the THROX system or to submit a request to revise the AMOC to allow diversion to the T-2910/T-2912 scrubbers when the THROX system is unavailable or down.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to implement management systems to ensure all instrumentation is calibrated to the required frequency.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

Description: Failure to classify the D-10 vessel as a RCRA Hazardous Waste vessel.

11/06/2008 (722259)

Notice of Intent Date:

No DOV Associated

11/20/2008 (707260)

Notice of Intent Date:

No DOV Associated

11/18/2008 (722258)

Notice of Intent Date:
Disclosure Date: 04/26/2010

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)

Description: Notification of Compliance Status for MON (NESHAP:Miscellaneous Organic Chemical Manufacturing) submitted in October 2008 for the Market Development: Converted Epoxy Resins (B3800) Plant did not include the presence of a small amount of benzene in a batch process vent and process wastewater stream.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(a)

Description: Previous annual reports for National Emission Standards for Benzene Waste Operations for the process unit "TXO B3806 Market Development Brom Resins/Epoxy" did not include five exempt sources of benzene.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.165

30 TAC Chapter 115, SubChapter B 115.165(1)
30 TAC Chapter 115, SubChapter B 115.165(2)
30 TAC Chapter 115, SubChapter B 115.166(1)

30 TAC Chapter 115, SubChapter B 115.166(1)(A)(iii)
30 TAC Chapter 115, SubChapter B 115.166(3)
30 TAC Chapter 115, SubChapter B 115.166(3)(C)

Description: Failure to demonstrate performance testing using methods specified in 115.165 for water scrubbers T-101 (EPN: B3809SV101) and T-304 (EPN: B3809SV304) and record monitoring parameters required to be measured during the performance tests.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.166
30 TAC Chapter 115, SubChapter B 115.166(1)
30 TAC Chapter 115, SubChapter B 115.166(1)(A)(iii)

Description: Failure to retain temperature monitoring data for scrubbing liquid temperature for T-101 and T-304 for a 5 year period as required by 115.166.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.166(2)(B)

Description: Failure to maintain a record of the average flow rate and documentation verifying this value.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.131
30 TAC Chapter 122, SubChapter B 122.132

Description: Failure to contain specific terms and conditions for the Market Development Plant (Epoxy Products) regarding te applicablility of Chapter 115 batch Processes as required by 40 CFR 70.5 (c) and 30 TAC 122.132 (e) in the Title V permit.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT GGG 63.1257(d)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140
40 CFR Part 63, Subpart G 63.141
40 CFR Part 63, Subpart G 63.142
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148

Description: Failure to include the presence of a small amount epichlorohydrin in a batch porcess vent, a Group 1 Stream, and a process wastewater stream, a Group 2 stream.

Viol. Classification: Major
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140

40 CFR Part 63, Subpart G 63.141
40 CFR Part 63, Subpart G 63.142
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2455(b)

Description: Failure to include the presence of a small amount of chloromethane and bromomethane found in process vent and process wastewater streams in the Notification of Compliance Status for MON (40 CFR Part 63 Subpart FFFF: National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing).

Viol. Classification: Major

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT GGG 63.1257(d)(2)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140
40 CFR Part 63, Subpart G 63.141
40 CFR Part 63, Subpart G 63.142
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2455(b)

Description: Failure to include the maximum amount of benzene found in process vent and process wastewater streams in the Notification of Compliance Status for MON (40 CFR Part 63 Subpart FFFF: National Emission Standard for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing) submitted in August 2009.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter T 106.454
30 TAC Chapter 106, SubChapter T 106.454(3)(D)

Description: Failure to keep an internal clean-parts drainage rack for enclosed draining under a cover for the B3806SC01 Solvent Cleaning Station as required by TAC 106.545 (3)(D).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.131
30 TAC Chapter 122, SubChapter B 122.132(e)
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)(4)

Description: Failure to submit a Title V permit revision to include Benzene Waste Operations (BWON) applicability for applicable streams within "TXO B3806 Market Development Brom Resins/ Epoxy".

