

**Executive Summary – Enforcement Matter – Case No. 42965  
Shell Oil Company and Shell Chemical LP  
RN100211879  
Docket No. 2011-2121-AIR-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

Unauthorized emissions which are excessive emissions events.

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

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

**Type of Operation:**

Petroleum refinery and a chemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket No. 2011-1311-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:** \$21,569

**Amount Deferred for Expedited Settlement:** \$0

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

**Total Paid to General Revenue:** \$10,785

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

Payment Plan: N/A

**SEP Conditional Offset:** \$10,784

Name of SEP: Houston Air Regional Monitoring Corporation

**Compliance History Classifications:**

Person/CN601405145 - Average

Person/CN601542012 - Average

Site/RN - Average

**Major Source:** Yes

**Statutory Limit Adjustment:** CN601405145 - \$8,800

CN601542012 - \$74,200

**Applicable Penalty Policy:** September 2002

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**Shell Oil Company and Shell Chemical LP**  
**RN100211879**  
**Docket No. 2011-2121-AIR-E**

***Investigation Information***

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

**Complaint Information:** N/A

**Date(s) of Investigation:** July 12, 2011 through July 26, 2011 and July 15, 2011 through September 9, 2011

**Date(s) of NOE(s):** October 7, 2011 and October 21, 2011

***Violation Information***

1. Failed to prevent unauthorized emissions during an emissions event in the Coker Unit that began on June 12, 2011. Because the event could have been avoided by better operating practices, Shell Oil Company did not meet the criteria for claiming an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), and 122.143(4); New Source Review (“NSR”) Flexible Permit Nos. 21262 and PSDTX928, Special Conditions (“SC”) No. 1; Federal Operating Permit (“FOP”) No. O-1669 Special Terms and Conditions (“STC”) No. 22, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to provide timely submittal of additional information to the TCEQ by August 1, 2011 for the emissions event that began on June 12, 2011 in the Coker Unit [30 TEX. ADMIN. CODE § 101.201(f) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

3. Failed to prevent unauthorized emissions on June 7, 2011 in Olefins Plant 3. Because the event could have been avoided by better operating practices and was not reported properly, Shell Chemical LP did not meet the criteria for claiming an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4); NSR Permit Nos. 3219 and PSDTX974, SC No. 1; FOP No. O-1668, STC No. 15; and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4. Failed to include all the total quantities of contaminants released in the final report for the emissions event that occurred on June 7, 2011 in Olefins Plant 3 [30 TEX. ADMIN. CODE § 101.201(b)(1)(H) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

Respondents have implemented the following corrective measures at the Plants:

a. For the emissions event on June 7, 2011 (Incident No. 155389) and in order to prevent the recurrence of similar emissions events:

i. On June 15, 2011, lowered the alarm on differential pressure at the C2 Splitter Column to 20 pounds per square inch gauge;

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- ii. On June 23, 2011, modified the training modules to address potential column feed constraints and control actions;
  - iii. On July 5, 2011, added a second alarm to come on after 10 minutes of being off-target on differential pressure; and
  - iv. On July 26, 2011, provided correct emissions data for the event.
- b. For the emissions event on June 12, 2011 (Incident No. 155619) and in order to prevent the recurrence of similar emissions events:
- i. On September 9, 2011, provided the requested information; and
  - ii. On October 31, 2011, recalibrated the feed flow meters to all Coker drums to provide accurate measurement of the feed rates.

**Technical Requirements:**

- 1. The Order will require Respondent to implement and complete a Supplemental Environmental Project (“SEP”). (See SEP Attachment A)
- 2. The Order will also require Respondent to:
  - a. Within 30 days, implement the following improvements to prevent recurrence of same or similar incidents to the June 12, 2011 emissions event (Incident No. 155619):
    - i. Calibrate and repair, as necessary, the nuclear level meters on all six Coker drums to provide for accurate continuous measurement of the liquid level and increase the frequency of future calibration and repairs;
    - ii. Add an additional high level alarm in each Coker drum, between the existing high level alarm set at 74 feet and the existing high-high level alarm and feed shutdown set at 82 feet, to provide improved control of the liquid and foam levels in the Coker drums throughout all steps in the Coker batch process; and
    - iii. Revise operating procedures and provide training to appropriate operating personnel to integrate any operating changes related to Ordering Provision a.ii.
  - b. Within 45 days, submit written certification demonstrating compliance.

***Litigation Information***

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

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**Docket No. 2011-2121-AIR-E**

**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Trina Grieco, Enforcement Division,  
Enforcement Team 4, MC R-13, (210) 403-4006; Debra Barber, Enforcement Division,  
MC 219, (512) 239-0412

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

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

Steven Hansen, Manager, Environmental Affairs, Shell Oil Company and Shell Chemical  
LP, P.O. Box 100, Deer Park, Texas 77536

**Respondent's Attorney:** N/A

**Attachment A**  
**Docket Number: 2011-2121-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	Shell Oil Company and Shell Chemical LP
<b>Penalty Amount:</b>	Twenty-One Thousand Five Hundred Sixty-Nine Dollars (\$21,569)
<b>SEP Offset Amount:</b>	Ten Thousand Seven Hundred Eighty-Four Dollars (\$10,784)
<b>Type of SEP:</b>	Contribution to a Pre-approved SEP
<b>Third-Party Recipient:</b>	Houston Regional Monitoring Corporation
<b>Project Name:</b>	HRMC Houston Area Air Monitoring
<b>Location of SEP:</b>	Harris County

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 SEP Offset Amount is set forth above and such offset 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 the **Houston Regional Monitoring Corporation** for the **HRMC Houston Area Air Monitoring**. The contribution will be used in accordance with the Supplemental Environmental Project between the Third-Party Recipient and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to supplement existing operation of a network of ambient air monitoring stations (designated HRM Sites 1, 3, 4, 7, 8, 10, Wallisville, and Lynchburg Ferry) that continuously measure and record concentrations of ambient air pollutants including approximately 160 volatile organic compounds ("VOCs"). Specifically, the Third-Party Recipient shall use SEP Funds to operate, maintain, and potentially expand portions of the existing Houston Regional Monitoring Corporation ambient air quality monitoring network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

The Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action.

**B. Environmental Benefit**

This SEP will provide a discernible environmental benefit by providing data from the network which may be used to evaluate the effectiveness of current emission control strategies, track ambient concentration trends for key pollutants of interest, evaluate episodic emission events, conduct source attribution studies, and assess potential community exposure to toxic air contaminants. The TCEQ uses this information, along with information collected at its own monitors and monitors operated by the City of Houston, to evaluate Houston's progress toward achieving or remaining in attainment of the NAAQS. Implementation of this SEP will allow continuation of ambient air monitoring in this region to collect near real-time VOC, nitrogen oxides, ozone, and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur and to assess potential ambient community exposure to a limited number of HAPs. Data from these monitors may also be publicly accessible through the TCEQ website and may be used in evaluating air quality in the area, including ozone forecasts, and ozone warnings. The public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness and will indirectly benefit by having data useful in addressing Houston's ozone non-attainment status.

**C. Minimum Expenditure**

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

**2. Performance Schedule**

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

Houston Regional Monitoring Corporation SEP  
c/o Christopher B. Amandes, Vinson & Elkins, LLP  
First City Tower  
1001 Fannin Street, Suite 2500  
Houston, Texas 77002-6760

**3. Records and Reporting**

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

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

**4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP agreement in any way, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to complete the project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and shall include on the check the docket number of this Agreed Order and note that it is for reimbursement of a SEP. The Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

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

**5. Publicity**

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

**6. Clean Texas Program**

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

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

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



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

<b>DATES</b>	Assigned	10-Oct-2011	Screening	10-Nov-2011	EPA Due	3-Jul-2012
	PCW	7-Feb-2012				

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

<b>CASE INFORMATION</b>			
Enf./Case ID No.	42965	No. of Violations	2
Docket No.	2011-2121-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Miriam Hall
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** Subtotal 1 **\$2,600**

**ADJUSTMENTS (+/-) TO SUBTOTAL 1**  
 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** 677.0% Enhancement Subtotals 2, 3 & 7 **\$17,602**

Notes: Enhancement for 25 NOVs with the same/similar violations, eight NOVs with dissimilar violations, 14 agreed orders with a denial of liability, and 12 orders without a denial of liability. Reduction for 18 Notices of Intent to conduct an audit, eight Disclosures of Violations, and an environmental management system.

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

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** Subtotal 5 **\$650**

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

Total EB Amounts \$3  
 Approx. Cost of Compliance \$1,200  
 \*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** Final Subtotal **\$19,552**

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

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$19,552**

**STATUTORY LIMIT ADJUSTMENT** Final Assessed Penalty **\$10,752**

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

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

Notes

No deferral is recommended for Findings Orders.

**PAYABLE PENALTY** **\$10,752**

Screening Date 10-Nov-2011

Docket No. 2011-2121-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 42965

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Ent. Coordinator Miriam Hall

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	25	125%
	Other written NOVs	8	16%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	14	280%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	12	300%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	18	-18%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	8	-16%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 677%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for 25 NOVs with the same/similar violations, eight NOVs with dissimilar violations, 14 agreed orders with a denial of liability, and 12 orders without a denial of liability. Reduction for 18 Notices of Intent to conduct an audit, eight Disclosures of Violations, and an environmental management system.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 677%

Screening Date 10-Nov-2011

Docket No. 2011-2121-AIR-E

PCW

Respondent Shell Chemical LP

Policy Revision 2 (September 2002)

Case ID No. 42965

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Env. Coordinator Miriam Hall

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4); New Source Review Permit Nos. 3219 and PSDTX974; Special Conditions No. 1; Federal Operating Permit No. O-1668, Special Terms and Conditions No. 15; and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions on June 7, 2011 in Olefins Plant 3. Specifically, Shell Chemical LP failed to prevent the over-pressurization of the C2 Splitter Column, which caused the off-specification product to be sent to the flare, resulting in unauthorized release of 405.30 pounds ("lbs") of nitrogen oxides, 3,237.00 lbs of carbon monoxide, and 580.71 lbs of volatile organic compounds during an emissions event (Incident No. 155389) lasting five hours. Because the event could have been avoided by better operating practices and was not reported properly, Shell Chemical LP did not meet the criteria for claiming an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual			X	25%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification			Percent
	Major	Moderate	Minor	
				0%

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 this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 Number of violation days 1

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 for the event that occurred on June 7, 2011.

Good Faith Efforts to Comply

25.0% Reduction

\$625

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

Notes

Corrective actions were completed by July 5, 2011, and the NOE was issued on October 7, 2011.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3

Violation Final Penalty Total \$18,800

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

## Economic Benefit Worksheet

**Respondent:** Shell Chemical LP  
**Case ID No.:** 42965  
**Reg. Ent. Reference No.:** RN100211879  
**Media:** Air  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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### 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	\$500	7-Jun-2011	23-Jun-2011	0.04	\$1	n/a	\$1
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	7-Jun-2011	5-Jul-2011	0.08	\$2	n/a	\$2

Notes for DELAYED costs

The estimated cost for training and modifying operational procedures. The Date Required is the date of the violation. The Final Date is the date corrective actions were completed.

### Avoided Costs

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

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

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$3

**Screening Date** 10-Nov-2011 **Docket No.** 2011-2121-AIR-E **PCW**  
**Respondent** Shell Chemical LP *Policy Revision 2 (September 2002)*  
**Case ID No.** 42965 *PCW Revision October 30, 2008*  
**Reg. Ent. Reference No.** RN100211879  
**Media [Statute]** Air  
**Enf. Coordinator** Miriam Hall  
**Violation Number** 2  
**Rule Cite(s)** 30 Tex. Admin. Code § 101.201(b)(1)(H) and Tex. Health & Safety Code § 382.085(b)  
**Violation Description** Failed to include all the total quantities of contaminants released in the final report for Incident No. 155389 that occurred on June 7, 2011 in Olefins Plant 3. Specifically, the final report only listed the unauthorized quantities released rather than total emissions released for all air contaminants.

**Base Penalty** \$10,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0%
	Potential				

**>> Programmatic Matrix**

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
				X	1%
More than 70% of the rule requirement was met.					

**Adjustment** \$9,900

\$100

**Violation Events**

Number of Violation Events  Number of violation days

mark only one with an X

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

**Violation Base Penalty** \$100

One single event is recommended for one incorrect report.

**Good Faith Efforts to Comply** 25.0% Reduction \$25

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

**Notes** The Respondent came into compliance on July 26, 2011, and the NOE was issued on October 7, 2011.

**Violation Subtotal** \$75

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

**Estimated EB Amount** \$0 **Violation Final Penalty Total** \$752

**This violation Final Assessed Penalty (adjusted for limits)** \$752

## Economic Benefit Worksheet

**Respondent:** Shell Chemical LP  
**Case ID No.:** 42965  
**Reg. Ent. Reference No.:** RN100211879  
**Media:** Air  
**Violation No.:** 2

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$200	21-JUL-2011	26-JUL-2011	0.01	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost of providing correct emissions data. The Date Required is the due date of the final report. The Final Date is the date the Respondent provided correct emissions data.

### 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

\$200

TOTAL

\$0



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

<b>DATES</b>	Assigned	24-Oct-2011	Screening	10-Nov-2011	EPA Due	
	PCW	7-Feb-2012				

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

<b>CASE INFORMATION</b>			
Enf./Case ID No.	42965	No. of Violations	2
Docket No.	2011-2121-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Miriam Hall
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	Subtotal 1	\$10,100
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<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>	Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
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<b>Compliance History</b>	742.0% Enhancement	Subtotals 2, 3, & 7	\$74,942
Notes	Enhancement for 26 NOVs with the same/similar violations, 41 NOVs with dissimilar violations, 14 agreed orders with a denial of liability, and 12 orders without a denial of liability. Reduction for 22 Notices of Intent to conduct an audit, nine Disclosures of Violations, and an environmental management system.		

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

<b>Good Faith Effort to Comply Total Adjustments</b>	Subtotal 5	\$25
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<b>Economic Benefit</b>	0.0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$86	*Capped at the Total EB \$ Amount	
Approx. Cost of Compliance	\$1,700		

<b>SUM OF SUBTOTALS 1-7</b>	Final Subtotal	\$85,017
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	Reduction Adjustment	\$0
Notes	Reduces or enhances the Final Subtotal by the indicated percentage.		
	<b>Final Penalty Amount</b>		\$85,017

<b>STATUTORY LIMIT ADJUSTMENT</b>	Final Assessed Penalty	\$10,817
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<b>DEFERRAL</b>	0.0%	Reduction Adjustment	\$0
Notes	Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)		
	No deferral is recommended for Findings Orders.		

<b>PAYABLE PENALTY</b>	\$10,817
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Screening Date 10-Nov-2011

Docket No. 2011-2121-AIR-E

PCW

Respondent Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No. 42965

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Ent. Coordinator Miriam Hall

### Compliance History Worksheet

#### >> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	26	130%
	Other written NOVs	41	82%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	14	280%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	12	300%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	22	-22%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	9	-18%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 742%

#### >> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

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

Average Performer

Adjustment Percentage (Subtotal 7) 0%

#### >> Compliance History Summary

Compliance History Notes

Enhancement for 26 NOVs with the same/similar violations, 41 NOVs with dissimilar violations, 14 agreed orders with a denial of liability, and 12 orders without a denial of liability. Reduction for 22 Notices of Intent to conduct an audit, nine Disclosures of Violations, and an environmental management system.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 742%

Screening Date 10-Nov-2011

Docket No. 2011-2121-AIR-E

PCW

Respondent Shell Oil Company

Policy Revision 2 (September 2002)

Case ID No. 42965

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100211879

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code 55.101.20(3), 116.715(a) and (c)(7), and 122.143(4); New Source Review Flexible Permit Nos. 21262 and PSDTX928; Special Conditions No. 1; Federal Operating Permit No. O-1669 Special Terms and Conditions No. 22, and Tex. Health & Safety Code 5.382.085(b)

Violation Description

Failed to prevent unauthorized emissions during an emissions event in the Coker Unit (Incident No. 155619) that began on June 12, 2011 and lasted 10 hours and 48 minutes. Specifically, Shell Oil Company failed to prevent the over-pressurization of Coker Drums Nos. 1 and 2, which caused the vapors from steaming, quenching, and coking to be routed to the flare, which resulted in unauthorized release of 1,113.91 pounds ("lbs") of carbon monoxide, 334.32 lbs of hydrogen sulfide, 30,763.49 lbs of sulfur dioxide, 154.22 lbs of nitrogen oxides, and 2,208.98 lbs of volatile organic compounds. Because the event could have been avoided by better operating practices, Shell Oil Company did not meet the criteria for claiming an affirmative defense under 30 Tex. Admin. Code 5.101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

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

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1

Number of violation days 1

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

Violation Base Penalty \$10,000

One daily event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

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

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

Violation Subtotal \$10,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$85

Violation Final Penalty Total \$84,200

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

## Economic Benefit Worksheet

**Respondent:** Shell Oil Company  
**Case ID No.:** 42965  
**Req. Ent. Reference No.:** RN100211879  
**Media:** Air  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

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

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	12-Jun-2011	30-Jul-2012	1.13	\$85	n/a	\$85

Notes for DELAYED costs

The estimated cost for additional oversight and operational practices designed to prevent the recurrence of this violation. The Date Required is the date of the violation. The Final Date is the date corrective actions are estimated to be 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	<b>TOTAL</b>	\$85
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**Screening Date** 10-Nov-2011  
**Respondent** Shell Oil Company  
**Case ID No.** 42965  
**Reg. Ent. Reference No.** RN100211879  
**Media [Statute]** Air  
**Enf. Coordinator** Miriam Hall  
**Violation Number** 2

**Docket No.** 2011-2121-AIR-E

**PCW**

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

**Rule Cite(s)** 30 Tex. Admin. Code § 101.201(f) and Tex. Health & Safety Code § 382.085(b)  
**Violation Description** Failed to provide timely submittal of additional information to the TCEO by August 1, 2011 for Incident No. 155619 that began on June 12, 2011 in the Coker Unit.

**Base Penalty** \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
			X	1%

**Matrix Notes** More than 70% of the rule requirement was met.

**Adjustment** \$9,900

\$100

Violation Events

Number of Violation Events: 1      39 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

**Violation Base Penalty** \$100

One event is recommended for one late information request.

Good Faith Efforts to Comply

25.0% Reduction

\$25

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

**Notes** The information was provided on September 9, 2011, and the NOE was issued on October 21, 2011.

**Violation Subtotal** \$75

Economic Benefit (EB) for this violation

Statutory Limit Test

**Estimated EB Amount** \$1

**Violation Final Penalty Total** \$817

**This violation Final Assessed Penalty (adjusted for limits)** \$817

## Economic Benefit Worksheet

**Respondent** Shell Oil Company  
**Case ID No.** 42965  
**Reg. Ent. Reference No.** RN100211879  
**Media** Air  
**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or %</small>							

Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$200	1-Aug-2011	9-Sep-2011	0.11	\$1	n/a	\$1

Notes for DELAYED costs

The estimated cost of responding to the information request. The Date Required is the due date of the information request. The Final Date is the date the information was provided.