Notice of Intent Date:

No DOV Associated

01/22/2009 (739319)

Notice of Intent Date:

No DOV Associated

03/17/2009 (742452)

Notice of Intent Date:

Disclosure Date: 03/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(A)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(B)

30 TAC Chapter 335, SubChapter H 335.221(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to extract required one-minute average (OMA) and hourly rolling average (HRA) operating data, including constituent feed rates.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

30 TAC Chapter 305, SubChapter F 305.127(2)

30 TAC Chapter 335, SubChapter H 335.221(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(B)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(C)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(ii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(ii)

Description: Failure to maintain programming: did not properly trigger automatic waste feed cut off (AWFCO), did not convert OMA readings from carbon monoxide CEMS system to 10,000 ppmv when 3,000 PPMV is exceeded, did not properly calculate of the hourly rolling averages when instrument failure is detected, and did not initiate an AWFCO when the span of a continuous monitoring system (CMS) (except CEMS) was exceeded and when there is a CMS malfunction.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)

30 TAC Chapter 305, SubChapter F 305.127

30 TAC Chapter 305, SubChapter F 305.127(2)

30 TAC Chapter 335, SubChapter H 335.221(a)

Description: Failure to document compliance with the RCRA permit requirement for annual feed rate limits, and weekly AWFCO alarm testing.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(A)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(B)

30 TAC Chapter 335, SubChapter H 335.221

30 TAC Chapter 335, SubChapter H 335.221(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to change HRA values for operating parameters for extended periods to show accurate data.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(2)(iii)

Description: Failure to identify an oxygen correction in the Startup, Shutdown, and Malfunction (SSM) Plan for the HWC MACT.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to determine and document the maximum amount of constituents that could enter the Thermal Oxidizer via the various non-waste sources and programmed this information so that this contribution is accounted for in the feed rate determinations.

Viol. Classification: Moderate

Citation: 4F TWC Chapter 63, SubChapter A 63.109

Description: Failure to use One Minute Averages (OMAs) instead of Minute Rolling Averages (MRAs) to determine Hourly Rolling Averages (HRAs) for at least the following parameters- HCl Production, Ejector Venturi Feed Pressure, Demister pH, and D-30 Blowdown.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347(d)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to extract OMA and HRA operating data for the After Burner Chamber (ABC) temperature and Scrubber Tower pump amperage.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to update HRA values for various operating parameters for extended periods of time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.345(e)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to monitor the flow meter's performance.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1203(a)(3)

Description: Failure to properly convert OMA readings from the carbon monoxide CEMS system to 10000 ppmv when the 3000 ppmv span is exceeded.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347(d)

30 TAC Chapter 305, SubChapter F 305.127(2)

Description: Failure to verify compliance with RCRA permits requirements for annual feed rate limits.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 270, SubChapter I, PT 270, SubPT C 270.30(l)(1)

Description: Failure to modify the RCRA permit to correct the discrepancies concerning the arrangement and size of the vent spargers in the Afterburner Chamber.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to include feed rates of constituents in the process vents, tank vents and supplemental fuels indentified in Table V.I.3 of the permit and HWC MACT Table 2 Documentation of Compliance for this unit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to include quantities of solid waste from the pack-line in the Total Hazardous Waste calculations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)

Description: Failure to review and update the Operation and Maintenance Plan in 2007.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.620
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)

Description: Failure to disclose summary information associated with 10 malfunction events in 60 days in the January 2009 HWC MACT periodic report.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.620
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to calibrate flow meter.

03/24/2009
(742462)
Notice of Intent Date:

No DOV Associated

03/30/2009
(742456)
Notice of Intent Date:

No DOV Associated

04/13/2009
(744897)
Notice of Intent Date:
Disclosure Date: 06/08/2009

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to maintain documentation demonstrating that the caustic scrubber is designed with no less than 99 percent removal efficiency for hydrogen chloride and 99.98 percent for bromine.

05/04/2009
(746990)
Notice of Intent Date:
Disclosure Date: 05/04/2010

Viol. Classification: Moderate
Rqmt Prov: PERMIT Title V Permit No. O-01388
PERMIT Title V Permit No. O-02204
PERMIT Title V Permit No. O-02207
PERMIT Title V Permit No. O-02208
PERMIT Title V Permit No. O-02211
PERMIT Title V Permit No. O-02212
PERMIT Title V Permit No. O-02213
PERMIT Title V Permit No. O-02215
PERMIT Title V Permit No. O-02216
PERMIT Title V Permit No. O-02217
PERMIT Title V Permit No. O-02218

Description: Failure to identify RMP Chemicals in the Risk Management Plan.

Viol. Classification: Moderate
Rqmt Prov: PERMIT Title V Permit No. O-02207
PERMIT Title V Permit No. O-02209
PERMIT Title V Permit No. O-02211
PERMIT Title V Permit No. O-02213

Description: Failure to update RMP to document new Toxic Alternative case modeling scenario (Release Scenario) and

new Flammable Worst Case modeling scenario when RMP chemicals were modeled.

Viol. Classification: Moderate
Rqmt Prov: PERMIT Title V Permit No. O-02208
PERMIT Title V Permit No. O-02210
PERMIT Title V Permit No. O-02216
PERMIT Title V Permit No. O-02217
PERMIT Title V Permit No. O-02219

Description: Failure to identify process containing RMP chemicals.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.116
Rqmt Prov: PERMIT Title V Permit No. O-02215
PERMIT Title V Permit No. O-02221

Description: Failure to identify RMP release events in the five year history.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.116
Rqmt Prov: PERMIT Title V Permit No. O-02213

Description: Failure to audit cover process, LHC Distribution, every 3 years.

05/13/2009 (746992)

Notice of Intent Date:

No DOV Associated

05/22/2009 (764971)

Notice of Intent Date:
Disclosure Date: 12/15/2009

Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)

Description: Failure to register on-site waste management units.

05/28/2009 (759316)

Notice of Intent Date:

No DOV Associated

06/08/2009 (760155)

Notice of Intent Date:

No DOV Associated

06/12/2009 (762770)

Notice of Intent Date:

No DOV Associated

06/17/2009 (761059)

Notice of Intent Date:

No DOV Associated

06/29/2009
(761341)
Notice of Intent Date:

No DOV Associated

07/02/2009
(762286)
Notice of Intent Date:
Disclosure Date: 10/26/2009
Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.213
Rqmt Prov: PERMIT Standard Conditions

Description: Failure to ensure that materials containing volatile organic compounds with a true vapor pressure greater than or equal to 0.5 psia under actual storage conditions are not being transferred from a dempster into an Iso-container that is vented to atmosphere and to ensure that a loading control plan for the site and an updated report are submitted to TCEQ within 30 days after installation of the additional loading rack.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: PERMIT Special Conditions

Description: Failure to monitor 4,555 fugitive connectors at least once out of 5,773 fugitive connectors. The other 1,218 have been monitored at least once, but have missed monitoring for various time periods.

Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
Rqmt Prov: PA Special Conditions

Description: Failure to maintain records of the March 31, 2008 quarterly cylinder gas audit.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)

Description: Failure to ensure the current Title V permit (O-02207) and application contain information pertaining to the applicability or exemption status for batch processes under 30 TAC 115.160-169 (Subchapter B, division 6). Process vents associated with B52 are identified as being subject to Reg 5 vent Gas Control Requirements under SubchapterB, Division 2.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Description: Failure to re-monitor and report the repair of a leaking valve and relief valve on the Title V deviation report for the period of October 19, 2007 through April 18, 2008. The fugitive re-monitoring was completed one day late.

07/02/2009
(762304)
Notice of Intent Date:

No DOV Associated

07/13/2009
(763446)
Notice of Intent Date:
Disclosure Date: 07/13/2010
Viol. Classification: Moderate
Rqmt Prov: PERMIT Special Conditions 2F and 2M

Description: There were 2 valves and 12 connectors within the B-5200 truck loading rack in acetone service that have not been monitored as required under the air permit for 28MID and 28CNTQ.

07/17/2009
(764099)
Notice of Intent Date:
Disclosure Date: 10/01/2009
Viol. Classification: Moderate
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)

Description: Failure to include the lab waste dempster, DTA-1, in the current fugitive monitoring program.

07/16/2009
(764103)
Notice of Intent Date:

No DOV Associated

07/16/2009
(974995)
Notice of Intent Date:

No DOV Associated

07/23/2009
(764096)
Notice of Intent Date:
Disclosure Date: 07/26/2010
Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)

Description: Failure to label and/or dispose of containers and drums.

07/22/2009
(764098)
Notice of Intent Date:
Disclosure Date: 09/16/2010
Viol. Classification: Moderate
Rqmt Prov: PERMIT Condition 7(h)

Description: Failure to continuously record all monitoring data. Specifically, a loss of recorded data was observed in the F-210, FTB-603, and the B-901/902/903 operating records.

07/28/2009
(764976)
Notice of Intent Date:
Disclosure Date: 08/02/2010
Viol. Classification: Moderate
Citation: 40 CFR Chapter 136, SubChapter D, PT 136 136.1
Rqmt Prov: PERMIT TPDES Permit No. WQ0000007000

Description: Failure to reflect the current analytical personnel that could perform regulated analyses to support the site

Texas Pollutant Discharge Elimination System Permit.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)(1)
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to keep correct and required information for waste manifests.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.72(d)(1)
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to locate manifest to determine the disposition of four rejected waste drums.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to dispose waste containers that were past the permitted accumulation date.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.67

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to adequately label containers.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter T 106.452

Description: Failure to document how emissions from a grit blaster located in the landfill maintenance area are authorized.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175