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

\$200

**TOTAL**

\$1

# Compliance History Report

Customer/Respondent/Owner-Operator: CN601405145 Shell Chemical LP Classification: AVERAGE Rating: 3.81  
 Regulated Entity: RN100211879 SHELL OIL DEER PARK Classification: AVERAGE Site Rating: 11.10

ID Number(s):	ACCOUNT NUMBER	HG0659W
AIR OPERATING PERMITS	PERMIT	1669
AIR OPERATING PERMITS	PERMIT	1668
AIR OPERATING PERMITS	PERMIT	1943
AIR OPERATING PERMITS	PERMIT	1945
AIR OPERATING PERMITS	PERMIT	1946
AIR OPERATING PERMITS	PERMIT	1947
AIR OPERATING PERMITS	PERMIT	1948
AIR OPERATING PERMITS	PERMIT	2108
AIR OPERATING PERMITS	PERMIT	1942
AIR OPERATING PERMITS	PERMIT	3179
POLLUTION PREVENTION PLANNING	ID NUMBER	P00619
POLLUTION PREVENTION PLANNING	ID NUMBER	P07403
WASTEWATER	PERMIT	WQ0000402000
WASTEWATER	EPA ID	TX0004863
WASTEWATER	PERMIT	WQ0000403000
WASTEWATER	EPA ID	TX0004871
WASTEWATER	EPA ID	TX0004871
AIR NEW SOURCE PERMITS	REGISTRATION	92675
AIR NEW SOURCE PERMITS	REGISTRATION	92386
AIR NEW SOURCE PERMITS	REGISTRATION	92219
AIR NEW SOURCE PERMITS	PERMIT	21262
AIR NEW SOURCE PERMITS	REGISTRATION	54895
AIR NEW SOURCE PERMITS	REGISTRATION	55312
AIR NEW SOURCE PERMITS	REGISTRATION	75524
AIR NEW SOURCE PERMITS	REGISTRATION	55869
AIR NEW SOURCE PERMITS	REGISTRATION	76315
AIR NEW SOURCE PERMITS	PERMIT	7855
AIR NEW SOURCE PERMITS	REGISTRATION	11177
AIR NEW SOURCE PERMITS	REGISTRATION	12152
AIR NEW SOURCE PERMITS	REGISTRATION	12537
AIR NEW SOURCE PERMITS	PERMIT	13373
AIR NEW SOURCE PERMITS	REGISTRATION	13713
AIR NEW SOURCE PERMITS	REGISTRATION	16429
AIR NEW SOURCE PERMITS	PERMIT	1119
AIR NEW SOURCE PERMITS	PERMIT	1120
AIR NEW SOURCE PERMITS	PERMIT	3178
AIR NEW SOURCE PERMITS	PERMIT	3179
AIR NEW SOURCE PERMITS	PERMIT	3216
AIR NEW SOURCE PERMITS	PERMIT	5801
AIR NEW SOURCE PERMITS	PERMIT	6791
AIR NEW SOURCE PERMITS	PERMIT	9334
AIR NEW SOURCE PERMITS	REGISTRATION	10888
AIR NEW SOURCE PERMITS	REGISTRATION	11096
AIR NEW SOURCE PERMITS	REGISTRATION	11586
AIR NEW SOURCE PERMITS	PERMIT	12373
AIR NEW SOURCE PERMITS	REGISTRATION	12829
AIR NEW SOURCE PERMITS	REGISTRATION	13678
AIR NEW SOURCE PERMITS	REGISTRATION	15961

AIR NEW SOURCE PERMITS	PERMIT	8236
AIR NEW SOURCE PERMITS	REGISTRATION	15262
AIR NEW SOURCE PERMITS	REGISTRATION	15365
AIR NEW SOURCE PERMITS	REGISTRATION	15499
AIR NEW SOURCE PERMITS	REGISTRATION	15940
AIR NEW SOURCE PERMITS	PERMIT	18576
AIR NEW SOURCE PERMITS	PERMIT	19849
AIR NEW SOURCE PERMITS	PERMIT	22038
AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
AIR NEW SOURCE PERMITS	REGISTRATION	24096
AIR NEW SOURCE PERMITS	REGISTRATION	27598
AIR NEW SOURCE PERMITS	REGISTRATION	29597
AIR NEW SOURCE PERMITS	REGISTRATION	32282
AIR NEW SOURCE PERMITS	REGISTRATION	33524
AIR NEW SOURCE PERMITS	REGISTRATION	34230
AIR NEW SOURCE PERMITS	REGISTRATION	34358
AIR NEW SOURCE PERMITS	REGISTRATION	35243
AIR NEW SOURCE PERMITS	REGISTRATION	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	REGISTRATION	41920
AIR NEW SOURCE PERMITS	REGISTRATION	41875
AIR NEW SOURCE PERMITS	REGISTRATION	42221
AIR NEW SOURCE PERMITS	REGISTRATION	42573
AIR NEW SOURCE PERMITS	REGISTRATION	42512
AIR NEW SOURCE PERMITS	REGISTRATION	43605
AIR NEW SOURCE PERMITS	REGISTRATION	42118
AIR NEW SOURCE PERMITS	REGISTRATION	45654
AIR NEW SOURCE PERMITS	REGISTRATION	45944
AIR NEW SOURCE PERMITS	REGISTRATION	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	REGISTRATION	70903
AIR NEW SOURCE PERMITS	REGISTRATION	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	REGISTRATION	54061
AIR NEW SOURCE PERMITS	REGISTRATION	50548
AIR NEW SOURCE PERMITS	REGISTRATION	52565
AIR NEW SOURCE PERMITS	REGISTRATION	52089
AIR NEW SOURCE PERMITS	REGISTRATION	52088

AIR NEW SOURCE PERMITS	REGISTRATION	50388
AIR NEW SOURCE PERMITS	REGISTRATION	50423
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	93992
AIR NEW SOURCE PERMITS	REGISTRATION	94547
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	87183
AIR NEW SOURCE PERMITS	REGISTRATION	95595
AIR NEW SOURCE PERMITS	REGISTRATION	96066
AIR NEW SOURCE PERMITS	REGISTRATION	84642
AIR NEW SOURCE PERMITS	REGISTRATION	87871
AIR NEW SOURCE PERMITS	REGISTRATION	84538
AIR NEW SOURCE PERMITS	REGISTRATION	102096
AIR NEW SOURCE PERMITS	REGISTRATION	100328
AIR NEW SOURCE PERMITS	REGISTRATION	98473
AIR NEW SOURCE PERMITS	REGISTRATION	100945
AIR NEW SOURCE PERMITS	REGISTRATION	96915
AIR NEW SOURCE PERMITS	REGISTRATION	101891
AIR NEW SOURCE PERMITS	REGISTRATION	102948
AIR NEW SOURCE PERMITS	REGISTRATION	87173
AIR NEW SOURCE PERMITS	REGISTRATION	98644
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD000750620
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

Location:

5900 HIGHWAY 225, DEER PARK, TX, 77536

TCEQ Region:

REGION 12 - HOUSTON

Date Compliance History Prepared: May 24, 2012  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: November 10, 2006 to November 10, 2011  
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Trina Grieco Phone: (210) 403-4006

### Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? YES
2. Has there been a (known) change in ownership/operator of the site during the compliance period? YES
3. If YES, who is the current owner/operator?  
Shell Deer Park Refining Company, OWNER OPERATOR since 08/05/2003  
Shell Chemical LP, OWNER OPERATOR since 05/08/1986  
Shell Oil Company, OWNER OPERATOR since 12/30/2003  
Equilon Enterprises LLC, OWNER since 01/01/1800  
Shell Oil Products Company, L.L.C., OPERATOR since 02/07/2012  
Deer Park Refining Limited Partnership, OWNER since 02/01/2011  
Shell Oil Company, OWNER since 05/28/1998  
Shell Chemical Company, OWNER OPERATOR since 08/07/2000  
DEER PARK REFINING LIMITED PARTNERSHIP, OWNER since 06/10/2004
4. If YES, who was/were the prior owner(s)/operator(s)? Deer Park Refining Limited Partnership, OWNER OPERATOR, 8/31/2007 to 2/1/2011
5. If YES, when did the change(s) in owner or operator occur? 2/1/2011
6. Rating Date: 9/1/2011 Repeat Violator: NO

### Components (Multimedia) for the Site :

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

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

Effective Date: 08/15/2008 ADMINORDER 2008-0079-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: TCEQ Air Permit No. 3179, SC 6 PERMIT  
Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342., in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Effective Date: 09/22/2008 ADMINORDER 2007-1789-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT  
Description: Shell failed to prevent an avoidable emissions event.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT

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

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

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

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

Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008 ADMINORDER 2007-1472-AIR-E

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

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

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

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

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

Description: failed to comply with permitted emissions limits.

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

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

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

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

Description: failed to comply with permitted emissions limits

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

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

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

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

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

Rqmt Prov: No. 9334, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

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

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

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

5C THSC Chapter 382 382.085(b)  
Rqmt Prov: NSR Permit 3219 and PST-TX-974, MAERT PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

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

Effective Date: 12/04/2008

ADMINORDER 2008-0635-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: No. 21262, Special Condition 1 PERMIT

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

Classification: Minor

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

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

Classification: Moderate

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

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

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

Effective Date: 12/04/2008

ADMINORDER 2006-0328-MLM-E

Classification: Moderate

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

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

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

Classification: Minor

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

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

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

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

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 3179, General Condition 8 PERMIT  
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
Description: Shell failed to properly seal open-ended lines.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
5C THSC Chapter 382 382.085(b)  
Description: Shell failed to monitor new valves which were put into service at the OP-3 unit on a monthly basis.

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 21262, Special Condition 1 PERMIT  
Permit No. 3219, General Condition 8 PERMIT  
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: No. 3219, General Condition 8 PERMIT  
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 3219, General Condition 8 PERMIT  
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: No. 21262, SC #1 PERMIT  
Description: Shell failed to prevent unauthorized emissions.

Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)  
5C THSC Chapter 382 382.085(b)  
Description: Shell failed to submit an emissions event report within two weeks after the end of the event.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT  
Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit 3179, General Condition 8 PERMIT  
Description: Shell failed to prevent unauthorized emissions.

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

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 2162/PSDTX 928, S.C. 1 PERMIT  
Description: Shell failed to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. 1 PERMIT  
Description: Shell failed to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: #21262, Special Condition #1 PERMIT  
Description: Shell failed to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(3)(i)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)  
Rqmt Prov: Permit 50099, Provision V.1.2.b. PERMIT  
Description: Shell failed to comply with BIF operating parameters for the total ash feed rate, by not revising the data in the Distributed Control Systems for the correct level of ash being fed into the unit.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: #21262, Special Condition #1 PERMIT  
Description: Shell failed to prevent unauthorized emissions.  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THSC Chapter 382 382.085(b)  
Description: Shell failed to identify the preconstruction authorization number in the final report submitted to the agency for the facility involved in the emissions event, which occurred on June 15, 2005, in the CCU.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT  
Description: Shell failed to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 21262/PSD-TX-928, S.C. No. 1 PERMIT  
Description: Shell failed to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 3219/ PSD-TX-974, G.C. 8 PERMIT  
Description: Shell failed to comply with the permitted emission limits.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 3173, Special Condition 13 PERMIT  
Description: Shell failed to comply with the permitted emission limits.  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)  
5C THSC Chapter 382 382.085(b)  
Description: Shell failed to submit an initial notification of an emissions event within the 24-hour period for the emissions event that occurred on June 28, 2006 at Tank T-75A.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No.3178, Special Condition No.1 PERMIT

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

Classification: Moderate

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

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

Description: Shell failed to prevent an unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit No. 21262, SC1 PERMIT

Description: Shell failed to prevent an avoidable emissions event.

Effective Date: 02/08/2009

ADMINORDER 2007-0837-AIR-E

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

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

Classification: Minor

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

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

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC #2 PERMIT

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

Classification: Moderate

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

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

NSR Permit #3179, SC#1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

FOP #O-01945, ST&C #21 OP

NSR Permit #3179, SC #21E PERMIT

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

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

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

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

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

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

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

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

Description: Failed to maintain all required monitoring analysis data.

Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)  
5C THC Chapter 382, SubChapter A-382.085(b)

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

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

Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

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

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

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

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

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

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

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

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

Effective Date: 06/15/2009

ADMINORDER 2008-1621-AIR-E

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent the shutdown of the compressor.

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

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

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

Effective Date: 08/23/2009 ADMINORDER 2008-1092-AIR-E

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: Permit PERMIT

Description: Failed to prevent the unauthorized emissions of: 2,540 lbs of VOC, 12 lbs of H<sub>2</sub>S, 452 lbs of NO<sub>x</sub>, 3,248 lbs of CO, and 1,216 lbs of SO<sub>2</sub> released from the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare during an emissions event that occurred on March 7, 2008 and lasted 4 hours and 0 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent wet gas compressor malfunction.

Classification: Moderate

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

Rqmt Prov: MAERT PERMIT

Description: Failed to prevent the shutdown of the SRUs.

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

Classification: Moderate

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

Rqmt Prov: SC 1 PA

Special Condition #1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

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

Effective Date: 06/18/2010 ADMINORDER 2009-1789-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 06/26/2010 ADMINORDER 2009-2090-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

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

Effective Date: 07/11/2010

ADMINORDER 2009-1984-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,972 lbs of VOC, 5,816 lbs of CO and 1,062 lbs of NOx from flaring at the Olefins Flare System in the Olefins 3 Unit during an avoidable emissions event (Incident No. 126985) that began July 19, 2009 and lasted nine hours and 58 minutes. The event was the result of an operator not following the established procedure for bypassing the Instrument Protection Function transmitters. As a result, the Li-5026Z transmitter

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Minor

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PA  
Special Condition 13 OP

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition No. 6 PERMIT

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

Effective Date: 10/25/2010

ADMINORDER 2009-1300-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)

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

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02108 STC 15 OP  
FOP O-02108 STC 1A OP  
NSR 18576 SC 4A PERMIT  
NSR 19849 SC 26 PERMIT

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

Classification: Moderate

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

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

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

Effective Date: 02/05/2011

ADMINORDER 2010-0609-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 134189. Since this emissions event could have been avoided through better operational practices, the demonstration criteria in 30 TEX.

ADMIN. CODE § 101.222 for an affirmative defense were not met.

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

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

Effective Date: 04/18/2011

ADMINORDER 2010-1331-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Minor

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

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

Effective Date: 05/08/2011

ADMINORDER 2010-1439-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.173(a)(3)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)

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

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

Effective Date: 06/20/2011

ADMINORDER 2010-1351-MLM-E

Classification: Moderate

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

Rqmt Prov: PSD-TX-928 PERMIT

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

Classification: Moderate

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

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

FOP O-01669, SC 24 OP

NSR 21262, SC 2 PERMIT

NSR 21262, SC 3(A) PERMIT  
NSR 21262, SC 3(B) PERMIT  
NSR 21262, SC 4(D) PERMIT  
NSR 21262, SC 9(I) PERMIT  
SC 2, 3(A), 3(B), 4(D), 9(I) PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)

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

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

Classification: Moderate

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

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

Description: Failing to maintain compliance with the MAERT for sulfur dioxide (SO<sub>2</sub>) for the Cracked Gas Hydrotreater Furnace ("EPN H36100"). Specifically, EPN H36100 emitted 7.3067 tons in 2007, and the allowed limit is 4.48 tons per year.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Description: Failing to prevent the unauthorized release of air contaminants into the atmosphere when the V-5102 Crude Column was overpressured when the wash water entered the feed crude train at the DU2. Specifically, on May 17, 2009, during this two-minute emission event (Incident No. 124343) the following emissions were released: 7.587 tons of VOCs, 4 lbs. of hydrogen sulfide ( $\text{H}_2\text{S}$ ), and 32 lbs of benzene. The TCEQ determined these emissions could have been avoided by better operational practices.

Classification: Moderate

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

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

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 10/17/2011 ADMINORDER 2011-0475-AIR-E

Classification: Moderate

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

5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition 1 PERMIT  
Description: Failed to prevent unauthorized emissions.

See addendum for information regarding federal actions.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	12/29/2006	(343599)
2	11/30/2006	(379581)
3	03/05/2007	(406521)
4	02/20/2007	(457345)
5	05/09/2007	(467500)
6	12/07/2006	(487985)
7	12/07/2006	(488004)
8	12/07/2006	(488023)
9	12/07/2006	(488025)
10	12/15/2006	(508968)
11	03/01/2007	(509707)
12	11/16/2006	(512687)
13	11/21/2006	(517284)
14	01/19/2007	(531892)
15	02/23/2007	(532452)
16	02/17/2007	(532455)
17	04/25/2007	(532459)
18	02/23/2007	(532463)
19	02/27/2007	(532471)
20	12/21/2006	(534053)
21	05/07/2007	(537121)
22	01/31/2007	(537439)
23	01/31/2007	(538659)
24	04/26/2007	(541475)
25	04/30/2007	(542592)
26	05/18/2007	(542652)
27	04/25/2007	(542681)
28	04/30/2007	(542683)
29	05/08/2007	(542690)
30	05/14/2007	(542697)
31	05/29/2007	(559183)
32	10/12/2007	(560777)
33	05/30/2007	(560809)
34	06/25/2007	(563779)
35	06/25/2007	(564308)
36	06/27/2007	(564822)
37	06/27/2007	(564828)
38	12/04/2008	(565248)
39	07/10/2007	(565422)

40	11/06/2007	(565492)
41	07/06/2007	(565610)
42	08/01/2007	(567841)
43	08/14/2007	(567884)
44	08/03/2007	(568522)
45	08/17/2007	(571025)
46	08/13/2007	(571026)
47	09/18/2007	(571877)
48	08/15/2007	(571883)
49	11/19/2007	(572257)
50	09/19/2007	(572770)
51	11/06/2007	(593367)
52	10/16/2007	(593594)
53	10/25/2007	(596852)
54	11/27/2007	(597446)
55	01/25/2008	(597769)
56	11/15/2007	(597891)
57	11/15/2007	(597968)
58	01/07/2008	(598077)
59	01/17/2008	(599615)
60	01/17/2008	(599668)
61	11/19/2007	(599691)
62	01/17/2008	(599822)
63	03/28/2008	(600448)
64	06/30/2008	(600450)
65	01/17/2008	(600635)
66	12/04/2007	(600886)
67	11/30/2007	(601276)
68	02/01/2008	(607448)
69	11/30/2007	(608138)
70	12/20/2007	(610419)
71	03/31/2008	(610634)
72	04/09/2008	(610636)
73	04/11/2008	(610638)
74	02/05/2008	(610680)
75	03/07/2008	(612807)
76	01/22/2008	(613355)
77	02/01/2008	(613923)
78	02/04/2008	(614031)
79	02/01/2008	(614301)
80	02/01/2008	(614303)
81	02/01/2008	(615075)
82	01/25/2008	(615280)
83	01/25/2008	(615969)
84	01/25/2008	(615999)
85	01/28/2008	(616080)
86	01/28/2008	(616082)
87	02/13/2008	(616505)
88	03/24/2008	(616741)
89	03/10/2008	(617388)
90	08/31/2008	(637068)

91	04/11/2008	(637073)
92	08/31/2008	(637076)
93	03/12/2008	(637217)
94	05/23/2008	(637956)
95	05/23/2008	(638051)
96	03/24/2008	(638443)
97	04/21/2008	(639674)
98	11/24/2008	(641389)
99	05/02/2008	(650560)
100	04/22/2008	(653495)
101	05/20/2008	(654015)
102	05/23/2008	(654353)
103	06/06/2008	(654842)
104	05/20/2008	(654943)
105	07/17/2008	(656863)
106	06/10/2008	(671393)
107	07/24/2008	(682501)
108	10/23/2008	(682549)
109	06/17/2008	(682693)
110	06/18/2008	(683279)
111	07/23/2008	(683726)
112	11/24/2008	(684019)
113	07/11/2008	(685564)
114	07/17/2008	(686593)
115	08/14/2008	(686729)
116	08/31/2009	(687729)
117	08/19/2008	(689497)
118	08/22/2008	(699629)
119	09/05/2008	(700024)
120	11/03/2008	(700060)
121	11/03/2008	(701753)
122	09/10/2008	(702237)
123	09/10/2008	(702256)
124	10/09/2008	(703510)
125	10/16/2008	(704306)
126	12/30/2008	(705857)
127	10/27/2008	(706455)
128	10/27/2008	(706540)
129	01/15/2009	(707647)
130	01/20/2009	(708950)
131	12/04/2008	(709362)
132	12/04/2008	(709367)
133	02/09/2009	(709972)
134	01/28/2009	(720984)
135	12/12/2008	(721015)
136	12/29/2008	(722320)
137	03/10/2009	(722825)
138	04/02/2009	(722827)
139	02/20/2009	(723069)
140	01/09/2009	(723179)

141	02/18/2009	(735789)
142	07/10/2009	(737104)
143	08/18/2009	(737105)
144	09/30/2009	(737217)
145	05/13/2009	(737311)
146	04/17/2009	(737361)
147	06/08/2009	(737950)
148	06/08/2009	(741940)
149	05/11/2009	(741959)
150	08/04/2009	(741963)
151	06/01/2009	(742131)
152	05/14/2009	(742134)
153	08/04/2009	(742135)
154	05/13/2009	(742834)
155	04/30/2009	(744066)
156	07/23/2009	(747258)
157	09/15/2009	(747259)
158	08/28/2009	(747477)
159	12/17/2009	(747492)
160	02/03/2010	(749600)
161	02/25/2008	(750215)
162	02/25/2009	(750216)
163	03/23/2009	(750217)
164	03/24/2008	(750218)
165	04/21/2008	(750219)
166	05/22/2008	(750220)
167	06/23/2008	(750221)
168	07/21/2008	(750222)
169	08/25/2008	(750223)
170	09/22/2008	(750224)
171	10/23/2007	(750225)
172	10/22/2008	(750226)
173	11/19/2007	(750227)
174	11/24/2008	(750228)
175	01/03/2008	(750229)
176	12/22/2008	(750230)
177	01/22/2008	(750231)
178	01/23/2009	(750232)
179	09/21/2009	(760334)
180	08/13/2009	(760336)
181	11/10/2009	(760343)
182	08/13/2009	(760346)
183	09/21/2009	(762422)
184	12/10/2009	(762424)
185	10/12/2009	(762569)
186	07/22/2009	(763029)
187	12/02/2009	(763495)
188	08/12/2009	(764686)
189	08/12/2009	(764845)
190	08/12/2009	(765197)
191	08/12/2009	(765199)

192	10/30/2009	(765451)
193	08/19/2009	(766023)
194	08/21/2009	(766514)
195	09/23/2009	(766994)
196	12/02/2009	(766995)
197	12/02/2009	(766996)
198	11/24/2009	(766997)
199	04/24/2009	(768318)
200	05/20/2009	(768319)
201	06/15/2009	(768320)
202	05/20/2009	(768321)
203	09/28/2009	(777627)
204	11/23/2009	(778496)
205	10/23/2009	(778758)
206	12/09/2009	(778830)
207	10/14/2009	(779040)
208	11/30/2009	(780176)
209	04/06/2010	(783318)
210	12/09/2009	(784940)
211	02/23/2010	(787148)
212	01/13/2010	(787368)
213	01/27/2010	(787380)
214	02/17/2010	(787388)
215	02/01/2010	(788201)
216	02/10/2010	(788491)
217	03/15/2010	(789829)
218	01/29/2010	(790337)
219	03/29/2010	(790604)
220	03/02/2010	(791204)
221	03/29/2010	(792150)
222	05/19/2010	(792168)
223	02/23/2010	(792309)
224	04/12/2010	(793088)
225	05/19/2010	(793841)
226	03/25/2010	(794199)
227	04/02/2010	(794620)
228	04/12/2010	(795209)
229	04/12/2010	(795244)
230	04/12/2010	(795254)
231	04/12/2010	(795268)
232	05/07/2010	(797014)
233	05/10/2010	(797038)
234	05/10/2010	(797040)
235	04/05/2010	(797068)
236	07/01/2010	(798147)
237	06/22/2010	(798148)
238	04/21/2010	(798275)
239	05/27/2010	(799073)
240	04/27/2010	(799949)
241	08/09/2010	(800144)

242	04/29/2010	(800569)
243	05/19/2010	(801115)
244	05/20/2010	(801366)
245	06/09/2010	(801867)
246	08/17/2010	(803124)
247	07/26/2010	(803128)
248	08/31/2010	(803142)
249	06/11/2010	(803895)
250	07/27/2010	(824430)
251	05/25/2010	(824557)
252	07/09/2010	(826170)
253	09/10/2010	(826882)
254	08/20/2010	(827001)
255	08/13/2010	(827295)
256	09/29/2010	(827506)
257	07/28/2010	(842904)
258	07/28/2010	(842924)
259	09/07/2010	(848892)
260	03/15/2011	(859959)
261	12/16/2010	(863684)
262	09/16/2010	(864076)
263	11/13/2010	(871868)
264	01/21/2011	(878058)
265	01/05/2011	(878837)
266	02/16/2011	(885367)
267	01/27/2011	(893323)
268	05/27/2011	(899804)
269	06/10/2011	(899805)
270	08/18/2011	(899806)
271	08/25/2011	(899807)
272	08/01/2011	(899808)
273	05/18/2011	(899809)
274	08/02/2011	(899972)
275	06/01/2011	(899988)
276	03/08/2011	(900041)
277	02/28/2011	(900341)
278	05/12/2011	(901220)
279	05/16/2011	(901224)
280	04/27/2011	(901538)
281	04/08/2011	(906978)
282	06/07/2011	(912033)
283	07/15/2011	(915097)
284	06/17/2011	(915211)
285	05/16/2011	(919611)
286	05/24/2011	(921483)
287	08/01/2011	(923435)
288	08/30/2011	(937207)
289	09/28/2011	(937483)
290	08/30/2011	(937592)
291	08/23/2011	(937593)

292 07/22/2011 (937608)  
 293 08/26/2011 (937667)  
 294 08/29/2011 (937668)  
 295 10/21/2011 (941179)  
 296 10/07/2011 (941190)  
 297 08/02/2011 (944273)  
 298 08/02/2011 (944370)  
 299 08/17/2011 (948252)  
 300 09/07/2011 (952258)  
 301 09/15/2011 (952283)  
 302 09/22/2011 (956750)

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

Date: 11/14/2006 (512687) CN601405145  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 111, SubChapter A 111.354(a)(4)(A)(ii)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP #O-01669, Special Condition #1A OP  
 Description: Failure to record the daily visual observations of flare per 30 TAC 111.111(a)(4)(A)(ii)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP #O-01669, Special Condition #1A OP  
 FOP #O-01669, Special Condition #1D OP  
 Description: Failure to prevent visible emissions in the operation of flares on six different occasions  
 During the compliance certification period as required by 40 CFR 63.11(b)(4) and 40  
 CFR 60.18(c)(1).

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

Date: 02/23/2007 (532452) CN601405145  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 115, SubChapter H 115.782(a)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP O-01946, Special Condition 1A OP  
 FOP O-01946, Special Condition 1M(iv) OP  
 FOP O-01946, Special Condition 21 OP  
 NSR #18576, Special Condition 7H PA  
 NSR #3216, Special Condition 6H PA  
 NSR #3217, Special Condition 3H PA  
 Description: Failure to maintain leaking component tags on 15 leaking LDAR components per  
 30 TAC 115.354(5).

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)  
 5C THC Chapter 382, SubChapter A 382.085(b)

FOP # O-01946, Special Condition 1A OP  
FOP #O-01946, Special Condition 21 OP  
NSR 3216, Special Condition 2 PA  
NSR 3218, Special Condition 2 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 1A OP  
FOP O-01946, Special Condition 1M(iv) OP  
FOP O-01946, Special Condition 21 OP  
NSR Permit 3215, Special Condition 2E PA  
NSR Permit 3216, Special Condition 2 PA  
NSR Permit 3216, Special Condition 6E PA  
NSR Permit 3217, Special Condition 3E PA  
NSR Permit 3218, Special Condition 2 PA  
NSR Permit 3218, Special Condition 8E PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 21 OP  
NSR Permit 3216, Special Condition 5 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 1A OP  
FOP O-01946, Special Condition 21 OP  
NSR Permit 3219, Special Condition 4 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 21 OP  
NSR Permit 3216, Special Condition 1 PA

Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 1M(ii) OP

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

115.725(a)(1)(B).  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 1M(ii) OP  
Description: Failure to limit the fuel gas flow for Flare FOL-604 to 19,100scf/hr. for  
approximately 180 hours  
between February 1 through February 16, 2006. Exceeding this limit is a violation  
of 30 TAC  
115.725(a)(1)(C).  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 1A OP  
Description: Failure to perform seal gap inspections for Tank 354 as required by 30 TAC  
115.114(a)(2) and 40  
CFR 60.113b(b)(1).  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 28 OP  
Description: Failure to provide chemical process training to refinery personnel per by 40 CFR  
68.73(c).

Date: 02/27/2007 (532471) CN601405145  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP #O-01947, General Terms & Conditions OP  
Description: Failure to submit PCC within 30 days as required.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP #O-01947, General Terms & Conditions OP  
Description: Failure to submit a Deviation report within 30 days as required.

Date: 05/14/2007 (542697) CN601405145  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)  
Description: Failure to submit the Initial notification ten days prior or as soon as practicable for  
a major turnaround.

Date: 08/29/2007 (543555) CN601405145  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Title V O-01669, General Terms/Condition OP  
Description: failed to submit a permit compliance certification and a deviation report in a timely  
manner.

Date: 02/05/2008 (610680) CN601405145  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 115, SubChapter H 115.782(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THSC Chapter 382 382.085(b)

NSR 18576, Special Condition 7H PERMIT  
NSR 3217, Special Condition 3H PERMIT  
O-01946 Special Conditions 1M(iv) OP  
O-01946 Special Conditions 1A OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)  
5C THSC Chapter 382 382.085(b)  
NSR 3216, Special Condition 2 PERMIT  
NSR 3218, Special Condition 2 PERMIT  
O-01946 Special Condition 1A OP  
O-01946 Special Condition 21 OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
NSR 18576, Special Condition 7E PERMIT  
NSR 3216, Special Condition 6E PERMIT  
NSR 3217, Special Condition 3E PERMIT  
NSR 3218, Special Condition 8E PERMIT  
O-01946 Special Condition 1A OP  
O-01946 Special Condition 1M(iv) OP  
O-01946 Special Condition 21 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01946 Special Condition 1M(ii) OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01946 Special Condition 1M(ii) OP

Description: Failure to meet HRVOC monitoring/recordkeeping requirements.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
NSR 3216, Special Condition 11C PERMIT  
O-01946 Special Condition 21 OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01946 Special Condition 21 OP  
Special Condition 11B PERMIT

Description: Failure to continuously monitor the Gross Heating Value (GHV) measurement of the fuel gas.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
NSR 3216, Special Condition 5 PERMIT

O-01946 Special Condition 21 OP

Description: Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007.

Date: 03/10/2008 (617388)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)

Description: Shell failed to submit a Corrective Action Plan (CAP) in a timely manner.

Date: 04/01/2008 (610634) CN601405145

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
NSR 3214, SC 5(E) PERMIT  
NSR 3214, SC 6(E) PERMIT  
NSR 3219, SC 2(E) PERMIT  
NSR 3219, SC 8 PERMIT  
O-01668, SC 1(A) OP  
O-01668, SC 1(H)(v) OP  
O-01668, SC 15(A) OP

Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 115, SubChapter H 115.782(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)  
5C THSC Chapter 382 382.085(b)  
NSR 3214, SC 5(H) PERMIT  
NSR 3214, SC 6(H) PERMIT  
NSR 3219, SC 2(H) PERMIT  
NSR 3219, SC 8 PERMIT  
O-01668, SC 1(A) OP  
O-01668, SC 1(H)(v) OP  
O-01668, SC 15(A) OP

Description: Failure to tag seventeen (17) leaking components: 14 components in OP2FUG and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 1(H)(v) OP

Description: Failure to repair valve 76372A within 7 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
NSR 56496, GC 8 PERMIT  
NSR 56496, SC 1 PERMIT  
O-01668, SC 15(A) OP

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

Self Report? NO Classification: Moderate

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

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

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

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

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

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

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

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

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

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 1(H)(ii) OP

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

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

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

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 1(H)(ii) OP

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

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 15(B) OP

Description: Failure to include all authorizations in Federal Operating Permit (FOP) O-01668,

Issued October 18, 2004 and amended February 1, 2006.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 1(A) OP  
Description: Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.

Date: 04/09/2008 (639062) CN601405145

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
5C THSC Chapter 382 382.085(b)  
NSR 3173, SC 3 PERMIT  
NSR 3173, SC 8(D) PERMIT  
NSR 3985A, SC 8(D) PERMIT  
NSR19849, SC 7(D) PERMIT  
O-01948, SC 1(A) OP  
O-01948, SC 13(A) OP  
Description: Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
NSR 1968, SC 3(E) PERMIT  
NSR 19849, SC 11(E) PERMIT  
NSR 19849, SC 13 PERMIT  
NSR 19849, SC 14 PERMIT  
NSR 3173, SC 6(E) PERMIT  
O-01948, 13(A) OP  
O-01948, SC 1(A) OP  
O-01948, SC 1(H)(iv) OP

Description: Failure to seal open-ended lines.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
NSR 3173, SC 8(I) PERMIT  
O-01948, SC 1(A) OP  
O-01948, SC 1(H)(iv) OP  
O-01948, SC 13(A) OP

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

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 115, SubChapter H 115.782(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
NSR 3173, SC 6(H) PERMIT  
O-01948, SC 1(A) OP  
O-01948, SC 1(H)(iv) OP  
O-01948, SC 13(A) OP

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

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Date: 04/11/2008 (637073) CN601405145

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Date: 04/11/2008 (610638) CN601405145

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02108, SC 1(A) OP  
O-02108, SC 15(A) OP  
Permit 19849, SC 11(E) PERMIT

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

Self Report? NO Classification: Minor

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

O-02108, SC 1(A) OP  
Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.

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

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

Date: 07/31/2008 (750223)

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

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

Date: 09/02/2008 (637076) CN601405145

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the Annual Compliance Certification (ACC) report for the certification period April 15, 2006 through October 15, 2007 within 30 days.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007 within 30 days.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 21 OP  
NSR 3179, GC 1 PERMIT

Description: Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 21(A) OP  
NSR 3179, GC 1 PERMIT  
NSR 3179, SC 10 PERMIT

Description: Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP  
NSR 3179, SC 2 PERMIT

Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007 at 1700.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

FOP O-01945, SC 21(A) OP  
NSR 3179, SC 13 PERMIT

Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.085(b)

Description: Failure to include in the Federal Operating Permit, vent gas stream collection vessel V8342.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(H)(ii) OP

Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP

Description: Failure to prevent an exceedance of 100 annual operating hours for P87921 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP  
FOP O-01945, SC 21(A) OP  
NSR 3179, SC 2 PERMIT

Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP  
FOP O-01945, SC 21(A) OP  
NSR 3179, SC 20E PERMIT  
NSR 3179, SC 21E PERMIT  
NSR 3179, SC 3(B) PERMIT

Description: Failure to prevent four open-ended lines: Tag No. 450133.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP  
FOP O-01945, SC 21(A) OP  
NSR 3179, SC 21(H) PERMIT

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

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

Date: 12/31/2008 (750232)

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

Date: 03/31/2009 (768318)

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

Date: 04/30/2009 (768319)

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

Date: 07/14/2009 (737104)

CN601405145

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THSC Chapter 382 382.085(b)  
9334, SC 11H PERMIT  
O-01943, SC 17 OP  
Description: Failure to tag leaking components.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01943, SC 1A OP  
Description: Failure to operate a flare CEM for at least 95 percent of the total operating time in a year.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Part 60, Subpart A 60.18(c)(4)(i)  
5C THSC Chapter 382 382.085(b)  
9334, SC 5 PERMIT  
O-01943, SC 17 OP  
Description: Failed to maintain flare inlet heat content and exit velocity per 40 CFR 60 requirements.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
9334, SC 11E PERMIT  
O-01943, SC 17 OP  
Description: Failure to plug/cap all open ended lines.

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

30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01943, SC 1A OP  
Description: Failure to continuously monitor a pressure relief valve for HRVOC.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.117(b)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01943, SC 17 OP

Description: Failure to register two Permit by Rules that require registration.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
3178, SC 1 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01943, SC 17 OP

Description: Failure to store VOC in proper storage tanks.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)  
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with the sitewide hourly HROVC limit.

Date: 08/18/2009 (737105) CN601405145  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.085(b)  
Description: Shell Chemicals LP failed to revise Title V Federal Operating Permit O-02108 to incorporate references in NSR permit 48912. (FOP O-02108; NSR 48912)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)  
Description: Shell Chemicals LP failed to report missed recordkeeping of pilot monitoring of A&S from July 31, 2008 through December 31, 2008 in a timely manner. (FOP O-02108)

Date: 08/28/2009 (747477) CN601405145  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(2)  
5C THSC Chapter 382 382.085(b)  
Special Condition (SC) No. 11G OP  
Description: Failure to maintain records on the HIPA flare (A1333) pilot's monitor from October 30, 2007 through November 10, 2007. (Category C3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC No. 1A OP  
Description: Failure to maintain the H9200 incinerator's 3-hour average VOC limit of 20 ppm for 11 hours in November 2007. (Category B19(g)(1))  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)  
5C THSC Chapter 382 382.085(b)  
SC No. 1A OP  
SC No. 21 OP  
SC No. 23 PERMIT  
Description: Failure to record the H9200 incinerator's CEMS data on August 7, 2007 for 9.32 hours and on November 8, 2007 for 1.6 hours. (Category C3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)

5C THSC Chapter 382 382.085(b)  
 SC No. 1A OP  
 Description: Failure to maintain the H87002 thermal oxidizer's temperature above 1505 degrees Fahrenheit on March 21, 2007, June 12, 2007, September 13, and February 3, 2008 for 23 hours and 59 minutes each day. (Category B19(g)(1))  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC No. 2F OP  
 Description: Failure to submit an emissions (STEERS No. 106008) report within 24 hours after the event. The RE documented in the deviation report dated May 13, 2008, the report was due April 6, 2008 and not submitted until April 8, 2008. (Category C3)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC No. 21 OP  
 SC No. 7 PERMIT  
 Description: Failure to maintain documentation to demonstrate compliance with the marine loading requirements for acetone with regards to pump capacity limitation from April 16, 2008 through June 30, 2008 and August 10, 2008 through October 14, 2008. (Category B3)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 117, SubChapter G 117.8100(a)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC No. 14B PERMIT  
 SC No. 1A OP  
 SC No. 21 OP  
 Description: Failure to conduct the Phenol #3 BIF Boiler (H-87920) CEMS nitrogen oxide cylinder gas audit (CGA) for the third quarter of 2008 (7/1/08 through 9/30/08). (Category B1)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
 5C THSC Chapter 382 382.085(b)  
 SC No. 1A OP  
 SC No. 21 OP  
 SC No. 21H PERMIT  
 Description: Failure to tag P0113, 348837, 322724, 322769, 322811, 322819, 325567, and 328623.1 from June 23 to June 24, 2008; and on 0301, 0713.1, 0822.2, and 1249 from June 18 to June 19, 2008. (Category C4)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
 5C THSC Chapter 382 382.085(b)  
 SC No. 14 PERMIT  
 SC No. 1A OP  
 SC No. 21 OP  
 Description: Failure to maintain the East Property flare (EPN: EPFLARE) net heating value above 300 BTU/scf and/or the required exit velocity from January 1, 2008 through December 31, 2008 for 152 hours. (Category B19(g)(1))  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 116, SubChapter B 116.117(b)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC No. 22 OP  
 Description: Failure to register PBRs 30 TAC 106.261 and 106.262 from January 1, 2008 through December 31, 2008. (Category C3)

Date: 08/31/2009 (687729)

CN601405145

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01669, SC 1(K)(iii) OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 122, SubChapter B 122.143(4)

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

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

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01669, SC 1(K)(iii) OP

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

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

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

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

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

Date: 09/15/2009 (747259) CN601405145

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

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

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

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

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

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

Date: 09/30/2009 (737217) CN601405145

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)

5C THSC Chapter 382 382.085(b)  
FOP, General Terms and Condition 1A OP  
FOP, Special Condition 21 OP  
NSR, Special Condition 7E PERMIT

Description: Failure to seal open ended lines. (Category C10 violation)  
Self Report? NO Classification: Minor  
Citation:

30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)  
5C THSC Chapter 382 382.085(b)  
FOP, General Condition 1A OP  
FOP, Special Condition 21 OP  
NSR 3218 SC 9H, and NSR 3216 SC 6H PERMIT

Description: Failed to tag leaking fugitive components.  
Self Report? NO Classification: Moderate  
Citation:

30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Condition 21 PERMIT  
FOP, Special Condition 23 PERMIT

Description: Failed to register Permit by Rule (PBR) 106.261 and 106.262.