Description: Failure to store a pallet of 4 drums of closed, labeled ferric sulfate residue wastes in proper location.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Rqmt Prov: PERMIT HW 50161-001Permit

Description: Failure to properly label and store a drum of methylene chloride.
Viol. Classification: Moderate
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to label a partially full drum of clean sawdust located within a satellite container storage area.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.54(d)

Description: Failure to update personnel list in the Waste Water Treatment Plant RCRA Contingency Plan.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT C 265.35

Description: Failure to store hazardous waste containers with the required storage space between containers to facilitate required inspections.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.173
40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to store four drums of hazardous waste in designated storage area. One of four hazardous drums was uncovered.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to label waste trailer in the <90 day container storage area with accumulation start date.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to list container storage areas in the facility's notice of registration.
Viol. Classification: Moderate
Rqmt Prov: PERMIT HW 50601-001 Permit

Description: Failure to properly store waste containers in satellite accumulation area.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(d)

Description: Failure to communicate expectation of legible signature on all compliance documents to all Environmental Operations personnel.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(a)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(a)
40 CFR Part 63, Subpart H 63.163
40 CFR Part 63, Subpart H 63.164
40 CFR Part 63, Subpart H 63.165
40 CFR Part 63, Subpart H 63.166
40 CFR Part 63, Subpart H 63.167
40 CFR Part 63, Subpart H 63.168
40 CFR Part 63, Subpart H 63.169
40 CFR Part 63, Subpart H 63.170
40 CFR Part 63, Subpart H 63.171
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172
40 CFR Part 63, Subpart H 63.173

40 CFR Part 63, Subpart H 63.174
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.691(b)

Rqmt Prov: PERMIT HW #50161-001 X.B.2.g.
PERMIT NSR permit #46428 SC#6

Description: Failure to meet leak detection requirements for 181 valves, 910 connectors, 5 pumps, 15 pressure relief devices and 7 agitators throughout the B33, B34, B35 process areas.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 122, SubChapter D, PT 122, SubPT B 122.26

Rqmt Prov: PERMIT TPDES Permit No. WQ0000007000

Description: Failure to conduct 10 of 13 weekly visual inspections on the correct day as required by the Storm Water Pollution Prevention Plan for Chlorine 7 project.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 122, SubChapter D, PT 122, SubPT B 122.26

Rqmt Prov: PERMIT TPDES permit No. WQ0000007000

Description: Failure to update the erosion controls drawing in the Storm Water Pollution Prevention Plan for the Chlorine 7 project and the revision sheet with amended Drainage Ditch Plan.

07/30/2009 (765501)

Notice of Intent Date:
Disclosure Date: 08/25/2010

Viol. Classification: Moderate
Citation: 40 CFR Part 63, Subpart OO 63.904

Description: Water scrubbers S-1000 and S-1 are not able to maintain the minimum pH as established during a performance test.

08/21/2009 (762243)

Notice of Intent Date:

No DOV Associated

08/26/2009 (776290)

Notice of Intent Date:

No DOV Associated

09/01/2009 (776285)

Notice of Intent Date:
Disclosure Date: 09/18/2009

Viol. Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

Rqmt Prov: PERMIT Operating Permit O-02204

Description: Failure to document visible emission observations of stationary source OC5U5GE500 (FIN) since the Title V permit was issued on February 28, 2005.

09/08/2009 (776284)

Notice of Intent Date:

No DOV Associated

09/14/2009
(777729)
Notice of Intent Date:
Disclosure Date: 05/12/2010
Viol. Classification: Moderate
Rqmt Prov: PERMIT Special Condition No. 3

Description: Failure to perform or document visible emission observations of the following stationary sources: A12SIGE12; B1SIGE13; B12SIGE12; B2SIGE280; OC7SIGE704.

10/02/2009
(779123)
Notice of Intent Date:

No DOV Associated

10/07/2009
(782753)
Notice of Intent Date:

No DOV Associated

10/07/2009
(782760)
Notice of Intent Date:
Disclosure Date: 10/11/2010
Viol. Classification: Moderate
Rqmt Prov: OP O-02202
OP O-02207
OP O-02211
OP O-02215
OP O-02216
OP O-02217
OP O-02220

Description: Failure to perform and/or document visible emission observations within various units at the Polyethylene 3, Polyethylene 4, Unit 2, Versene, Environmental Operations, Phenol/Acetone/Diphenyl Oxide, Marine/Terminal, and Voranol Plants.