Date: 12/17/2009 (747492) CN601405145

Self Report? NO Classification: Moderate  
Citation:

30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 13 OP  
Special Condition 1H(iv) OP  
Special Condition 3E PA  
Special Condition 6E PA  
Special Condition 8E PA

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

Self Report? NO Classification: Minor  
Citation:

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

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

Self Report? NO Classification: Minor  
Citation:

30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to sample HRVOC analyzers.

Self Report? NO Classification: Moderate  
Citation:

30 TAC Chapter 115, SubChapter H 115.725(l)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to continuously operate the monitoring system on the highly reactive volatile organic compound (HRVOC) Flare ID#A&S (A1301) and pressure relief valve (PRV-361)).

Self Report? NO Classification: Moderate  
Citation:

30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Special Condition 13 OP  
Special Condition 1A OP  
Special Condition 8D PA  
Description: Failure to conduct annual visual inspection on tank T-92 on time.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PA  
Special Condition 13 OP  
Description: Failure to limit the hourly VOC emissions. Shell exceeded the 0.52 lb/hr VOC emission limit for V118 Stack.

Date: 01/28/2010 (787380) CN601405145  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition #3 PERMIT  
Description: Failure to prevent unauthorized emissions.

Date: 02/17/2010 (787388)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition #1 PERMIT  
Description: Failure to prevent a leak from the EOL611 air cooler which resulted in unauthorized emissions. Specifically, 283.10 pounds (lbs) volatile organic compounds(VOCs) including 79.6 lbs of benzene were released during the emissions event.

Date: 05/10/2010 (797038)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition #1 PERMIT  
Description: Failure to prevent the release of unauthorized emissions particularly during the Product Hydrogen methanator malfunction.

Date: 06/01/2010 (799073) CN601405145  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
5C THSC Chapter 382 382.085(b)  
SC 6 PERMIT  
ST&C 15 OP  
ST&C 1A OP  
Description: Failure to maintain flare resulting in visible emissions from flare. (CATEGORY C4 violation)

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

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP

Description: Failure to collect samples or samples collected late on the HRVOC flares. (CATEGORY C1 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC 9 PERMIT  
ST&C 15 OP  
ST&C 1A OP

Description: Failure to collect samples on the HRVOC Cooling Tower. (CATEGORY C1 violation)

Self Report? NO Classification: Minor

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

Description: Failure to stay within the CO rolling 24 hour average concentration in ppm. (CATEGORY B18 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.340(c)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC 11 PERMIT  
ST&C 15 OP  
ST&C 1A OP

Description: Failure to maintain CEMS resulting in greater than 5% downtime. (CATEGORY C4 violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC 2E PERMIT  
SC 6E PERMIT  
ST&C 15 OP  
ST&C 1A OP

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

Self Report? NO Classification: Minor

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

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

Date: 08/20/2010 (827001) CN601405145

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Minor

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

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

Date: 01/05/2011 (878837)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Description: Shell failed to prevent a loss of electric power to OP-2, resulting in unauthorized emissions from the Olefins Flare System. EIC Subcategory B14.

Date: 08/10/2011 (899805) CN601405145  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC 9 PERMIT  
ST&C 17 OP  
Description: Failure to maintain the tank fill rate below the maximum fill rate for tanks D350, D353, and G353. [CATEGORY B18 VIOLATION]  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.117(b)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
ST&C 17 OP  
Description: Failure to submit PBR registrations (Form PI-7) within ten days after making parameter changes to tanks G343, G344 and J313. [Category C3 violation]  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
ST&C 2.F. OP  
Description: Failure to report an emission event to STEERS within 24 hours. [Category C3 violation]  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)  
GT&C OP  
Description: Failure to report all deviations in the corresponding semi-annual deviation report. [Category C3 violation]  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(5)(A)  
5C THSC Chapter 382 382.085(b)  
GT&C OP  
Description: Failure to submit complete and accurate semi-annual deviation reports. (Category B3 violation)

Date: 08/01/2011 (899808) CN601405145  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(2)  
5C THSC Chapter 382 382.085(b)  
Special Conditions 1 and 8 OP  
Description: Late notification of emergency engine installation. Category B3 violation.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.165(a)(7)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 OP  
Description: Failure to properly document the accuracy and the completeness of a deviation report. Category C3 violation.

Date: 08/02/2011 (899972) CN601405145  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

Description: Failure to limit H2S content in refinery fuel gas to 162 ppm on a 3-hour average

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(f)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

Description: Failure to maintain the SO2 limit of 250 ppmv from the Sulfur Recovery 3/4 stack for a total of 13 hours

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

Description: Failure to continuously monitor SO2 and particulate matter (PM) from the CCU Furnace H-600/ Wet Gas Scrubber

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
 5C THSC Chapter 382 382.085(b)  
 SC 9E PERMIT  
 ST&C 1A and 22A OP

Description: Failure to seal five open-ended lines in VOC/HAP service with a cap, blind flange, plug, or a second valve

Self Report? NO Classification: Moderate

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

Description: Failure to maintain the fuel flow limits that were established during performance tests for the heaters

Self Report? NO Classification: Minor

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

Description: Failure to take HRVOC samples 9 times within 10 hours when HRVOC analyzers for flares were down for more than 8 hours

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

Description: Failure to maintain the minimum net heating value of 300 Btu/scf for the gas being combusted in flares

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
 30 TAC Chapter 115, SubChapter B 115.114(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(1)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

Description: Failure to perform required visual tank inspections according to schedule

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(ii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(1)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

Description: Failure to perform required secondary seal measurements according to schedule for Tank A324

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

Description: Failure to limit NH3 emissions to 10 ppmv from the Heater H53NN for two hours

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 117, SubChapter B 117.310(c)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)  
 5C THSC Chapter 382 382.085(b)  
 SC 6 PERMIT  
 ST&C 1A and 22A OP

Description: Failure to limit CO emissions from combustion devices

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

Description: Failure to take VOC samples six times when VOC analyzers for cooling water towers were down for more than 24 hours

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP

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

Date: 08/24/2011 (899807) CN601405145

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.165(a)(7)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP

Description: Failure to properly document the accuracy and completeness of a deviation report.

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 PA  
 Special Terms and Conditions 21 OP

Description: Failure to limit hydrogen sulfide concentration in refinery fuel gas. Category B18 violation.

F. Environmental audits.

Notice of Intent Date: 04/18/2007 (562595)  
 No DOV Associated

Notice of Intent Date: 08/03/2007 (593493)  
 Disclosure Date: 12/19/2007  
 Viol. Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.10  
 Description: Failure to properly calculate and report emissions from tank floating roof landings on the annual emissions inventory submittal.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(1)

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

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 115, SubChapter B 115.112  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

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

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

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

Viol. Classification: Minor  
Citation: 40 CFR Part 60, Subpart VV 60.482-7

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

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

No DOV Associated

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

Disclosure Date: 03/25/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT 00402

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

Notice of Intent Date: 12/19/2007 (791204)

No DOV Associated

Notice of Intent Date: 02/19/2008 (639389)

Disclosure Date: 08/18/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT TPDES 00402

Description: Failure to maintain sewer system integrity. Specifically, 3,550 liner feet of sewer in the oil water system were inspected, and 6 segments totaling 313 liner feet that contained defects requiring repairs.

Notice of Intent Date: 04/08/2008 (654698)

No DOV Associated

Notice of Intent Date: 04/18/2008 (654683)

No DOV Associated

Notice of Intent Date: 05/23/2008 (682189)

Disclosure Date: 11/25/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: PA TPDES 00402

Description: Failure to comply with TPDES permit condition requirements. Specifically, 270 feet of sewer confined to six segments of the storm sewer contained defects and structural cracks that may affect the hydraulic

integrity.

Notice of Intent Date: 06/17/2008 (686667)

Disclosure Date: 11/25/2008

Viol. Classification: Moderate

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

Rqmt Prov: PERMIT TPDES 00402

Description: Failure to comply with TPDES permit conditions. Specially, 160 ft of sewer confined to 4 segments contained defects and structural cracks that may affect the hydraulic integrity of these segments.

Notice of Intent Date: 08/13/2008 (701440)

Disclosure Date: 02/19/2009

Viol. Classification: Moderate

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

Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 10/27/2009 (785669)

Disclosure Date: 08/02/2010

Viol. Classification: Major

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

Rqmt Prov: PERMIT NSR permit no. 3179 MAERT

Description: Failure to monitor tank's internal floating roof which resulted in abnormal venting via breather vents and caused the unauthorized emission of 15lb of acetone. No RQ was exceeded.

Notice of Intent Date: 11/12/2009 (785386)

Disclosure Date: 07/12/2010

Viol. Classification: Moderate

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

30 TAC Chapter 116, SubChapter G 116.715(a)

Description: Failure to perform LDAR directed maintenance on leaking components in refining units. Failing to meet 28 MID program requirements.

Notice of Intent Date: 01/12/2010 (789407)

No DOV Associated

Notice of Intent Date: 10/20/2010 (873036)

No DOV Associated

Notice of Intent Date: 11/18/2010 (884821)

No DOV Associated

Notice of Intent Date: 01/26/2011 (899545)

No DOV Associated

Notice of Intent Date: 08/26/2011 (956682)

No DOV Associated

G. Type of environmental management systems (EMSs).

01/12/2005 12/04/2013 ENVIRONMENTAL MANAGEMENT SYSTEM

NON 30 TAC CH 90 CERTIFIED

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

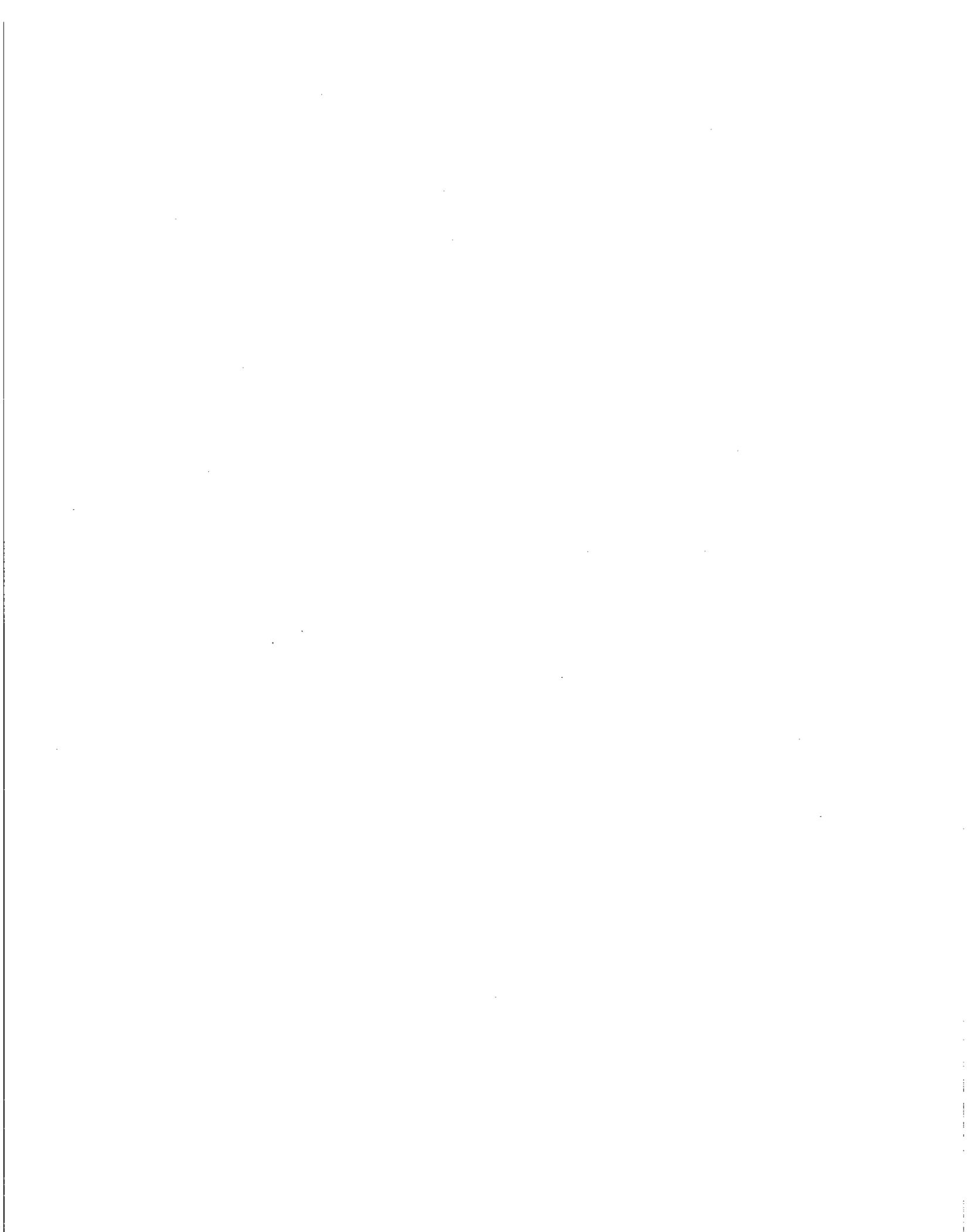
N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



## Compliance History

Customer/Respondent/Owner-Operator: CN601542012 Shell Oil Company Classification: AVERAGE Rating: 3.20

Regulated Entity: RN100211879 SHELL OIL DEER PARK Classification: AVERAGE Site Rating: 12.72

ID Number(s):		ACCOUNT NUMBER	
	AIR OPERATING PERMITS		HG0659W
	AIR OPERATING PERMITS	PERMIT	1669
	AIR OPERATING PERMITS	PERMIT	1668
	AIR OPERATING PERMITS	PERMIT	1943
	AIR OPERATING PERMITS	PERMIT	1945
	AIR OPERATING PERMITS	PERMIT	1946
	AIR OPERATING PERMITS	PERMIT	1947
	AIR OPERATING PERMITS	PERMIT	1948
	AIR OPERATING PERMITS	PERMIT	2108
	AIR OPERATING PERMITS	PERMIT	1940
	AIR OPERATING PERMITS	PERMIT	1942
	AIR OPERATING PERMITS	PERMIT	3179
	POLLUTION PREVENTION PLANNING	ID NUMBER	P00619
	POLLUTION PREVENTION PLANNING	ID NUMBER	P07403
	WASTEWATER	PERMIT	WQ0000402000
	WASTEWATER	EPA ID	TX0004863
	WASTEWATER	PERMIT	WQ0000403000
	WASTEWATER	EPA ID	TX0004871
	WASTEWATER	EPA ID	TX0004871
	AIR NEW SOURCE PERMITS	REGISTRATION	92675
	AIR NEW SOURCE PERMITS	REGISTRATION	92388
	AIR NEW SOURCE PERMITS	REGISTRATION	92219
	AIR NEW SOURCE PERMITS	PERMIT	21262
	AIR NEW SOURCE PERMITS	REGISTRATION	54895
	AIR NEW SOURCE PERMITS	REGISTRATION	55312
	AIR NEW SOURCE PERMITS	REGISTRATION	75524
	AIR NEW SOURCE PERMITS	REGISTRATION	55869
	AIR NEW SOURCE PERMITS	REGISTRATION	76315
	AIR NEW SOURCE PERMITS	PERMIT	7855
	AIR NEW SOURCE PERMITS	REGISTRATION	11177
	AIR NEW SOURCE PERMITS	REGISTRATION	12152
	AIR NEW SOURCE PERMITS	REGISTRATION	12537
	AIR NEW SOURCE PERMITS	PERMIT	13373
	AIR NEW SOURCE PERMITS	REGISTRATION	13713
	AIR NEW SOURCE PERMITS	REGISTRATION	16429
	AIR NEW SOURCE PERMITS	PERMIT	1119
	AIR NEW SOURCE PERMITS	PERMIT	1120
	AIR NEW SOURCE PERMITS	PERMIT	3178
	AIR NEW SOURCE PERMITS	PERMIT	3179
	AIR NEW SOURCE PERMITS	PERMIT	3216
	AIR NEW SOURCE PERMITS	PERMIT	5801
	AIR NEW SOURCE PERMITS	PERMIT	6791
	AIR NEW SOURCE PERMITS	PERMIT	9334
	AIR NEW SOURCE PERMITS	REGISTRATION	10888
	AIR NEW SOURCE PERMITS	REGISTRATION	11096
	AIR NEW SOURCE PERMITS	REGISTRATION	11586
	AIR NEW SOURCE PERMITS	PERMIT	12373
	AIR NEW SOURCE PERMITS	REGISTRATION	12829
	AIR NEW SOURCE PERMITS	REGISTRATION	13678
	AIR NEW SOURCE PERMITS	REGISTRATION	15961
	AIR NEW SOURCE PERMITS	PERMIT	8236
	AIR NEW SOURCE PERMITS	REGISTRATION	15262
	AIR NEW SOURCE PERMITS	REGISTRATION	15365
	AIR NEW SOURCE PERMITS	REGISTRATION	15499
	AIR NEW SOURCE PERMITS	REGISTRATION	15940
	AIR NEW SOURCE PERMITS	PERMIT	18576
	AIR NEW SOURCE PERMITS	PERMIT	19849
	AIR NEW SOURCE PERMITS	PERMIT	22038
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX815
	AIR NEW SOURCE PERMITS	REGISTRATION	24096
	AIR NEW SOURCE PERMITS	REGISTRATION	27598