10/14/2009
(782924)
Notice of Intent Date:

No DOV Associated

10/27/2009
(748465)
Notice of Intent Date:

No DOV Associated

11/10/2009
(794164)
Notice of Intent Date:

No DOV Associated

11/13/2009

(794815)

Notice of Intent Date:

Disclosure Date: 11/03/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

Description: Failure to properly manage and dispose of hazardous waste containers.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT A 273.1

Description: Failure to properly label and store universal waste. Specifically, waste fluorescent light bulbs were found in the Maintenance buildings. The bulbs were not in closed containment or labeled appropriately with the universal waste label.

11/20/2009

(794361)

Notice of Intent Date:

Disclosure Date: 11/19/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73

Description: Failure to properly maintain mecanical integrity of instruments.

11/24/2009

(794384)

Notice of Intent Date:

Disclosure Date: 11/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT Special Condition 1

Description: Failure to obtain the proper authorizations for site emissions. Specifically, emissions form the M-3 finishing column to the seal leg are not authorized by TCEQ NSR Air Permit No. 5339.

12/04/2009

(787544)

Notice of Intent Date:

No DOV Associated

01/14/2010

(794380)

Notice of Intent Date:

Disclosure Date: 09/13/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.243-2(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to identify 130 valves and 347 connectors that were not monitored under a prescribed Lead Detection and Repair Program.

01/18/2010

(794383)

Notice of Intent Date:

No DOV Associated

02/05/2010

(797639)

Notice of Intent Date:

No DOV Associated

02/16/2010 (797641)

Notice of Intent Date:

No DOV Associated

02/18/2010 (797644)

Notice of Intent Date:

No DOV Associated

02/19/2010 (797657)

Notice of Intent Date:

No DOV Associated

02/19/2010 (797662)

Notice of Intent Date:

No DOV Associated

03/01/2010 (798594)

Notice of Intent Date:

No DOV Associated

03/12/2010 (798597)

Notice of Intent Date:

No DOV Associated

03/09/2010 (798600)

Notice of Intent Date:

No DOV Associated

03/08/2010 (798627)

Notice of Intent Date:

No DOV Associated

03/12/2010 (798632)

Notice of Intent Date:

No DOV Associated

03/15/2010
(798500)

Notice of Intent Date:
Disclosure Date: 02/21/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 106, SubChapter D 106.124

Description: Failed to operate plant scrubber D-27 with less than permitted efficiency when treating a vent from an activity authorized by permit by rule. One of the vent pipelines from this activity was incorrectly attached to the scrubber such that vent gas from this pipeline did not fully contact the scrubbing medium as intended by the design.

03/26/2010
(800833)

Notice of Intent Date:

No DOV Associated

03/25/2010
(944780)

Notice of Intent Date:
Disclosure Date: 03/29/2011
Viol. Classification: Minor
Rqmt Prov: PERMIT Special Condition 8E and 8G

Description: Failure to consistenly record the date and time of the audio/visual/olfactory inspections for components in heavy liquid VOC service.

Viol. Classification: Minor
Rqmt Prov: PERMIT Special Condition 8G

Description: Failure to include the monthly summary record for Tank D-108 within the monthly emission record for all storage tanks and loading operations.

03/31/2010
(800749)

Notice of Intent Date:

No DOV Associated

04/05/2010
(800702)

Notice of Intent Date:

No DOV Associated

04/16/2010
(800774)

Notice of Intent Date:
Disclosure Date: 04/12/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 115, SubChapter H 115.781(b)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)
Rqmt Prov: PERMIT Special Condition 5

Description: Failure to conduct monitoring under a prescribed leak detection and repair program for 57 valves and 211 connectors.

Viol. Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.146(1)

Description: Failure to submit Annual Certification of Federal Operating Permit O-02212 for the time period beginning July 7, 2009 and ending August 4, 2009.

04/15/2010
(800792)

Notice of Intent Date:

No DOV Associated

04/19/2010
(800794)

Notice of Intent Date:

No DOV Associated

04/26/2010
(826936)

Notice of Intent Date:

No DOV Associated

04/26/2010
(826940)

Notice of Intent Date:

No DOV Associated

05/03/2010
(826921)

Notice of Intent Date:

No DOV Associated

05/07/2010
(826930)

Notice of Intent Date:

No DOV Associated

05/04/2010
(826948)

Notice of Intent Date:
Disclosure Date: 10/25/2010
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)
Description: Failure to conduct annual Method 21 monitoring of two connectors in Light Liquid service due to incorrect classification as Difficult to Monitor.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)(1)
Description: Failure to ensure the carbon monoxide hourly rolling average (CO HRA) does not exceed the 100 parts per million (ppm) limit while hazardous waste is in the combustion chamber.
Viol. Classification: Moderate
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(iii)
Description: Failure to ensure hazardous waste is not introduced into the combustion chamber while the CO HRA is above the 100 ppm limit.

05/26/2010
(826923)

Notice of Intent Date:
Disclosure Date: 05/05/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Rqmt Prov: PERMIT Special Condition 1

Description: Failure to meet the hourly rate and yearly emission limits for additive vessels V411 and V412 as listed in the Maximum Allowable Emission Rates Table.

06/01/2010
(826916)
Notice of Intent Date:

No DOV Associated

06/03/2010
(846000)
Notice of Intent Date:
Disclosure Date: 06/08/2011
Viol. Classification: Minor
Rqmt Prov: PERMIT NSR Permit Special condition I-13

Description: Failure to complete MSS recordkeeping for EPN B52MSS1 EPN B39MSS1.
Viol. Classification: Moderate
Rqmt Prov: PERMIT NSR General Condition 2 and 40 CFR 63

Description: Failure to monitor 26 components, which is approximately 0.05% of total components subject to fugitive monitoring.

06/10/2010
(827965)
Notice of Intent Date:

No DOV Associated

06/24/2010
(841010)
Notice of Intent Date:

No DOV Associated

07/12/2010
(841127)
Notice of Intent Date:

No DOV Associated

07/23/2010
(843903)
Notice of Intent Date:
Disclosure Date: 06/22/2011
Viol. Classification: Moderate
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(f)(2)

Description: Failure to include appropriate off-site notification during 2006-2010 for containers subject to 40 CFR 61 Subpart FF (NESHAP FF) that were sent off-site.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter A 115.10

Description: Failure to include appropriate off-site notification during 2006-2010 for containers subject to 40 CFR 63 Subpart XX (as referenced by 40 CFR 63 YY (Ethylene MACT)) that were sent off-site.
Viol. Classification: Major
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1100

Description: Failure to submit a certification letter to TCEQ stating that the Texas Operations Kiln will receive and treat waste subject to 40 CFR 63 Subpart XX [as referenced by 40 CFR 63 Subpart YY(Ethylene MACT)] in accordance with the applicable requirements.

07/28/2010
(848864)
Notice of Intent Date:

No DOV Associated

07/29/2010
(848881)
Notice of Intent Date:

No DOV Associated

08/04/2010
(849288)
Notice of Intent Date:

No DOV Associated

08/04/2010
(849315)
Notice of Intent Date:

Disclosure Date: 08/03/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115
Rqmt Prov: PERMIT Special Condition 17
PERMIT Special Condition I-12

Description: Failure to prevent emissions from EPG Process Tank D-753.

08/12/2010
(860736)
Notice of Intent Date:
Disclosure Date: 07/15/2011
Viol. Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6

Description: Failure to include Sumps containing waste water in the RCRA Notice of Registration.

08/13/2010
(860742)
Notice of Intent Date:

No DOV Associated

08/13/2010
(860747)
Notice of Intent Date:

No DOV Associated

08/10/2010
(860754)
Notice of Intent Date:

No DOV Associated

08/10/2010
(863643)
Notice of Intent Date:

No DOV Associated

08/23/2010
(860731)
Notice of Intent Date:
Disclosure Date: 09/13/2010
Viol. Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)

Description: Failed to submit NSPS RRR semiannual reports after the October 2005 report. Dow relied on 40 CFR 63 Subpart YY to supercede NSPS RRR. Ethylene MACT does not supercede NSPS RRR for vent gas streams routed to a fuel gas system.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.700(c)(5)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(r)

Description: Failed to submit a process design description for vent gas streams, as part of the initial report, as required by 40 CFR 60.700(c)(5) and 60.705(r). The vent gas streams from affected facilities are routed to distillation unit(s) that are subject to NSPS NNN and have no other releases to air except for pressure relief valves.

Viol. Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.660(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)

Description: Failed to submit NSPS NNN initial notifications or semiannual reports for any of the distillation units at LHC-8.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(3)
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)(4)

Description: Failed to supply accurate information with the Title V application for determination of the NSPS NNN applicable requirements for these units: distillation units, LHC-8 furnaces and flares FS-1, FS-1018 and FX-1000.

Viol. Classification: Minor
Citation: 40 CFR Part 60, Subpart NNN 60.662
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.662(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.702
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.702(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)

Description: Failed to run performance tests within the specified timeframe and/or run performance tests under maximum production rates

Viol. Classification: Moderate
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(b)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)

Description: Failed to implement NSPS RRR. This includes, but is not limited to the following requirements: 1. No

notification was submitted for the date construction commenced or for initial startup. 2. No notification was submitted in accordance with 40 CFR 60.705(a) indicating which of the specific provisions of 40 CFR 60.702 (a), (b), or (c) were being followed. 3. No report was initially submitted in accordance with 40 CFR 60.705(b)(2)(i) describing the location at which the vent stream is...