AIR NEW SOURCE PERMITS	REGISTRATION	29597
AIR NEW SOURCE PERMITS	REGISTRATION	32282
AIR NEW SOURCE PERMITS	REGISTRATION	33524
AIR NEW SOURCE PERMITS	REGISTRATION	34230
AIR NEW SOURCE PERMITS	REGISTRATION	34358
AIR NEW SOURCE PERMITS	REGISTRATION	35243
AIR NEW SOURCE PERMITS	REGISTRATION	35608
AIR NEW SOURCE PERMITS	PERMIT	37206
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0659W
AIR NEW SOURCE PERMITS	AFS NUM	4820100039
AIR NEW SOURCE PERMITS	PERMIT	1920
AIR NEW SOURCE PERMITS	PERMIT	1968
AIR NEW SOURCE PERMITS	PERMIT	2597
AIR NEW SOURCE PERMITS	PERMIT	3173
AIR NEW SOURCE PERMITS	PERMIT	3214
AIR NEW SOURCE PERMITS	PERMIT	3215
AIR NEW SOURCE PERMITS	PERMIT	3217
AIR NEW SOURCE PERMITS	PERMIT	3218
AIR NEW SOURCE PERMITS	PERMIT	3219
AIR NEW SOURCE PERMITS	PERMIT	3985A
AIR NEW SOURCE PERMITS	PERMIT	4256
AIR NEW SOURCE PERMITS	PERMIT	4933
AIR NEW SOURCE PERMITS	REGISTRATION	41920
AIR NEW SOURCE PERMITS	REGISTRATION	41875
AIR NEW SOURCE PERMITS	REGISTRATION	42221
AIR NEW SOURCE PERMITS	REGISTRATION	42573
AIR NEW SOURCE PERMITS	REGISTRATION	42512
AIR NEW SOURCE PERMITS	REGISTRATION	43605
AIR NEW SOURCE PERMITS	REGISTRATION	42118
AIR NEW SOURCE PERMITS	REGISTRATION	45654
AIR NEW SOURCE PERMITS	REGISTRATION	45944
AIR NEW SOURCE PERMITS	REGISTRATION	47575
AIR NEW SOURCE PERMITS	PERMIT	48912
AIR NEW SOURCE PERMITS	PERMIT	56476
AIR NEW SOURCE PERMITS	PERMIT	56496
AIR NEW SOURCE PERMITS	REGISTRATION	70903
AIR NEW SOURCE PERMITS	REGISTRATION	71223
AIR NEW SOURCE PERMITS	REGISTRATION	71567
AIR NEW SOURCE PERMITS	REGISTRATION	54061
AIR NEW SOURCE PERMITS	REGISTRATION	50548
AIR NEW SOURCE PERMITS	REGISTRATION	52565
AIR NEW SOURCE PERMITS	REGISTRATION	52089
AIR NEW SOURCE PERMITS	REGISTRATION	52088
AIR NEW SOURCE PERMITS	REGISTRATION	50388
AIR NEW SOURCE PERMITS	REGISTRATION	50423
AIR NEW SOURCE PERMITS	REGISTRATION	74572
AIR NEW SOURCE PERMITS	REGISTRATION	75045
AIR NEW SOURCE PERMITS	EPA ID	PSDTX896
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928
AIR NEW SOURCE PERMITS	EPA ID	PSDTX928M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX974
AIR NEW SOURCE PERMITS	REGISTRATION	77284
AIR NEW SOURCE PERMITS	REGISTRATION	76699
AIR NEW SOURCE PERMITS	REGISTRATION	77952
AIR NEW SOURCE PERMITS	REGISTRATION	76265
AIR NEW SOURCE PERMITS	REGISTRATION	78624
AIR NEW SOURCE PERMITS	REGISTRATION	79604
AIR NEW SOURCE PERMITS	REGISTRATION	80525
AIR NEW SOURCE PERMITS	REGISTRATION	80503
AIR NEW SOURCE PERMITS	REGISTRATION	81971
AIR NEW SOURCE PERMITS	REGISTRATION	93992
AIR NEW SOURCE PERMITS	REGISTRATION	94547
AIR NEW SOURCE PERMITS	REGISTRATION	85596
AIR NEW SOURCE PERMITS	REGISTRATION	87183
AIR NEW SOURCE PERMITS	REGISTRATION	95595
AIR NEW SOURCE PERMITS	REGISTRATION	96066
AIR NEW SOURCE PERMITS	REGISTRATION	84642

AIR NEW SOURCE PERMITS	REGISTRATION	87871
AIR NEW SOURCE PERMITS	REGISTRATION	84538
AIR NEW SOURCE PERMITS	REGISTRATION	98473
AIR NEW SOURCE PERMITS	REGISTRATION	96915
AIR NEW SOURCE PERMITS	REGISTRATION	87173
AIR NEW SOURCE PERMITS	REGISTRATION	98644
UNDERGROUND INJECTION CONTROL	PERMIT	WDW172
UNDERGROUND INJECTION CONTROL	PERMIT	WDW173
PETROLEUM STORAGE TANK STAGE II	REGISTRATION	32780
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50099
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD067285973
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30007
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD000750620
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	6001443
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1010320
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30007
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	32780
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	HG0659W

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

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TCEQ Region: REGION 12 - HOUSTON

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Date Compliance History Prepared: November 10, 2011

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Agency Decision Requiring Compliance History: Enforcement

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Compliance Period: November 10, 2006 to November 10, 2011

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

Name: Miriam Hall Phone: (512) 239-1044

**Site Compliance History Components**

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator?

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

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

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

**Components (Multimedia) for the Site :**

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

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

Description: Failed to prevent unauthorized emissions.  
Effective Date: 08/15/2008 ADMINORDER 2008-0079-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: TCEQ Air Permit No. 3179, SC 6 PERMIT  
Description: Shell failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,326.72 pounds ("lbs") of VOC were released from the vent stream collection vessel, V-8342, in the Phenol Acetone Unit during an emissions event that which occurred on August 9, 2007 and lasted 12 hours and 17 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

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

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

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT  
Description: Failure to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter F 101.221(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to keep a flame present at a flare at all times.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No. 21262, Special Condition #1 PERMIT  
Description: Failure to prevent unauthorized emissions.

Effective Date: 09/22/2008 ADMINORDER 2007-1472-AIR-E

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: No.1968, Special Condition #1, MAERT PERMIT  
Description: Shell failed to prevent an avoidable emissions event that resulted in the release of a large quantity of VOCs.

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: Permit No.3214, Special Condition #1 PERMIT  
Description: failed to comply with permitted emissions limits.  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)  
5C THC Chapter 382, SubChapter D 382.085(b)

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

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

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

Rqmt Prov: Permit No.3173, Special Condition #1 PERMIT  
Description: Failure to install the metallurgically correct cap to a pump causing a leak to develop on a pump.

Classification: Moderate

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

Rqmt Prov: No. 9334, Special Condition 1 PERMIT  
Description: Failed to prevent unauthorized emissions.

Classification: Minor

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

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

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

Classification: Moderate

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

Rqmt Prov: NSR Permit 3219 and PST-TX-974, MAERT PERMIT  
Description: Failed to prevent unauthorized emissions.

Classification: Moderate

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

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: No. 21262, Special Condition 1 PERMIT

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

Classification: Minor

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

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

Classification: Moderate

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

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

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

Effective Date: 12/04/2008 ADMINORDER 2006-0328-MLM-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: Permit No. 3219 and PSD-TX-974, GC 8 PERMIT  
 TCEQ Flex Air Permit 21262/PSDTX928, SC1 PERMIT  
 Description: Shell failed to prevent the unauthorized release of air contaminants into the atmosphere.  
 Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)  
 5C THSC Chapter 382 382.085(b)  
 Description: Shell failed to comply with emissions event reporting requirements.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: TCEQ Flexible Air Permit #21262, SC1 PERMIT  
 Description: Shell failed to prevent unauthorized emissions.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: Permit No. 3219/PSD-TX-974, G.C. 8 PERMIT  
 Description: Shell failed to prevent unauthorized emissions.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: Permit No. 3179, General Condition 8 PERMIT  
 Description: Shell failed to prevent unauthorized emissions.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
 5C THSC Chapter 382 382.085(b)  
 Description: Shell failed to properly seal open-ended lines.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 5C THSC Chapter 382 382.085(b)  
 Description: Shell failed to monitor new valves which were put into service at the OP-3 unit on a monthly basis.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: Permit No. 21262, Special Condition 1 PERMIT  
 Permit No. 3219, General Condition 8 PERMIT  
 Description: Shell failed to prevent unauthorized emissions.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: No. 3219, General Condition 8 PERMIT  
 Description: Shell failed to prevent unauthorized emissions.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: Permit No. 3219, General Condition 8 PERMIT  
 Description: Shell failed to prevent unauthorized emissions.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: No. 21262, SC #1 PERMIT  
 Description: Shell failed to prevent unauthorized emissions.  
 Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)  
 5C THSC Chapter 382 382.085(b)  
 Description: Shell failed to submit an emissions event report within two weeks after the end of the

event.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit 3179, General Condition 8 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: #21262, Special Condition #1 PERMIT

Description: Shell failed to prevent unauthorized emissions.

Classification: Minor

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

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

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

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

Description: Shell failed to prevent unauthorized emissions.

Classification: Moderate

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

Rqmt Prov: Permit No. 3219/ PSD-TX-974, G.C. 8 PERMIT  
 Description: Shell failed to comply with the permitted emission limits.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No. 3173, Special Condition 13 PERMIT  
 Description: Shell failed to comply with the permitted emission limits.  
 Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)  
 5C THSC Chapter 382 382.085(b)

Description: Shell failed to submit an initial notification of an emissions event within the 24-hour period for the emissions event that occurred on June 28, 2006 at Tank T-75A.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No.3178, Special Condition No.1 PERMIT  
 Description: Shell failed to comply with the permitted emission limits.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit No.21262, Special Condition No. 1 PERMIT  
 Description: Shell failed to prevent an unauthorized emissions.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 112, SubChapter A 112.3(b)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit No. 21262, SC1 PERMIT  
 Description: Shell failed to prevent an avoidable emissions event.  
 Effective Date: 02/08/2009 ADMINORDER 2007-0837-AIR-E  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: #21262, Special Condition #1 PERMIT  
 Description: Failed to prevent unauthorized emissions during an emissions event that started on December 5, 2005.  
 Classification: Minor  
 Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a PI-7 Form within 10 days following modification of the three storage tanks.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP  
 FOP #O-01945, ST&C #21 OP  
 NSR Permit #3179, SC #2 PERMIT  
 Description: Failed to comply with the 20 ppm HAP limit for Spent Air Incinerator H9200.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #21 OP  
 NSR Permit #3179, SC#1 PERMIT  
 Description: Failed to comply with the 9.0 lbs/hr acetone emissions limit for Spent Air Incinerator H9200.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)(A)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: FOP #O-01945, ST&C #1A OP  
 Description: Failed to comply with the 20 ppm VOC emissions limit for Spent Air Incinerator H9200.  
 Classification: Minor

**Citation:** 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

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

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

**Classification:** Minor

**Citation:** 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

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

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

**Classification:** Minor

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

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

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

**Classification:** Moderate

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

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

**Description:** Failed to maintain all required monitoring analysis data.

**Classification:** Minor

**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(a)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)

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

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

**Classification:** Minor

**Citation:** 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
 30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)

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

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

**Classification:** Moderate

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

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

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

**Classification:** Moderate

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

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

Description: Failed to prevent unauthorized emissions during a February 1, 2007 emissions event.  
Effective Date: 06/15/2009 ADMINORDER 2008-1621-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition #1 PERMIT  
Description: Failure to prevent the shutdown of the compressor.  
Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-01669, General Terms & Conditions OP  
Description: Failure to submit the annual Permit Compliance Certification within 30 days of the end of the certification period.

Effective Date: 08/23/2009 ADMINORDER 2008-1092-AIR-E  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: 21262 AND PSD-TX-928, SC No. 1 PERMIT  
Description: Shell exceeded permit limits during an avoidable emissions event.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Permit PERMIT  
Description: Failed to prevent the unauthorized emissions of: 2,540 lbs of VOC, 12 lbs of H2S, 452 lbs of NOx, 3,248 lbs of CO, and 1,216 lbs of SO2 released from the OP2 Elevated Flare, the OP3 Elevated Flare, and the OP3 Ground Flare during an emissions event that occurred on March 7, 2008 and lasted 4 hours and 0 minutes. Since the emissions event was avoidable, Shell failed to meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code 101.222.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition #1 PERMIT  
Description: Failed to prevent plugging of level transmitter (LT-257) tap.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition #1 PERMIT  
Description: Failed to prevent an electrical short during installation of additional alarm at SRU Unit.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: Special Condition #1 PERMIT  
Description: Failure to prevent wet gas compressor malfunction.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: MAERT PERMIT  
Description: Failed to prevent the shutdown of the SRUs.

Effective Date: 08/31/2009

ADMINORDER 2008-1925-AIR-E

Classification: Moderate

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

Rqmt Prov: SC 1 PA  
Special Condition #1 PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Minor

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

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

Effective Date: 10/31/2009

ADMINORDER 2009-0465-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 03/20/2010

ADMINORDER 2009-0806-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

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

Effective Date: 06/18/2010

ADMINORDER 2009-1789-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

125893). This resulted in the routing of emissions to the atmosphere.

Effective Date: 06/26/2010

ADMINORDER 2009-2090-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition #1 PERMIT

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

Effective Date: 07/11/2010

ADMINORDER 2009-1984-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Minor

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PA  
Special Condition 13 OP

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

Classification: Moderate

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

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition No. 6 PERMIT

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

Effective Date: 10/25/2010

ADMINORDER 2009-1300-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)

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

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

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02108 STC 15 OP  
FOP O-02108 STC 1A OP  
NSR 18576 SC 4A PERMIT  
NSR 19849 SC 26 PERMIT

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

Classification: Moderate

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

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

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

Effective Date: 02/05/2011

ADMINORDER 2010-0609-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Moderate

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

Rqmt Prov: Special Condition No. 1 PERMIT

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

Effective Date: 04/18/2011

ADMINORDER 2010-1331-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Classification: Minor

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

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

Effective Date: 05/09/2011

ADMINORDER 2010-1439-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.173(a)(3)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)

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

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

Effective Date: 06/20/2011

ADMINORDER 2010-1351-MLM-E

Classification: Moderate

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

Rqmt Prov: PSD-TX-928 PERMIT

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

Classification: Moderate

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

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

FOP O-01669, SC 24 OP

NSR 21262, SC 2 PERMIT

NSR 21262, SC 3(A) PERMIT

NSR 21262, SC 3(B) PERMIT

NSR 21262, SC 4(D) PERMIT

NSR 21262, SC 9(I) PERMIT

SC 2, 3(A), 3(B), 4(D), 9(I) PERMIT

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)

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

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

Classification: Moderate

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

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

Description: Failing to maintain compliance with the MAERT for sulfur dioxide (SO<sub>2</sub>) for the Cracked Gas Hydrotreater Furnace ("EPN H36100"). Specifically, EPN H36100 emitted 7.3067 tons in 2007, and the allowed limit is 4.48 tons per year.

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

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

Classification: Moderate

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

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

Description: Failing to prevent the unauthorized release of air contaminants into the atmosphere when the V-5102 Crude Column was overpressured when the wash water entered the feed crude train at the DU2. Specifically, on May 17, 2009, during this two-minute emission event (Incident No. 124343) the following emissions were released: 7.587 tons of VOCs, 4 lbs. of hydrogen sulfide ( $H_2S$ ), and 32 lbs of benzene. The TCEQ determined these emissions could have been avoided by better operational practices.

Classification: Moderate

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

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

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

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

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

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

Effective Date: 10/17/2011 ADMINORDER 2011-0475-AIR-E

Classification: Moderate

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

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

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

N/A

C. Chronic excessive emissions events.

N/A

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

1	12/29/2006	(343599)
2	11/30/2006	(379581)
3	03/05/2007	(406521)
4	02/20/2007	(457345)
5	05/09/2007	(467500)
6	12/07/2006	(487985)
7	12/07/2006	(488004)
8	12/07/2006	(488023)
9	12/07/2006	(488025)
10	12/15/2006	(508968)
11	03/01/2007	(509707)
12	11/16/2006	(512687)
13	11/16/2006	(514711)
14	11/21/2006	(517284)
15	01/19/2007	(531892)
16	02/23/2007	(532452)
17	02/17/2007	(532455)
18	04/25/2007	(532459)
19	02/23/2007	(532463)
20	02/27/2007	(532471)
21	12/21/2006	(534053)
22	05/07/2007	(537121)
23	01/31/2007	(537439)
24	01/31/2007	(538238)
25	01/31/2007	(538659)
26	04/26/2007	(541475)
27	04/30/2007	(542592)
28	05/18/2007	(542652)
29	04/25/2007	(542681)
30	04/30/2007	(542683)
31	05/08/2007	(542690)
32	05/14/2007	(542697)
33	11/27/2006	(544407)
34	12/27/2006	(544408)
35	12/27/2006	(544409)
36	04/12/2007	(554202)
37	05/29/2007	(559183)
38	10/12/2007	(560777)
39	05/30/2007	(560809)
40	06/25/2007	(563779)
41	06/25/2007	(564308)
42	06/27/2007	(564822)
43	06/27/2007	(564828)
44	12/04/2008	(565248)
45	07/10/2007	(565422)
46	11/06/2007	(565492)
47	07/06/2007	(565610)
48	08/01/2007	(567841)

49	08/14/2007	(567884)
50	08/03/2007	(568522)
51	08/17/2007	(571025)
52	08/13/2007	(571026)
53	09/18/2007	(571877)
54	08/15/2007	(571883)
55	11/19/2007	(572257)
56	09/19/2007	(572770)
57	02/22/2007	(575167)
58	03/23/2007	(575168)
59	04/19/2007	(575169)
60	05/16/2007	(575170)
61	06/20/2007	(575171)
62	07/20/2007	(575172)
63	07/20/2007	(575173)
64	02/22/2007	(575175)
65	03/21/2007	(575177)
66	07/23/2007	(575178)
67	04/23/2007	(575181)
68	05/22/2007	(575184)
69	06/22/2007	(575187)
70	07/23/2007	(575190)
71	11/22/2006	(575198)
72	01/22/2007	(575202)
73	11/06/2007	(593367)
74	10/16/2007	(593594)
75	10/25/2007	(596852)
76	11/27/2007	(597446)
77	01/25/2008	(597769)
78	11/15/2007	(597891)
79	11/15/2007	(597968)
80	01/07/2008	(598077)
81	01/17/2008	(599615)
82	01/17/2008	(599668)
83	11/19/2007	(599691)
84	01/17/2008	(599822)
85	03/28/2008	(600448)
86	06/30/2008	(600450)
87	01/17/2008	(600635)
88	12/04/2007	(600886)
89	11/30/2007	(601276)
90	09/20/2007	(601572)
91	10/18/2007	(601573)
92	02/01/2008	(607448)
93	08/22/2007	(607528)
94	09/24/2007	(607529)
95	11/30/2007	(608138)
96	12/20/2007	(610419)

97	03/31/2008	(610634)
98	04/09/2008	(610636)
99	04/11/2008	(610638)
100	02/05/2008	(610680)
101	03/07/2008	(612807)
102	01/22/2008	(613355)
103	02/01/2008	(613923)
104	02/04/2008	(614031)
105	02/01/2008	(614301)
106	02/01/2008	(614303)
107	02/01/2008	(615075)
108	01/25/2008	(615280)
109	01/25/2008	(615969)
110	01/25/2008	(615999)
111	01/28/2008	(616080)
112	01/28/2008	(616082)
113	02/14/2008	(616503)
114	02/13/2008	(616505)
115	03/24/2008	(616741)
116	03/10/2008	(617388)
117	11/20/2007	(619483)
118	12/20/2007	(619484)
119	01/17/2008	(619485)
120	02/28/2008	(637020)
121	08/31/2008	(637068)
122	04/11/2008	(637073)
123	08/31/2008	(637076)
124	03/12/2008	(637217)
125	05/23/2008	(637956)
126	05/23/2008	(638051)
127	03/24/2008	(638443)
128	04/21/2008	(639674)
129	06/01/2008	(640777)
130	11/24/2008	(641389)
131	05/02/2008	(650560)
132	04/22/2008	(653495)
133	05/20/2008	(654015)
134	05/23/2008	(654353)
135	06/06/2008	(654842)
136	05/20/2008	(654943)
137	07/17/2008	(656863)
138	06/27/2008	(659663)
139	06/10/2008	(671393)
140	02/19/2008	(671990)
141	04/24/2008	(671991)
142	04/17/2008	(671992)
143	07/24/2008	(682501)
144	10/23/2008	(682549)

145 06/17/2008 (682693)  
146 06/18/2008 (683279)  
147 07/23/2008 (683726)  
148 11/24/2008 (684019)  
149 07/24/2008 (685354)  
150 08/20/2008 (685355)  
151 07/11/2008 (685564)  
152 07/17/2008 (686593)  
153 08/14/2008 (686729)  
154 08/31/2009 (687729)  
155 08/19/2008 (689497)  
156 05/20/2008 (689907)  
157 06/20/2008 (689908)  
158 07/17/2008 (689909)  
159 08/22/2008 (699629)  
160 09/05/2008 (700024)  
161 11/03/2008 (700060)  
162 11/03/2008 (701753)  
163 09/10/2008 (702237)  
164 09/10/2008 (702256)  
165 10/09/2008 (703510)  
166 10/16/2008 (704306)  
167 12/30/2008 (705857)  
168 10/27/2008 (706455)  
169 10/27/2008 (706540)  
170 01/15/2009 (707647)  
171 01/20/2009 (708950)  
172 12/04/2008 (709362)  
173 12/04/2008 (709367)  
174 02/09/2009 (709972)  
175 08/20/2008 (710691)  
176 09/19/2008 (710692)  
177 10/16/2008 (710693)  
178 01/28/2009 (720984)  
179 12/12/2008 (721015)  
180 12/29/2008 (722320)  
181 03/10/2009 (722825)  
182 04/02/2009 (722827)  
183 02/20/2009 (723069)  
184 01/09/2009 (723179)  
185 09/15/2009 (726215)  
186 05/28/2009 (726407)  
187 11/19/2008 (727450)  
188 12/18/2008 (727451)  
189 01/20/2009 (727452)  
190 02/18/2009 (735789)  
191 07/10/2009 (737104)  
192 08/18/2009 (737105)