08/23/2010 (863510)

Notice of Intent Date:

No DOV Associated

08/30/2010 (870180)

Notice of Intent Date:

No DOV Associated

08/30/2010 (870184)

Notice of Intent Date:

No DOV Associated

09/10/2010 (870173)

Notice of Intent Date:

No DOV Associated

09/17/2010 (870168)

Notice of Intent Date:

No DOV Associated

09/14/2010 (870178)

Notice of Intent Date:

No DOV Associated

09/29/2010 (870187)

Notice of Intent Date:

Disclosure Date: 09/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
30 TAC Chapter 115, SubChapter E 115.412(1)(B)
30 TAC Chapter 115, SubChapter E 115.412(1)(C)
30 TAC Chapter 115, SubChapter E 115.412(1)(D)
30 TAC Chapter 115, SubChapter E 115.412(1)(E)
30 TAC Chapter 115, SubChapter E 115.412(1)(F)

Description: Failure to complete or document the visual monthly innspections of the solvent degreaser (FIN: B1RRSC127) located at B-127.

10/04/2010 (873276)

Notice of Intent Date:

No DOV Associated

10/07/2010

(873323)

Notice of Intent Date:

No DOV Associated

10/15/2010

(873268)

Notice of Intent Date:

No DOV Associated

10/22/2010

(873272)

Notice of Intent Date:

No DOV Associated

10/22/2010

(873274)

Notice of Intent Date:

No DOV Associated

10/27/2010

(870231)

Notice of Intent Date:

No DOV Associated

11/05/2010

(878610)

Notice of Intent Date:

No DOV Associated

12/03/2010

(899188)

Notice of Intent Date:

No DOV Associated

12/13/2010

(899196)

Notice of Intent Date:

No DOV Associated

01/04/2011

(892639)

Notice of Intent Date:

No DOV Associated

01/07/2011

(899198)

Notice of Intent Date:

No DOV Associated

01/12/2011 (899983)

Notice of Intent Date:

No DOV Associated

01/14/2011 (899984)

Notice of Intent Date:

No DOV Associated

01/21/2011 (899992)

Notice of Intent Date:

No DOV Associated

01/24/2011 (899996)

Notice of Intent Date:

No DOV Associated

01/24/2011 (900001)

Notice of Intent Date:

No DOV Associated

02/03/2011 (900175)

Notice of Intent Date:

No DOV Associated

02/07/2011 (900178)

Notice of Intent Date:

No DOV Associated

02/10/2011 (900180)

Notice of Intent Date:

No DOV Associated

02/22/2011 (905410)

Notice of Intent Date:

No DOV Associated

02/21/2011 (905414)

Notice of Intent Date:

No DOV Associated

02/25/2011 (905418)

Notice of Intent Date:

No DOV Associated

03/01/2011 (905421)

Notice of Intent Date:

No DOV Associated

03/01/2011 (905577)

Notice of Intent Date:

No DOV Associated

03/08/2011 (906673)

Notice of Intent Date:

No DOV Associated

03/14/2011 (914160)

Notice of Intent Date:

No DOV Associated

03/24/2011 (914157)

Notice of Intent Date:

No DOV Associated

03/21/2011 (914196)

Notice of Intent Date:

No DOV Associated

03/24/2011 (950301)

Notice of Intent Date:

No DOV Associated

04/05/2011 (914179)

Notice of Intent Date:

No DOV Associated

04/04/2011 (914183)

Notice of Intent Date:

No DOV Associated

04/04/2011 (914192)

Notice of Intent Date:

No DOV Associated

04/18/2011 (922638)

Notice of Intent Date:

No DOV Associated

04/26/2011 (922618)

Notice of Intent Date:

No DOV Associated

04/28/2011 (922795)

Notice of Intent Date:

No DOV Associated

04/27/2011 (923389)

Notice of Intent Date:

No DOV Associated

04/24/2011 (923396)

Notice of Intent Date:

No DOV Associated

04/27/2011 (923418)

Notice of Intent Date:

No DOV Associated

05/05/2011 (922777)

Notice of Intent Date:

No DOV Associated

05/11/2011 (923424)

Notice of Intent Date:

No DOV Associated

05/17/2011 (922812)

Notice of Intent Date:

No DOV Associated

05/17/2011 (923407)

Notice of Intent Date:

No DOV Associated

05/25/2011 (932734)

Notice of Intent Date:

No DOV Associated

05/31/2011 (932725)

Notice of Intent Date:

No DOV Associated

05/31/2011 (932740)

Notice of Intent Date:

No DOV Associated

06/08/2011 (933580)

Notice of Intent Date:

No DOV Associated

06/14/2011 (934687)

Notice of Intent Date:

No DOV Associated

06/13/2011 (934735)

Notice of Intent Date:

No DOV Associated

06/24/2011 (936660)

Notice of Intent Date:

No DOV Associated

06/24/2011 (936671)

Notice of Intent Date:

No DOV Associated

06/22/2011 (936684)

Notice of Intent Date:

No DOV Associated

06/20/2011 (936704)

Notice of Intent Date:

No DOV Associated

06/28/2011 (937071)

Notice of Intent Date:

No DOV Associated

06/30/2011 (941145)

Notice of Intent Date:

No DOV Associated

06/30/2011 (941160)

Notice of Intent Date:

No DOV Associated

06/30/2011 (941322)

Notice of Intent Date:

No DOV Associated

07/07/2011 (941331)

Notice of Intent Date:

No DOV Associated

07/15/2011 (942399)

Notice of Intent Date:

No DOV Associated

07/11/2011 (942439)

Notice of Intent Date:

No DOV Associated

07/12/2011 (942461)

Notice of Intent Date:

No DOV Associated

07/29/2011 (948818)

Notice of Intent Date:

No DOV Associated

08/01/2011 (949052)

Notice of Intent Date:

No DOV Associated

08/08/2011 (949165)

Notice of Intent Date:

No DOV Associated

08/08/2011 (949239)

Notice of Intent Date:

No DOV Associated

08/26/2011 (964109)

Notice of Intent Date:

No DOV Associated

08/31/2011 (964105)

Notice of Intent Date:

No DOV Associated

09/12/2011 (968262)

Notice of Intent Date:

No DOV Associated

09/19/2011 (964505)

Notice of Intent Date:

No DOV Associated

10/03/2011 (964111)

Notice of Intent Date:

No DOV Associated

10/03/2011 (964641)

Notice of Intent Date:

No DOV Associated

10/12/2011 (968435)

Notice of Intent Date:

No DOV Associated

10/17/2011 (968437)

Notice of Intent Date:

No DOV Associated

10/25/2011 (968444)

Notice of Intent Date:

No DOV Associated

10/26/2011 (968461)

Notice of Intent Date:

No DOV Associated

11/02/2011 (974752)

Notice of Intent Date:

No DOV Associated

11/02/2011 (974756)

Notice of Intent Date:

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	**§**	**BEFORE THE**
ENFORCEMENT ACTION	**§**	
CONCERNING	**§**	**TEXAS COMMISSION ON**
THE DOW CHEMICAL COMPANY	**§**	
RN100225945	**§**	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2011-2269-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 The Dow Chemical 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 owns and operates a chemical plant at 2301 North Brazosport Boulevard in Freeport, Brazoria 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 December 4, 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 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 on October 26, 2011, the Respondent re-trained employees on equipment commissioning procedures to ensure understanding of the process in order to prevent recurrence of emissions events due to the same causes as Incident No. 158577.

10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 6803, Special Conditions No. 1, and Federal Operating Permit No. O2215, Special Terms & Conditions No. 11, as documented during a record review conducted from September 29 through October 8, 2011. Specifically, the Respondent released 2,544 pounds of ethylene from the Polyethylene 3 unit during an avoidable emissions event (Incident No. 158577) that began on August 29, 2011 and lasted for two hours and five minutes. The event was the result of an employee failing to close a vent valve on the ethylene feed compressor during a startup. Since the emissions event could have been avoided by better operational practices, the Respondent is precluded from asserting 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: The Dow Chemical Company, Docket No. 2011-2269-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 implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

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

4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

6. 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.

7. 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.

8. 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

Pam Toneri, Jr. _____ 6/4/12 _____
For the Executive Director 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.

FQ Falcon _____ 3-1-12 _____
Signature Date

Fran Quinlan Falcon _____ EH&S Leveraged Delivery Leader _____
Name (Printed or typed) Title
Authorized Representative of
The Dow Chemical Company

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: 2011-2269-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

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

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the 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 Environmental Protection Agency ("EPA"). SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, Nitrogen Oxides reduction catalyst technology in

combination with diesel particulate filters, and other emission control technologies that are developed and approved by the EPA or the California Air Resources Board.

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

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.