193	09/30/2009	(737217)
194	05/13/2009	(737311)
195	04/17/2009	(737361)
196	06/08/2009	(737950)
197	04/17/2009	(740668)
198	06/08/2009	(741940)
199	05/11/2009	(741959)
200	08/04/2009	(741963)
201	06/01/2009	(742131)
202	05/14/2009	(742134)
203	08/04/2009	(742135)
204	05/13/2009	(742834)
205	04/30/2009	(744066)
206	07/23/2009	(747258)
207	09/15/2009	(747259)
208	08/28/2009	(747477)
209	12/17/2009	(747492)
210	02/03/2010	(749600)
211	02/19/2009	(750212)
212	03/19/2009	(750213)
213	04/20/2009	(750214)
214	02/25/2008	(750215)
215	02/25/2009	(750216)
216	03/23/2009	(750217)
217	03/24/2008	(750218)
218	04/21/2008	(750219)
219	05/22/2008	(750220)
220	06/23/2008	(750221)
221	07/21/2008	(750222)
222	08/25/2008	(750223)
223	09/22/2008	(750224)
224	10/23/2007	(750225)
225	10/22/2008	(750226)
226	11/19/2007	(750227)
227	11/24/2008	(750228)
228	01/03/2008	(750229)
229	12/22/2008	(750230)
230	01/22/2008	(750231)
231	01/23/2009	(750232)
232	07/09/2009	(759379)
233	09/21/2009	(760334)
234	08/13/2009	(760336)
235	11/10/2009	(760343)
236	08/13/2009	(760346)
237	09/21/2009	(762422)
238	12/10/2009	(762424)
239	10/12/2009	(762569)
240	07/22/2009	(763029)

241	08/31/2009	(763433)
242	12/02/2009	(763495)
243	08/12/2009	(764686)
244	08/12/2009	(764845)
245	08/12/2009	(765197)
246	08/12/2009	(765199)
247	07/09/2010	(765400)
248	10/30/2009	(765451)
249	08/19/2009	(766023)
250	08/21/2009	(766514)
251	09/23/2009	(766994)
252	12/02/2009	(766995)
253	12/02/2009	(766996)
254	11/24/2009	(766997)
255	05/19/2009	(768315)
256	06/15/2009	(768316)
257	05/19/2009	(768317)
258	04/24/2009	(768318)
259	05/20/2009	(768319)
260	06/15/2009	(768320)
261	05/20/2009	(768321)
262	09/28/2009	(777627)
263	11/23/2009	(778496)
264	10/23/2009	(778758)
265	12/09/2009	(778830)
266	11/30/2009	(780176)
267	04/06/2010	(783318)
268	02/23/2010	(787148)
269	01/13/2010	(787368)
270	01/27/2010	(787380)
271	02/17/2010	(787388)
272	02/01/2010	(788201)
273	02/10/2010	(788491)
274	03/15/2010	(789829)
275	01/29/2010	(790337)
276	03/29/2010	(790604)
277	03/02/2010	(791204)
278	03/29/2010	(792150)
279	05/19/2010	(792168)
280	02/23/2010	(792309)
281	04/12/2010	(793088)
282	05/19/2010	(793841)
283	03/25/2010	(794199)
284	04/02/2010	(794620)
285	04/12/2010	(795209)
286	04/12/2010	(795244)
287	04/12/2010	(795254)
288	04/12/2010	(795268)

289	05/07/2010	(797014)
290	05/10/2010	(797038)
291	05/10/2010	(797040)
292	04/05/2010	(797068)
293	05/28/2010	(797475)
294	07/01/2010	(798147)
295	06/22/2010	(798148)
296	04/21/2010	(798275)
297	05/27/2010	(799073)
298	04/27/2010	(799949)
299	08/09/2010	(800144)
300	06/23/2010	(800423)
301	04/29/2010	(800569)
302	05/19/2010	(801115)
303	05/20/2010	(801366)
304	06/09/2010	(801867)
305	05/26/2010	(802424)
306	08/17/2010	(803124)
307	07/26/2010	(803128)
308	08/31/2010	(803142)
309	06/11/2010	(803895)
310	02/18/2010	(804533)
311	08/19/2009	(804534)
312	09/17/2009	(804535)
313	10/19/2009	(804536)
314	10/19/2009	(804537)
315	12/17/2009	(804538)
316	01/20/2010	(804539)
317	02/18/2010	(804540)
318	08/19/2009	(804541)
319	09/17/2009	(804542)
320	09/17/2009	(804543)
321	11/19/2009	(804544)
322	12/17/2009	(804545)
323	01/20/2010	(804546)
324	07/27/2010	(824430)
325	05/25/2010	(824557)
326	08/11/2010	(825276)
327	07/09/2010	(826170)
328	09/10/2010	(826882)
329	08/20/2010	(827001)
330	08/13/2010	(827295)
331	09/29/2010	(827506)
332	03/17/2010	(830837)
333	04/22/2010	(830838)
334	05/19/2010	(830839)
335	03/17/2010	(830840)
336	06/18/2010	(830841)

337	05/19/2010	(830842)
338	07/28/2010	(842924)
339	06/18/2010	(846253)
340	06/18/2010	(846254)
341	09/07/2010	(848892)
342	03/15/2011	(859959)
343	07/19/2010	(860848)
344	07/19/2010	(860849)
345	12/16/2010	(863684)
346	08/19/2010	(866814)
347	08/19/2010	(866815)
348	12/16/2010	(870266)
349	11/13/2010	(871868)
350	09/16/2010	(873886)
351	09/16/2010	(873887)
352	01/21/2011	(878058)
353	01/05/2011	(878837)
354	10/19/2010	(881487)
355	10/19/2010	(881488)
356	02/16/2011	(885367)
357	11/17/2010	(888016)
358	11/17/2010	(888017)
359	01/27/2011	(893323)
360	12/17/2010	(896221)
361	12/17/2010	(896222)
362	05/27/2011	(899804)
363	06/10/2011	(899805)
364	08/18/2011	(899806)
365	08/25/2011	(899807)
366	08/01/2011	(899808)
367	05/18/2011	(899809)
368	08/02/2011	(899972)
369	06/01/2011	(899988)
370	03/08/2011	(900041)
371	02/28/2011	(900341)
372	04/28/2011	(901121)
373	04/26/2011	(901124)
374	03/15/2011	(901125)
375	05/12/2011	(901220)
376	05/16/2011	(901224)
377	04/27/2011	(901538)
378	01/18/2011	(902290)
379	01/18/2011	(902291)
380	03/23/2011	(906934)
381	04/08/2011	(906978)
382	02/17/2011	(909066)
383	02/17/2011	(909067)
384	06/07/2011	(912033)

385 07/15/2011 (915097)  
 386 06/17/2011 (915211)  
 387 03/14/2011 (916329)  
 388 03/14/2011 (916330)  
 389 05/16/2011 (919611)  
 390 05/20/2011 (921593)  
 391 08/01/2011 (923435)  
 392 04/18/2011 (924772)  
 393 04/18/2011 (924773)  
 394 06/28/2011 (935712)  
 395 07/01/2011 (936461)  
 396 08/30/2011 (937207)  
 397 09/28/2011 (937483)  
 398 08/30/2011 (937592)  
 399 08/23/2011 (937593)  
 400 07/22/2011 (937608)  
 401 08/26/2011 (937667)  
 402 08/29/2011 (937668)  
 403 05/18/2011 (938010)  
 404 05/18/2011 (938011)  
 405 10/21/2011 (941179)  
 406 10/07/2011 (941190)  
 407 08/02/2011 (944273)  
 408 08/02/2011 (944370)  
 409 09/23/2011 (944375)  
 410 06/20/2011 (945333)  
 411 06/20/2011 (945334)  
 412 08/17/2011 (948249)  
 413 09/07/2011 (952258)  
 414 09/15/2011 (952283)  
 415 07/19/2011 (952607)  
 416 07/19/2011 (952608)  
 417 08/18/2011 (959288)  
 418 08/18/2011 (959289)  
 419 09/15/2011 (965321)  
 420 09/15/2011 (965322)

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

Date: 11/14/2006 (512687) CN601542012  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP #O-01669, Special Condition #1A OP  
 Description: Failure to record the daily visual observations of flare per 30 TAC111.111(a)(4)(A)(#).  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 113, SubChapter C 113.100(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)

FOP #O-01669, Special Condition #1A OP  
FOP #O-01669, Special Condition #1D OP

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

Self Report? NO Classification: Minor

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

Description: Failure to include all deviations in the deviation and annual compliance certification reports in accordance with 30 TAC 122.145(2)(A).

Date: 11/30/2006 (544408) CN601542012

Self Report? YES Classification: Moderate

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

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

Date: 12/31/2006 (544409) CN601542012

Self Report? YES Classification: Moderate

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

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

Date: 02/23/2007 (532452) CN601542012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 115, SubChapter H 115.782(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 1A OP  
FOP O-01946, Special Condition 1M(iv) OP  
FOP O-01946, Special Condition 21 OP  
NSR #18576, Special Condition 7H PA  
NSR #3216, Special Condition 6H PA  
NSR #3217, Special Condition 3H PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP # O-01946, Special Condition 1A OP  
FOP #O-01946, Special Condition 21 OP  
NSR 3216, Special Condition 2 PA  
NSR 3218, Special Condition 2 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)  
FOP O-01946, Special Condition 1A OP  
FOP O-01946, Special Condition 1M(iv) OP  
FOP O-01946, Special Condition 21 OP  
NSR Permit 3215, Special Condition 2E PA  
NSR Permit 3216, Special Condition 2 PA  
NSR Permit 3216, Special Condition 6E PA  
NSR Permit 3217, Special Condition 3E PA  
NSR Permit 3218, Special Condition 2 PA

Description: NSR Permit 3218, Special Condition 8E PA  
 Failure to cap 57 open-ended valves/lines per 30 TAC115.352(4). Some of these open-ends are violations of HON, NSPS, NESHAPs, and several NSR permits.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP O-01946, Special Condition 21 OP  
 NSR Permit 3216, Special Condition 5 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP O-01946, Special Condition 1A OP  
 FOP O-01946, Special Condition 21 OP  
 NSR Permit 3219, Special Condition 4 PA

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP O-01946, Special Condition 21 OP  
 NSR Permit 3216, Special Condition 1 PA

Description: Failure to comply with NSR Permit #3216 MAERT limits for EPN FOL604, by emitting to atmosphere 93.7 lbs. of VOC during a four hour period on January 23, 2006.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP O-01946, Special Condition 1M(ii) OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP O-01946, Special Condition 1M(ii) OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP O-01946, Special Condition 1A OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(c)

5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP O-01946, Special Condition 28 OP  
 Description: Failure to provide chemical process training to refinery personnel per by 40 CFR 68.73(c).  
 Date: 02/27/2007 (532471) CN601542012  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP #O-01947, General Terms & Conditions-OP  
 Description: Failure to submit PCC within 30 days as required.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 FOP #O-01947, General Terms & Conditions OP  
 Description: Failure to submit a Deviation report within 30 days as required.  
 Date: 02/28/2007 (575168) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 02/28/2007 (575177) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 03/31/2007 (575169) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 04/30/2007 (575170) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 05/14/2007 (542697) CN601542012  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)  
 Description: Failure to submit the initial notification ten days prior or as soon as practicable for a major turnaround.  
 Date: 05/31/2007 (575171) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 05/31/2007 (575187) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/30/2007 (575172) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 07/31/2007 (575173) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 08/29/2007 (543555) CN601542012  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(C)

30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Title V O-01669, General Terms/Condition OP

Description: failed to submit a permit compliance certification and a deviation report in a timely manner.

Date: 08/31/2007 (601572) CN601542012

Self Report? YES Classification: Moderate

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

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

Date: 09/30/2007 (601573) CN601542012

Self Report? YES Classification: Moderate

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

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

Date: 02/05/2008 (610680) CN601542012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 115, SubChapter H 115.782(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THSC Chapter 382 382.085(b)  
NSR 18576, Special Condition 7H PERMIT  
NSR 3217, Special Condition 3H PERMIT  
O-01946 Special Conditions 1M(iv) OP  
O-01946 Special Conditions 1A OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)  
5C THSC Chapter 382 382.085(b)  
NSR 3216, Special Condition 2 PERMIT  
NSR 3218, Special Condition 2 PERMIT  
O-01946 Special Condition 1A OP  
O-01946 Special Condition 21 OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
NSR 18576, Special Condition 7E PERMIT  
NSR 3216, Special Condition 6E PERMIT  
NSR 3217, Special Condition 3E PERMIT  
NSR 3218, Special Condition 8E PERMIT  
O-01946 Special Condition 1A OP  
O-01946 Special Condition 1M(iv) OP  
O-01946 Special Condition 21 OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01946 Special Condition 1M(ii) OP

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

Self Report? NO Classification: Moderate

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

5C THSC Chapter 382 382.085(b)  
 O-01946 Special Condition 1M(ii) OP  
 Description: Failure to meet HRVOC monitoring/recordkeeping requirements.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 NSR 3216, Special Condition 11C PERMIT  
 O-01946 Special Condition 21 OP  
 Description: Failure to continuously monitor and record the H2S concentration on the fuel gas on analyzer AI104 at the OP-2 fuel blend drum.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01946 Special Condition 21 OP  
 Special Condition 11B PERMIT  
 Description: Failure to continuously monitor the Gross Heating Value (GHV) measurement of the fuel gas.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 NSR 3216, Special Condition 5 PERMIT  
 O-01946 Special Condition 21 OP  
 Description: Failure to monitor the firing rate of the FOL602 furnace for 79 hours during the semi-annual deviation reporting period 8/24/2006 through 2/23/2007.  
 Date: 03/10/2008 (617388)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.223(a)(1)  
 Description: Shell failed to submit a Corrective Action Plan (CAP) in a timely manner.  
 Date: 04/01/2008 (610634) CN601542012  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
 5C THSC Chapter 382 382.085(b)  
 NSR 3214, SC 5(E) PERMIT  
 NSR 3214, SC 6(E) PERMIT  
 NSR 3219, SC 2(E) PERMIT  
 NSR 3219, SC 8 PERMIT  
 O-01668, SC 1(A) OP  
 O-01668, SC 1(H)(v) OP  
 O-01668, SC 15(A) OP  
 Description: Failure to seal eighty-eight (88) open-ended lines (OEL's) from August 24, 2006 to June 28, 2007: 42 OEL's in LO3FUG, 23 OEL's in PY3FUG, and 23 OEL's in OP2FUG.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 115, SubChapter H 115.782(a)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)  
 5C THSC Chapter 382 382.085(b)  
 NSR 3214, SC 5(H) PERMIT  
 NSR 3214, SC 8(H) PERMIT  
 NSR 3219, SC 2(H) PERMIT  
 NSR 3219, SC 8 PERMIT  
 O-01668, SC 1(A) OP  
 O-01668, SC 1(H)(v) OP  
 O-01668, SC 15(A) OP  
 Description: Failure to tag seventeen (17) leaking components: 14 components in OP2FUG

and 3 components in LO3FUG from September 21, 2006 to June 25, 2007.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.782(b)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O-01668, SC 1(H)(v) OP		
Description:	Failure to repair valve 76372A within 7 days.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) NSR 56496, GC 8 PERMIT NSR 56496, SC 1 PERMIT O-01668, SC 15(A) OP		
Description:	Failure to stay at or below the 18.37 lb/hr NOx limit, August 24, 2006 at 0000 to February 23, 2007 at 2300, for FOL-700 (79 block hrs for 179 lbs excess NOx ) and FOL-710 (22 block hrs for 26 lbs excess NOx).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) NSR 56496, SC 5 PERMIT O-01668, SC 15(A) OP		
Description:	Failure to stay at or below the 0.12 lb/MMBtu NOx limit for FOL-700 (118 days exceeded limit) and FOL-710 (39 days exceeded limit), from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300 and to stay at or below the 0.10 lb/MMBtu NOx annual limit for calendar year 2006 for FOL-700 and FOL-710.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter B 115.136(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O-01668, SC 1(A) OP		
Description:	Failure to collect required daily samples for LO3CPI from October 24, 2006 at 0000 to November 30, 2006 at 2300.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.764(a)(6) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O-01668, SC 1(H)(iv) OP		
Description:	Failure to collect samples when the HRVOC monitor was down more than 24 hrs for OP3CWT and OP2CWT (OP3CWT missed 2 samples, OP2CWT-North riser missed 2 samples, and OP2CWT-South riser missed 1 sample) from August 24, 2006 at 0000 to February 23, 2007 at 2300.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5) 5C THSC Chapter 382 382.085(b) NSR 3219, SC 16 PERMIT NSR 3219, SC 5 PERMIT O-01668, SC 1(A) OP O-01668, SC 15(A) OP		
Description:	Failure to verify the presence of pilot flame for 8 block hrs (invalid data or signal indicated loss of pilot and the operator logs to indicate if pilot was indeed lit were not completed) for OP2 ELFLA on February 27, 2007 from 0100 to 0900.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O-01668, SC 1(H)(II) OP		
Description:	Failure to collect samples when the HRVOC monitor was down for more than 8 hrs for OP3ELFLA (9 samples missed), OP2ELFLA (8 samples missed), OP3GRFLA (7 samples missed) from August 24, 2006 at 0000 to February 23, 2007 at 2300 and from February 24, 2007 at 0000 to August 23, 2007 at 2300.		

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 1(H)(ii) OP  
Description: Failure to prevent two exceedances of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 86796 and STEERS 90699 on February 01, 2007 from 2200 to 2300 and on May 03, 2007 from 0200 to 0600.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 1(H)(ii) OP  
Description: Failure to prevent CMS downtimes greater than 5% (OP3ELFLA (up time of 93.3%), OP2ELFLA (up time of 86.3%), and OP2GRFLA (up time of 93.7%), for calendar year 2006.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 15(B) OP  
Description: Failure to include all authorizations in Federal Operating Permit (FOP) O-01668, issued October 18, 2004 and amended February 1, 2006.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(f)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 1(A) OP  
Description: Failure to conduct physical measurements (every 5 years at least) on the primary seal of Tank AP-19.

Date: 04/09/2008 (639062) CN601542012

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
5C THSC Chapter 382 382.085(b)  
NSR 3173, SC 3 PERMIT  
NSR 3173, SC 8(D) PERMIT  
NSR 3985A, SC 8(D) PERMIT  
NSR19849, SC 7(D) PERMIT  
O-01948, SC 1(A) OP  
O-01948, SC 13(A) OP  
Description: Failure to perform annual visual internal floating roof (IFR) inspections in OXYSOLVTANK in a timely manner.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
NSR 1968, SC 3(E) PERMIT  
NSR 19849, SC 11(E) PERMIT  
NSR 19849, SC 13 PERMIT  
NSR 19849, SC 14 PERMIT  
NSR 3173, SC 6(E) PERMIT  
O-01948, 13(A) OP  
O-01948, SC 1(A) OP  
O-01948, SC 1(H)(iv) OP  
Description: Failure to seal open-ended lines.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)

0 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 NSR 3173, SC 6(I) PERMIT  
 O-01948, SC 1(A) OP  
 O-01948, SC 1(H)(iv) OP  
 O-01948, SC 13(A) OP  
 Description: Failure to repair connector 702527 in IPACRUF6 (in HRVOC service) within 15 days

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 115, SubChapter H 115.782(a)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 NSR 3173, SC 6(H) PERMIT  
 O-01948, SC 1(A) OP  
 O-01948, SC 1(H)(iv) OP  
 O-01948, SC 13(A) OP  
 Description: Failure to tag two components, 201566.1 and 201589.P, on June 18, 2007.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01948, SC 1(H)(ii) OP  
 Description: Failure to prevent CMS downtimes greater than 5% for the A&S Flare CMS (HRVOC analyzer).

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01948, SC 1(H)(ii) OP  
 Description: Failure to collect samples when the HRVOC monitor went off-line for more than 8 hours for the HIPA flare and the A&S flare.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(6)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01948, SC 1(H)(iii) OP  
 Description: Failure to collect samples when the HRVOC analyzer to CWT-1D went off-line for more than 24 hours.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01948, SC 1(H)(ii) OP  
 Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for SOLV PRV's & Vents.

Date: 04/11/2008 (637073) CN601542012  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01947, SC 1(H)(iii) OP  
 Description: Failure to prevent an exceedance of the site-wide HRVOC limit of 1200 lb/hr, as reported in STEERS 98777 on October 15, 2007 from 1400 to 1500.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01947, SC 1(H)(ii) OP  
 Description: Failure to timely conduct quarterly CMS (HRVOC analyzer) inspections for Distribution, from October 16, 2006 to March 31, 2007.

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

O-01947, SC 1(H)(II) OP  
 Description: Failure to timely collect samples when the HRVOC monitor went off-line for more than 8 hours for the A&S flare.  
 Date: 04/11/2008 (610638) CN601542012  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-02108, SC 1(A) OP  
 O-02108, SC 15(A) OP  
 Permit 19849, SC 11(E) PERMIT  
 Description: Failure to seal three (3) open-ended lines (OEL's) from March 20, 2007 to March 30, 2007 in ENVSOFLR1 (tag nos. 188.P, 185, and 188).  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-02108, SC 1(A) OP  
 Description: Failure to tag one component, tag no. 185, in ENVSOFLR1 from November 13, 2006 to November 14, 2006.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-02108, SC 1(A) OP  
 Description: Failure to collect the required daily sample for the API vapor pressure from GRPAPI on January 13, 2007.  
 Date: 05/31/2008 (689908) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/30/2008 (689909) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 07/31/2008 (750223)  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 08/20/2008 (685355) CN601542012  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
 Provision II.C.1.i. PERMIT  
 Description: Failure to have an up-to-date Notice of Registration for waste streams and waste management units.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
 30 TAC Chapter 335, SubChapter E 335.112(a)  
 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(I)  
 40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.15  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174  
 Provision II.D PERMIT  
 Description: Failure to complete required inspections.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter F 335.173(a)(3)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.301(a)(2)  
 Provision V.G.4.g PERMIT  
 Description: Failure to maintain leachate levels below twelve inches in Site 104 Landfill.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(12)

40 CFR Chapter 264, SubChapter I, PT 264, SubPT N 264.303(c)(1)  
Provision V.G.4.h PERMIT

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(4)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73(b)(9)  
Provision II.B.9 PERMIT

Description: Failure to have an Annual Waste Minimization Statement.

Date: 09/02/2008 (637076) CN601542012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the Annual Compliance Certification (ACC) report for the certification period April 15, 2006 through October 15, 2007 within 30 days.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, General Terms & Conditions OP

Description: Failure to submit the second semi-annual deviation report for the period April 16, 2007 through October 15, 2007 within 30 days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 21 OP  
NSR 3179, GC 1 PERMIT

Description: Failure to maintain maximum vapor pressures from Tanks T-665, G-330, G331, D-402, D-403, and EX-80 from October 16, 2006 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 21(A) OP  
NSR 3179, GC 1 PERMIT  
NSR 3179, SC 10 PERMIT

Description: Failure to maintain the maximum pumping rate for Tank D-402 on February 8, 2007 from 1100 to 1300 and Tank D-392 on September 19, 2007 from 1700 to 1800.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP  
NSR 3179, SC 2 PERMIT

Description: Failure to maintain the maximum three-hour volatile organic compound (VOC) average limit of 20 ppm for H-9200 from May 1, 2007 at 0000 to October 17, 2007 at 1700.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 21(A) OP  
NSR 3179, SC 13 PERMIT

Description: Failure to maintain a minimum scrubber stream factor from V8342 to H-9200 of 98% on a twelve-month basis from October 16, 2006 at 0000 to April 15, 2007 at 2359 and from April 16, 2007 at 0000 to June 30, 2007 at 2359.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.085(b)

Description: Failure to include in the Federal Operating Permit, vent gas stream collection

vessel V8342.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(H)(ii) OP

Description: Failure to collect samples or collect timely samples when the HRVOC monitor was down for more than 8 hrs for the East Property Flare from November 8, 2006 at 1800 July 12, 2007 at 2050, and the Temporary Flare from March 2, 2007 at 2200 to March 3, 2007 at 0800.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP

Description: Failure to prevent an exceedance of 100 annual operating hours for P87921 (diesel demineralized water pump) from March 21, 2007 at 0000 to April 15, 2007 at 2359.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(d)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP  
FOP O-01945, SC 21(A) OP  
NSR 3179, SC 2 PERMIT

Description: Failure to conduct monthly inspections for car-sealed bypasses to the atmosphere on vent lines V8223, V8228, V8212 (all located in GRPPAUPV3), and V8200 (located in GRPPAUPV4) from December 1, 2006 at 0000 to January 5, 2007 at 0000.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP  
FOP O-01945, SC 21(A) OP  
NSR 3179, SC 20E PERMIT  
NSR 3179, SC 21E PERMIT  
NSR 3179, SC 3(B) PERMIT

Description: Failure to prevent four open-ended lines: Tag No. 4501333.P in Phenol 2 from November 13, 2006 at 0000 to November 14, 2006 at 0000; tag No. 2961 in the Cumene Unit, and tag nos. 450133 and 450425 in Phenol 2 from February 20, 2007 at 0000 to February 22, 2007 at 0000.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(A) OP  
FOP O-01945, SC 21(A) OP  
NSR 3179, SC 21(H) PERMIT

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 115, SubChapter H 115.725(l)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01945, SC 1(H)(iii) OP

Description: Failure to prevent a greater than 5% downtime for the East Property Flare CMS (HRVOC analyzer) for CY 2006.

Date: 09/30/2008 (710693) CN601542012  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 12/31/2008 (750232) CN601542012  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 02/28/2009 (750213) CN601542012  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 03/31/2009 (768318) CN601542012  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 04/30/2009 (768319) CN601542012  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 07/14/2009 (737104) CN601542012  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THSC Chapter 382 382.085(b)  
9334, SC 11H PERMIT  
O-01943, SC 17 OP  
Description: Failure to tag leaking components.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01943, SC 1A OP  
Description: Failure to operate a flare CEM for at least 95 percent of the total operating time in a year.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(II)  
40 CFR Part 60, Subpart A 60.18(c)(4)(I)  
5C THSC Chapter 382 382.085(b)  
9334, SC 5 PERMIT  
O-01943, SC 17 OP  
Description: Failed to maintain flare inlet heat content and exit velocity per 40 CFR 60 requirements.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
9334, SC 11E PERMIT  
O-01943, SC 17 OP  
Description: Failure to plug/cap all open ended lines.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01943, SC 1A OP

Description: Failure to continuously monitor a pressure relief valve for HRVOC.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.117(b)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01943, SC 17 OP

Description: Failure to register two Permit by Rules that require registration.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
3178, SC 1 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01943, SC 17 OP

Description: Failure to store VOC in proper storage tanks.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)  
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with the sitewide hourly HROVC limit.  
Date: 07/24/2009 (747258) CN601542012  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
3219, SC 1E PERMIT  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 15 OP

Description: Failure to plug/cap all open ended lines in VOC and HRVOC services (Category C10, minor violation).  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 115, SubChapter H 115.782(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
3219, SC 1H PERMIT  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 15 OP

Description: Failure to tag leaking components in VOC and HRVOC services.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
3219, GC 8 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 15 OP

Description: Failure to keep pound per hour carbon monoxide emissions from the furnaces within the limit specified in the MAERT.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)  
5C THSC Chapter 382 382.085(b)

Description: Failure to comply with carbon monoxide 24 hour concentration limits in the stacks.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(1)(C)  
5C THSC Chapter 382 382.085(b)

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

Description: Failure to comply with the individual pound NOx/MMBtu limits for furnaces in Olefins 2 Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
3219, SC 12H PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01668, SC 15 OP

Description: Failure to comply with the rolling 12 month throughput limit for a storage tank.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)  
5C THSC Chapter 382 382.085(b)

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

Date: 08/18/2009 (737105) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)  
5C THSC Chapter 382 382.085(b)

Description: Shell Chemicals LP failed to revise Title V Federal Operating Permit O-02108 to incorporate references in NSR permit 48912. (FOP O-02108; NSR 48912)

Self Report? NO Classification: Moderate

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

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

Date: 08/28/2009 (747477) CN601542012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(2)  
5C THSC Chapter 382 382.085(b)  
Special Condition (SC) No. 11G OP

Description: Failure to maintain records on the HIPA flare (A1333) pilot's monitor from October 30, 2007 through November 10, 2007. (Category C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.122(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC No. 1A OP

Description: Failure to maintain the H9200 incinerator's 3-hour average VOC limit of 20 ppm for 11 hours in November 2007. (Category B19(g)(1))

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)  
5C THSC Chapter 382 382.085(b)  
SC No. 1A OP  
SC No. 21 OP  
SC No. 23 PERMIT

Description: Failure to record the H9200 incinerator's CEMS data on August 7, 2007 for 9.32 hours and on November 8, 2007 for 1.6 hours. (Category C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)  
5C THSC Chapter 382 382.085(b)  
SC No. 1A OP

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC No. 21 OP  
SC No. 7 PERMIT  
Description: Failure to maintain documentation to demonstrate compliance with the marine loading requirements for acetone with regards to pump capacity limitation from April 16, 2008 through June 30, 2008 and August 10, 2008 through October 14, 2008. (Category B3)

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter G 117.8100(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC No. 14B PERMIT  
SC No. 1A OP  
SC No. 21 OP  
Description: Failure to conduct the Phenol #3 BIF Boiler (H-87920) CEMS nitrogen oxide cylinder gas audit (CGA) for the third quarter of 2008 (7/1/08 through 9/30/08). (Category B1)

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THSC Chapter 382 382.085(b)  
SC No 1A OP  
SC No. 21 OP  
SC No. 21H PERMIT  
Description: Failure to tag P0113, 348837, 322724, 322769, 322811, 322819, 325567, and 328623.1 from June 23 to June 24, 2008; and on 0301, 0713.1, 0822.2, and 1249 from June 18 to June 19, 2008. (Category C4)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(II)  
5C THSC Chapter 382 382.085(b)  
SC No. 14 PERMIT  
SC No. 1A OP  
SC No. 21 OP  
Description: Failure to maintain the East Property flare (EPN: EPFLARE) net heating value above 300 BTU/scf and/or the required exit velocity from January 1, 2008 through December 31, 2008 for 152 hours. (Category B19(g)(1))

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 116, SubChapter B 116.117(b)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC No. 22 OP  
Description: Failure to register PBRs 30 TAC 106.261 and 106.262 from January 1, 2008 through December 31, 2008. (Category C3)

Date: 08/31/2009 (687729) CN601542012

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01669 SC 1(A) OP  
FOP O-01669 SC 24(A) OP  
NSR 21262 SC 2 PERMIT  
NSR 21262 SC 25 PERMIT  
Description: Failure to monitor the fuel gas for H2S content during Pressure Swing Absorber (PSA) flaring to the North Property Flare (FLNFLARE) on May 20, 2008 from 1800

to 1811 due to unknown problems.

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01669, SC 1(K)(iii) OP

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
FOP O-01669, SC 1(A) OP  
FOP O-01669, SC 1(K)(v) OP  
FOP O-01669, SC 24 OP  
NSR 21262, SC 10(E) PERMIT  
NSR 21262, SC 2 PERMIT  
NSR 21262, SC 3(A) PERMIT  
NSR 21262, SC 3(B) PERMIT  
NSR 21262, SC 4(D) PERMIT  
NSR 21262, SC 9(E) PERMIT

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01669, SC 1(K)(iii) OP

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(b)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01669, SC 1(K)(iv) OP

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

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 115, SubChapter H 115.782(a)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.466(b)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112(a)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
FOP O-01669, SC 1(A) OP  
FOP O-01669, SC 1(K)(v) OP  
FOP O-01669, SC 24 OP  
NSR 21262, SC 2 PERMIT  
NSR 21262, SC 3(A) PERMIT  
NSR 21262, SC 3(B) PERMIT  
NSR 21262, SC 4(D) PERMIT  
NSR 21262, SC 9(H) PERMIT  
Description: Failure to tag one leaking component (No. 402) in GRPREFUG, discovered during a 3rd-aprty HRVOC audit from July 1, 2008 to December 31, 2008.  
Date: 09/15/2009 (747259) CN601542012  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01947, SC 1H(i) OP  
Description: Failed to conduct sampling when HRVOC analyzer for A&S flare was offline.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01947, SC 1H(i) OP  
Description: Failed to meet 95% uptime requirement for the A&S Flare HRVOC monitoring system.  
Self Report? NO Classification: Minor  
Citation: 266, SC 2 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THSC Chapter 382 382.085(b)  
O-01947, SC 13 OP  
Description: Failed to maintain a complete record of the flare pilot monitor for the A&S flare.  
Date: 09/15/2009 (726215) CN601542012  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
Description: NOR was not timely updated.  
Date: 09/30/2009 (804536) CN601542012  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter  
Date: 09/30/2009 (737217) CN601542012  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP, General Terms and Condition 1A OP  
FOP, Special Condition 21 OP  
NSR, Special Condition 7E PERMIT  
Description: Failure to seal open ended lines. (Category C10 violation)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.246(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(e)(1)  
5C THSC Chapter 382 382.085(b)  
FOP, General Condition 1A OP  
FOP, Special Condition 21 OP  
NSR 3218 SC 9H, and NSR 3216 SC 6H PERMIT

Description: Failed to tag leaking fugitive components.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Condition 21 PERMIT  
FOP, Special Condition 23 PERMIT

Description: Failed to register Permit by Rule (PBR) 106.261 and 106.262.

Date: 10/31/2009 (804537) CN601542012

Self Report? YES Classification: Moderate

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

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

Date: 12/17/2009 (747492) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 13 OP  
Special Condition 1H(iv) OP  
Special Condition 3E PA  
Special Condition 6E PA  
Special Condition 8E PA

Description: Failure to cap/plug open-ended lines in volatile organic compound (VOC) and hazardous air pollutant (HAP) service, ID#IPAFINFE/CRUFE. CATEGORY C-10.

Self Report? NO Classification: Minor

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

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

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to sample HRVOC analyzers.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(l)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to continuously operate the monitoring system on the highly reactive volatile organic compound (HRVOC) Flare ID#A&S (A1301) and pressure relief valve (PRV-361)).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 13 OP  
Special Condition 1A OP  
Special Condition 8D PA

Description: Failure to conduct annual visual inspection on tank T-92 on time.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 1 PA  
 Special Condition 13 OP  
 Description: Failure to limit the hourly VOC emissions. Shell exceeded the 0.52 lb/hr VOC emission limit for V118 Stack.  
 Date: 01/28/2010 (787380) CN601542012

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition #3 PERMIT  
 Description: Failure to prevent unauthorized emissions.  
 Date: 02/17/2010 (787388)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition #1 PERMIT  
 Description: Failure to prevent a leak from the EOL611 air cooler which resulted in unauthorized emissions. Specifically, 283.10 pounds (lbs) volatile organic compounds(VOCs) including 79.6 lbs of benzene were released during the emissions event.  
 Date: 05/10/2010 (797038)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition #1 PERMIT  
 Description: Failure to prevent the release of unauthorized emissions particularly during the Product Hydrogen methanator malfunction.  
 Date: 05/28/2010 (797475) CN601542012

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

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TPDES Permit No. 00403000, EL&MR No. 1 PERMIT  
 Description: Failure to maintain compliance with the permitted effluent limits for Total Sulfide and Phenolics. During the review period of May 1, 2008 through March 29, 2010, two violations were reported.  
 Date: 05/31/2010 (846253) CN601542012

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

Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/01/2010 (799073) CN601542012

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
 5C THSC Chapter 382 382.085(b)  
 SC 6 PERMIT  
 ST&C 15 OP  
 ST&C 1A OP  
 Description: Failure to maintain flare resulting in visible emissions from flare. (CATEGORY C4)

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

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP  
 Description: Failure to collect samples or samples collected late on the HRVOC flares. (CATEGORY C1 violation)

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

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

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 117, SubChapter B 117.340(c)(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC 11 PERMIT  
 ST&C 15 OP  
 ST&C 1A OP  
 Description: Failure to maintain CEMS resulting in greater than 5% downtime. (CATEGORY C4 violation)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC 2E PERMIT  
 SC 6E PERMIT  
 ST&C 15 OP  
 ST&C 1A OP  
 Description: Failure to maintain caps or plugs resulting in open ended lines. (CATEGORY C10 violation)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 1A OP  
 Description: Failure to stay within the monitoring parameter for maximum operating limit for HRVOC vents (EPN FP3-1130). (CATEGORY C4 violation)

Date: 06/22/2010 (800423) CN601542012

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TPDES Permit WQ0000402000, EL&MR, No. 1 PERMIT

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

Date: 07/31/2010 (866814) CN601542012

Self Report? YES Classification: Moderate

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

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

Date: 08/20/2010 (827001)

Self Report? NO Classification: Moderate

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

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

Self Report? NO Classification: Minor

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

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

Date: 09/30/2010 (881487) CN601542012

Self Report? YES Classification: Moderate

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

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

Date: 01/05/2011 (878837)

Self Report? NO Classification: Moderate

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

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

Date: 03/31/2011 (924773) CN601542012

Self Report? YES Classification: Moderate

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

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

Date: 04/26/2011 (901124) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(B)  
PP V.I.7.c PERMIT

Description: Failure to conduct a complete second quarter CEMS calibration error test in 2010.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(7)(ii)  
PP V.I.3.b.(2) PERMIT

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

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(A)  
PP V.I.7.h PERMIT

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

Date: 04/28/2011 (901121) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(a)  
PP III.D PERMIT

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

Date: 05/31/2011 (945333) CN601542012

Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/10/2011 (899805) CN601542012  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC 9 PERMIT  
 ST&C 17 OP  
 Description: Failure to maintain the tank fill rate below the maximum fill rate for tanks D350, D353,  
 and G353. [CATEGORY B18 VIOLATION]  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(6)  
 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
 30 TAC Chapter 116, SubChapter B 116.117(b)(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 17 OP  
 Description: Failure to submit PBR registrations (Form PI-7) within ten days after making parameter  
 changes to tanks G343, G344 and J313. [Category C3 violation]  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 ST&C 2.F. OP  
 Description: Failure to report an emission event to STEERS within 24 hours. [Category C3 violation]  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THSC Chapter 382 382.085(b)  
 GT&C OP  
 Description: Failure to report all deviations in the corresponding semi-annual deviation report.  
 [Category C3 violation]  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.146(5)(A)  
 5C THSC Chapter 382 382.085(b)  
 GT&C OP  
 Description: Failure to submit complete and accurate semi-annual deviation reports. (Category B3  
 violation)  
 Date: 06/30/2011 (952607) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 06/30/2011 (952608) CN601542012  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 08/01/2011 (899808) CN601542012  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(2)  
 5C THSC Chapter 382 382.085(b)  
 Special Conditions 1 and 8 OP  
 Description: Late notification of emergency engine installation. Category B3 violation.  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.165(a)(7)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 1 OP

Description: Failure to properly document the accuracy and the completeness of a deviation report.  
Category C3 violation.

Date: 08/02/2011 (899972) CN601542012

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP

Description: Failure to limit H2S content in refinery fuel gas to 162 ppm on a 3-hour average

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP

Description: Failure to maintain the SO2 limit of 250 ppmv from the Sulfur Recovery 3/4 stack for a total of 13 hours

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP

Description: Failure to continuously monitor SO2 and particulate matter (PM) from the CCU Furnace H-600/ Wet Gas Scrubber

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
SC 9E PERMIT  
ST&C 1A and 22A OP

Description: Failure to seal five open-ended lines in VOC/VHAP service with a cap, blind flange, plug, or a second valve

Self Report? NO Classification: Moderate

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

Description: Failure to maintain the fuel flow limits that were established during performance tests for the heaters

Self Report? NO Classification: Minor

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

Description: Failure to take HRVOC samples 9 times within 10 hours when HRVOC analyzers for flares were down for more than 8 hours

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP

Description: Failure to maintain the minimum net heating value of 300 Btu/scf for the gas being combusted in flares

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 115, SubChapter B 115.114(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(1)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP

Description: Failure to perform required visual tank inspections according to schedule

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.640(n)(1)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP  
Description: Failure to perform required secondary seal measurements according to schedule for Tank A324

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP  
Description: Failure to limit NH3 emissions to 10 ppmv from the Heater H53NN for two hours

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter B 117.310(c)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)  
5C THSC Chapter 382 382.085(b)  
SC 6 PERMIT  
ST&C 1A and 22A OP  
Description: Failure to limit CO emissions from combustion devices

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP  
Description: Failure to take VOC samples six times when VOC analyzers for cooling water towers were down for more than 24 hours

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
ST&C 1A OP  
Description: Failure to continuously operate monitoring systems for cooling water towers CWT16 and CWT 17

Date: 08/24/2011 (899807) CN601542012

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.165(a)(7)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Description: Failure to properly document the accuracy and completeness of a deviation report.

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 PA  
Special Terms and Conditions 21 OP  
Description: Failure to limit hydrogen sulfide concentration in refinery fuel gas. Category B18 violation.

Date: 08/31/2011 (965322) CN601542012

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

F. Environmental audits.

Notice of Intent Date: 04/18/2007 (562595)  
No DOV Associated

Notice of Intent Date: 08/03/2007 (593493)  
Disclosure Date: 12/19/2007

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10  
Description: Failure to properly calculate and report emissions from tank floating roof landings on the annual emissions inventory submittal.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(1)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(d)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(1)

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

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 115, SubChapter B 115.112  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

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

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

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

Viol. Classification: Minor  
Citation: 40 CFR Part 60, Subpart VV 60.482-7

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

Notice of Intent Date: 08/24/2007 (594238)  
No DOV Associated

Notice of Intent Date: 09/24/2007 (596731)  
Disclosure Date: 03/25/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT 00402

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

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

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

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

Notice of Intent Date: 01/11/2008 (616239)  
Disclosure Date: 07/16/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PERMIT 00402

Description: Failure to maintain sewer system integrity.

Notice of Intent Date: 02/19/2008 (639389)  
Disclosure Date: 08/18/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: PERMIT TPDES 00402

Description: Failure to maintain sewer system integrity. Specifically, 3,550 liner feet of sewer in the oil water system were inspected, and 6 segments totaling 313 liner feet that contained defects requiring repairs.

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

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

Notice of Intent Date: 05/23/2008 (682189)  
Disclosure Date: 11/25/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PA TPDES 00402

Description: Failure to comply with TPDES permit condition requirements. Specifically, 270 feet of sewer confined to six segments of the storm sewer contained defects and structural cracks that may affect the hydraulic

integrity.

Notice of Intent Date: 06/17/2008 (686667)  
Disclosure Date: 11/25/2008

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
Rqmt Prov: PERMIT TPDES 00402

Description: Failure to comply with TPDES permit conditions. Specifically, 160 ft of sewer confined to 4 segments contained defects and structural cracks that may affect the hydraulic integrity of these segments.

Notice of Intent Date: 08/13/2008 (701440)  
Disclosure Date: 02/19/2009

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to maintain sewer system integrity.

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

Notice of Intent Date: 10/27/2009 (785669)  
Disclosure Date: 08/02/2010

Viol. Classification: Major  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT NSR permit no. 3179 MAERT

Description: Failure to monitor tank's internal floating roof which resulted in abnormal venting via breather vents and caused the unauthorized emission of 15lb of acetone. No RQ was exceeded.

Notice of Intent Date: 11/12/2009 (785386)  
Disclosure Date: 07/12/2010

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 116, SubChapter G 116.715(a)

Description: Failure to perform LDAR directed maintenance on leaking components in refining units. Failing to meet 28 MID program requirements.

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

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

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

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

Notice of Intent Date: 08/26/2011 (956682)  
No DOV Associated

G. Type of environmental management systems (EMSs).

01/12/2005 12/04/2013 ENVIRONMENTAL MANAGEMENT SYSTEM

NON 30 TAC CH 90 CERTIFIED

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

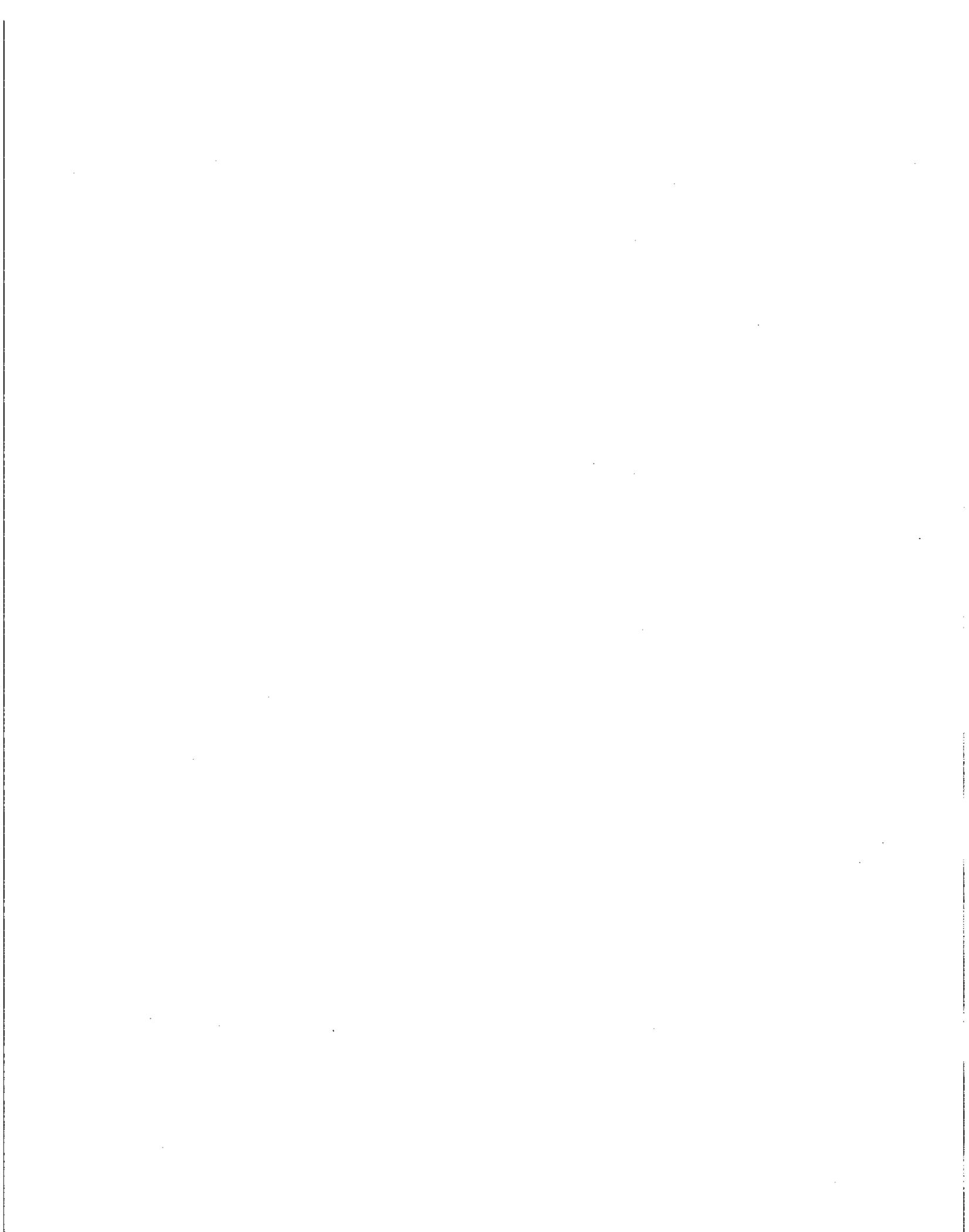
N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
SHELL OIL COMPANY AND SHELL  
CHEMICAL LP  
RN100211879

§  
§  
§  
§  
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§

BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**AGREED ORDER**  
**DOCKET NO. 2011-2121-AIR-E**

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

The Respondents understand that they have certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondents agree to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondents.

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

### I. FINDINGS OF FACT

1. Shell Oil Company operates a petroleum refinery and Shell Chemical LP operates a chemical manufacturing plant at 5900 Highway 225 in Deer Park, Harris County, Texas (the "Plants").
2. The Plants consist of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review from July 15, 2011 through September 9, 2011, TCEQ staff documented that Shell Oil Company failed to prevent unauthorized emissions during an emissions event in the Coker Unit (Incident No. 155619) that began on June 12, 2011 and lasted 10 hours and 48 minutes. Specifically, Shell Oil Company failed to prevent the over-pressurization of Coker Drums Nos. 1 and 2, which caused the vapors from steaming, quenching, and coking to be routed to the flare, which resulted in unauthorized release of 1,113.91 pounds ("lbs") of carbon monoxide ("CO"), 334.32 lbs of hydrogen sulfide, 30,763.49 lbs of sulfur dioxide, 154.22 lbs of nitrogen oxides ("NO<sub>x</sub>"), and 2,208.98 lbs of volatile organic compounds ("VOC"). The TCEQ determined that the emissions event could have been avoided by better operating practices. The operators failed to prevent the plugging of the shared overhead vapor lines and failed to clear the overhead vapor lines to enable switching drums.
4. During a record review from July 15, 2011 through September 9, 2011, TCEQ staff documented that Shell Oil Company failed to provide timely submittal of additional information to the TCEQ by August 1, 2011 for Incident No. 155619 that began on June 12, 2011 in the Coker Unit.
5. During a record review from July 12, 2011 through July 26, 2011, TCEQ staff documented Shell Chemical LP failed to prevent unauthorized emissions on June 7, 2011 in Olefins Plant 3. Specifically, Shell Chemical LP failed to prevent the over-pressurization of the C2 Splitter Column, which caused the off-specification product to be sent to the flare, resulting in unauthorized release of 405.30 lbs of NO<sub>x</sub>, 3,237.00 lbs of CO, and 580.71 lbs of VOC during an emission event (Incident No. 155389) lasting five hours. The TCEQ determined that the emissions event could have been avoided by better operating practices. The operators failed to reduce the feed and reflux rates to lower the pressure in the column.
6. During a record review from July 12, 2011 through July 26, 2011, TCEQ staff documented Shell Chemical LP failed to include all the total quantities of contaminants released in the final report for Incident No. 155389 that occurred on June 7, 2011 in Olefins Plant 3. Specifically, the final report only listed the unauthorized quantities released rather than total emissions released for all air contaminants that were released.
7. The Respondents received notices of the violations on October 12 and 25, 2011.

8. The Executive Director recognizes that the Respondents have implemented the following corrective measures at the Plants:
  - a. For the emissions event on June 7, 2011 (Incident No. 155389) and in order to prevent the recurrence of similar emissions events:
    - i. On June 15, 2011, lowered the alarm on differential pressure at the C2 Splitter Column to 20 pounds per square inch gauge;
    - ii. On June 23, 2011, modified the training modules to address potential column feed constraints and control actions;
    - iii. On July 5, 2011, added a second alarm to come on after 10 minutes of being off-target on differential pressure; and
    - iv. On July 26, 2011, provided correct emissions data for the event.
  - b. For the emissions event on June 12, 2011 (Incident No. 155619) and in order to prevent the recurrence of similar emissions events:
    - i. On September 9, 2011, provided the requested information; and
    - ii. On October 31, 2011, recalibrated the feed flow meters to all Coker drums to provide accurate measurement of the feed rates.

## II. CONCLUSIONS OF LAW

1. The Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, Shell Oil Company failed to prevent unauthorized emissions during an emissions event in the Coker Unit that began on June 12, 2011, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and (c)(7), and 122.143(4); New Source Review ("NSR") Flexible Permit Nos. 21262 and PSDTX928, Special Conditions ("SC") No. 1; Federal Operating Permit ("FOP") No. O-1669 Special Terms and Conditions ("STC") No. 22, and TEX. HEALTH & SAFETY CODE § 382.085(b). Because the event could have been avoided by better operating practices, Shell Oil Company did not meet the criteria for claiming an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
3. As evidenced by Findings of Fact No. 4, the Shell Oil Company failed to provide timely submittal of additional information to the TCEQ by August 1, 2011 for the emissions event that began on June 12, 2011 in the Coker Unit, in violation of 30 TEX. ADMIN. CODE § 101.201(f) and TEX. HEALTH & SAFETY CODE § 382.085(b).

4. As evidenced by Findings of Fact No. 5, Shell Chemical LP failed to prevent unauthorized emissions on June 7, 2011 in Olefins Plant 3, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4); NSR Permit Nos. 3219 and PSDTX974, SC No. 1; FOP No. O-1668, STC No. 15; and TEX. HEALTH & SAFETY CODE § 382.085(b). Because the event could have been avoided by better operating practices and was not reported properly, Shell Chemical LP did not meet the criteria for claiming an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
5. As evidenced by Findings of Fact No. 6, Shell Chemical LP failed to include all the total quantities of contaminants released in the final report for the emissions event that occurred on June 7, 2011 in Olefins Plant 3; in violation of 30 TEX. ADMIN. CODE § 101.201(b)(1)(H) and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondents for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
7. An administrative penalty in the amount of Twenty-One Thousand Five Hundred Sixty-Nine Dollars (\$21,569) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondents have paid Ten Thousand Seven Hundred Eighty-Five Dollars (\$10,785) of the administrative penalty. Ten Thousand Seven Hundred Eighty-Four Dollars (\$10,784) shall be conditionally offset by the Respondents' completion of a Supplemental Environmental Project ("SEP").

### III. ORDERING PROVISIONS

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

1. The Respondents are assessed an administrative penalty in the amount of Twenty-One Thousand Five Hundred Sixty-Nine Dollars (\$21,569) as set forth in Section II, Paragraph 7 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondents' compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Shell Oil Company and Shell Chemical LP, Docket No. 2011-2121-AIR-E" to:

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

2. The Respondents shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 7 above, Ten Thousand Seven Hundred Eighty-Four Dollars (\$10,784) of the assessed administrative penalty shall be offset with the condition that the Respondents implement the SEP defined in Attachment A, incorporated herein by reference. The Respondents' obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. Shell Oil Company shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, implement the following improvements to prevent recurrence of same or similar incidents to the June 12, 2011 emissions event (Incident No. 155619):
    - i. Calibrate and repair, as necessary, the nuclear level meters on all six Coker drums to provide for accurate continuous measurement of the liquid level and increase the frequency of future calibration and repairs;
    - ii. Add an additional high level alarm in each Coker drum, between the existing high level alarm set at 74 feet and the existing high-high level alarm and feed shutdown set at 82 feet, to provide improved control of the liquid and foam levels in the Coker drums throughout all steps in the Coker batch process; and
    - iii. Revise operating procedures and provide training to appropriate operating personnel to integrate any operating changes related to Ordering Provision No. 3.a.ii.
  - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i. through 3.a.iii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

information, including the possibility of fines and imprisonment for knowing violations.”

The certification shall be submitted to:

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

with a copy to:

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

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondents. The Respondents are ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plants' operations referenced in this Agreed Order.
5. If the Respondents fail to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondents' failure to comply is not a violation of this Agreed Order. The Respondents shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondents shall notify the Executive Director within seven days after the Respondents become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondents if the Executive Director determines that the Respondents have not complied with one or more of the terms or conditions in this Agreed Order.

8. 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.
9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondents in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. 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.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

*Pam Dawie Jr.*

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

*6/26/12*

\_\_\_\_\_  
Date

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

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

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

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

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

\_\_\_\_\_  
Signature

*3/8/12*  
\_\_\_\_\_  
Date

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

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

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

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

*Ronald Daniels Jr.*  
For the Executive Director

6/26/12  
Date

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

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- 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.

*Marc Sym*  
Signature

3/8/12  
Date

MARC SYM  
Name (Printed or typed)  
Authorized Representative of  
Shell Chemical LP

General Manager Deer Park  
Title

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



**Attachment A**  
**Docket Number: 2011-2121-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	Shell Oil Company and Shell Chemical LP
<b>Penalty Amount:</b>	Twenty-One Thousand Five Hundred Sixty-Nine Dollars (\$21,569)
<b>SEP Offset Amount:</b>	Ten Thousand Seven Hundred Eighty-Four Dollars (\$10,784)
<b>Type of SEP:</b>	Contribution to a Pre-approved SEP
<b>Third-Party Recipient:</b>	Houston Regional Monitoring Corporation
<b>Project Name:</b>	HRMC Houston Area Air Monitoring
<b>Location of SEP:</b>	Harris County

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 SEP Offset Amount is set forth above and such offset 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 the **Houston Regional Monitoring Corporation** for the **HRMC Houston Area Air Monitoring**. The contribution will be used in accordance with the Supplemental Environmental Project between the Third-Party Recipient and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to supplement existing operation of a network of ambient air monitoring stations (designated HRM Sites 1, 3, 4, 7, 8, 10, Wallisville, and Lynchburg Ferry) that continuously measure and record concentrations of ambient air pollutants including approximately 160 volatile organic compounds ("VOCs"). Specifically, the Third-Party Recipient shall use SEP Funds to operate, maintain, and potentially expand portions of the existing Houston Regional Monitoring Corporation ambient air quality monitoring network in the Houston area in order to continue to provide information on data quality and trends to the public, TCEQ, and industry representatives.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Shell Oil Company and Shell Chemical LP  
Attachment A

The Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action.

**B. Environmental Benefit**

This SEP will provide a discernible environmental benefit by providing data from the network which may be used to evaluate the effectiveness of current emission control strategies, track ambient concentration trends for key pollutants of interest, evaluate episodic emission events, conduct source attribution studies, and assess potential community exposure to toxic air contaminants. The TCEQ uses this information, along with information collected at its own monitors and monitors operated by the City of Houston, to evaluate Houston's progress toward achieving or remaining in attainment of the NAAQS. Implementation of this SEP will allow continuation of ambient air monitoring in this region to collect near real-time VOC, nitrogen oxides, ozone, and meteorological data sets that can be used to evaluate and track air pollution emission events as they occur and to assess potential ambient community exposure to a limited number of HAPs. Data from these monitors may also be publicly accessible through the TCEQ website and may be used in evaluating air quality in the area, including ozone forecasts, and ozone warnings. The public will directly benefit by having access to the data and the forecasting and notification tools which can be used for public awareness and will indirectly benefit by having data useful in addressing Houston's ozone non-attainment status.

**C. Minimum Expenditure**

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

**2. Performance Schedule**

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

Houston Regional Monitoring Corporation SEP  
c/o Christopher B. Amandes, Vinson & Elkins, LLP  
First City Tower  
1001 Fannin Street, Suite 2500  
Houston, Texas 77002-6760

### **3. Records and Reporting**

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

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

### **4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP agreement in any way, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to complete the project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and shall include on the check the docket number of this Agreed Order and note that it is for reimbursement of a SEP. The Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

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

### **5. Publicity**

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

**6. Clean Texas Program**

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

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

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